

Supervisor/Water Repair Supervisor in September 2018, and prior to that, was in the titles Equipment Operator, Sewer Repairer/Water Repairer 1, and Water Meter Repairer. He was credited with two years, five months for both experience requirements for his experience as a Sewer Repairer/Water Repairer 1. Thus, he was found to be lacking seven months of sewer installation or repair work and/or in varied plumbing work and/or in the operation and maintenance of sewer maintenance equipment, including one year in a lead worker capacity, and one year, seven months of experience in the installation, repair, and maintenance of water mains, pipes, valves, hydrants, and other water service equipment and/or in the operation of water treatment plant apparatus and/or in varied plumbing work.

On appeal, the Superintendent of Utilities states that the appellant has done everything imaginable in the field of water and wastewater, and has forty years of experience in heavy equipment operation, installation and repair of distribution and collection system infrastructure, and maintenance and repairs of pumps and electrical systems and metering systems, and he has been a lead worker of crews on a daily basis since February 2013.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

N.J.A.C. 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, the appellant was correctly found ineligible for the subject examination. As *N.J.A.C.* 4A:4-2.1(f) specifically provides that examination applications may only be amended prior to the filing date, information regarding additional experience provided on appeal usually cannot be considered. However, in this case, the appellant clearly did not complete his application correctly and include his provisional experience in the subject title on his application. If he had, he would have been credited with an additional five months of applicable experience for both titles, including five months of experience as a lead worker. To date, the appellant has accrued at least an additional eight months of experience as a provisional in the subject title, which would allow him to meet the Sewer Repairer Supervisor portion of the requirement. Additionally, while he was not credited with his experience as a Water Meter Repairer, it is clear that he was a Pump Station Operator as well. His experience in this title maintaining pumping station equipment and repairing pumps and bubbler systems can be considered the operation of water treatment plant apparatus and varied plumbing work. In sum,

with the acceptance of eight months of experience after the closing date and his experience as a Water Meter Repairer, the appellant meets both requirements, and the examination was cancelled for a lack of eligible candidates. Based on the circumstances presented, good cause has been established to relax the provisions of *N.J.A.C. 4A:4-2.1(f)* and *N.J.A.C. 4A:4-2.3(b)* to accept the appellant's additional experience in his provisional position beyond the closing date, and admit him to the examination. The appellant is cautioned to include all employment positions on future applications.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant's application be processed.

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



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