

required to maintain and service a large scale fleet of motor vehicles. He planned and scheduled the daily workload, maintained records, updated data, ordered and updated parts, scheduled services and repairs, inspected motor vehicles, recommended replacements, supervised the storage and safekeeping of vehicles, and made arrangements for the registration and State inspections of vehicles. In support, the appointing authority indicates that the appellant has worked for the county for 15 years. He plans and schedules daily workloads, schedules service and repairs, and ensures that the Department of Public Works is in compliance with rules and regulations. Also, the former Supervisor of Motor Pool indicates that, as a Senior Mechanic, Henry was responsible for scheduling maintenance, repair and service of motor vehicles and equipment, interacted with vendors to order parts and schedule services, contacted outside repair facilities for quotes, and handled registration and inspections, in addition to other tasks.

CONCLUSION

N.J.A.C. 4A:4-7.8(c) provides, in pertinent part, that if the nature of the work, education and experience qualifications of both titles are dissimilar for a demotional title change, then the employee shall be appointed pending examination.

N.J.A.C. 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

At the outset, it must be underscored that a “Qualifying Examination” requires candidate to demonstrate that he or she possesses the necessary experience for a particular title in order to effect a lateral or demotional title change to the title with permanent status. Since a determination of eligibility equates to a candidate passing this type of examination, and generally results in the candidate’s appointment, pending a qualifying examination, being changed to a permanent appointment, it is imperative that the candidate unambiguously indicates his or her experience on the application. This information is crucial, because it is essentially equivalent to correct responses on a multiple-choice, or “assembled” examination. Thus, the Commission must primarily focus on the “test papers,” *i.e.*, the original application materials presented to Agency Services for review, and determine if an “error” was made in the “scoring” of the test or other noncompliance with Civil Service law and rule.

A review of the appellant’s application reveals that he does not meet the experience requirements for Supervisor of Motor Pool. In his positions with Cumberland County, the appellant was maintaining and servicing vehicles. While the duties listed on the application, on appeal, and in the letters of support are consistent, they do not include coordinating a large scale fleet of motor vehicles including the leasing or assignment of vehicles to individuals. For this reason, it appears that the appellant’s position is misclassified. A Supervisor of Motor Pool is

responsible for supervising and coordinating the activities of a unit involved in scheduling the use, assignment, and maintenance of motor vehicles. The primary focus should include supervising the scheduling and assigning motor vehicles to authorized personnel on a priority basis, in addition to the maintenance of motor vehicles. Since this type of examination is performed in support of a demotional title change, it is necessary not only to have the requisite experience for the title, but for the title to be utilized to be appropriate for the position. In other words, it is questionable if the title is appropriate for the appellant's position. The appellant is not eligible for the subject position and the appellant's position appears to be misclassified as a Supervisor of Motor Pool. Under these circumstances, the matter of the appellant's provisional position classification is referred to Agency Services for review.

Agency Services correctly determined that the appellant did not pass the subject qualifying examination. Therefore, he has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this request be denied, and the matter of the appellant's provisional position classification be referred to Agency Services for review

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 23rd DAY OF OCTOBER, 2019



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

- c. Darlington Henry
Craig Atkinson
Kelly Glenn
Records Center