



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Frank Licata, Jr.,  
Senior Maintenance Repairer Low  
Pressure License (PM2417W),  
Borough of Lodi, Housing Authority

Examination Appeal

CSC Docket No. 2019-2512

**ISSUED: DECEMBER 18, 2019 (ABR)**

Frank Licata, Jr., appeals the determination of the Division of Agency Services (Agency Services) that he failed to indicate that he possessed the required license for the Senior Maintenance Repairer Low Pressure License (PM2417W), Borough of Lodi, Housing Authority examination.

The subject examination announcement was issued with a closing date of September 21, 2018. The examination was open to applicants who possessed an aggregate of one year of continuous permanent service that were serving in the title of Maintenance Repairer Low Pressure License as of the closing date, and who possessed a current and valid Black Seal Boiler Operator License (low pressure) issued by the Department of Labor and Workforce Development. The subject examination was cancelled on March 20, 2019 after the appellant, as the only applicant, was deemed ineligible.

On his application, the appellant indicated that he served in the title of Maintenance Repairer Low Pressure License<sup>1</sup> from October 2008 to the closing date. However, he did not indicate that he possessed the required license. Upon review of his application, Agency Services deemed the appellant ineligible for the subject examination because he did not indicate that he possessed the required license.

<sup>1</sup> The Commission notes that in his application for the Maintenance Repairer Low Pressure License (PM1060T), Borough of Lodi, Housing Authority examination, the appellant stated that he possessed a Black Seal Boiler Operator (low pressure) license.

On appeal to the Civil Service Commission (Commission), the appellant submits a copy of his Black Seal Boiler Operator License (low pressure) from the Department of Labor and Workforce Development.

Agency records indicate that the appellant served provisionally as a Senior Maintenance Repairer Low Pressure License from June 2018 to the closing date, as a Maintenance Repairer Low Pressure License from December 2015 to June 2018 and provisionally from April 2015 to December 2015; and as a Building Maintenance Worker from January 2009 to April 2015. It is further noted that the appellant continues to serve provisionally in the subject title.

### CONCLUSION

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

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination as he did not indicate that he possessed a Black Seal Boiler Operator License (low pressure), as required. However, the Commission notes that the appellant stated in his application that his permanent title is Maintenance Repairer Low Pressure License, which per the job specification for that title, is a position which requires incumbents to possess a valid Black Seal Boiler Operator License (low pressure) issued by the Department of Labor and Workforce Development. Moreover, it observes that the petitioner stated in his application for the Maintenance Repairer Low Pressure License (PM1060T), Borough of Lodi, Housing Authority examination that he possessed this license. On appeal, the appellant provides proof that he possessed a Black Seal Boiler Operator License (low pressure) as of the closing date. The Commission finds that the record demonstrates that a sufficient basis exists to accept the foregoing as clarifying information pursuant to *N.J.A.C.* 4A:4-2.1(g). Accordingly, the appellant meets the license requirement for the subject examination.

Finally, the appellant is cautioned that in the future he must include all required information in his application, including all documentation specified in the examination announcement, as his failure to do so may result in his ineligibility for a prospective examination.

### ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities only.

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 18<sup>TH</sup> DAY OF DECEMBER, 2019

*Deirdre' L. Webster Cobb*

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Deirdré L. Webster Cobb  
Chairperson  
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