



**STATE OF NEW JERSEY**

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

In the Matter of Brian Brennan,  
Mechanic (PC1301W),  
Middlesex County

Examination Appeal

CSC Docket No. 2019-1827

**ISSUED: FEBRUARY 27, 2019 (RE)**

Brian Brennan appeals the decision of the Division of Agency Services (Agency Services) which found that he did not meet the experience requirements for the promotional examination for Mechanic (PC1301W), Middlesex County.

The subject promotional examination had a closing date of May 21, 2018 and was open to employees in the non-competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the titles Mechanics Helper or Mechanics Helper/Truck Driver, or to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date, and who met the announced requirements. Those requirements were successful completion of one (1) year of training in automotive technology at an accredited community college or vocational school, and two years of experience in the maintenance and repair of various types of motor vehicles and/or construction equipment such as bulldozers, tractors, cranes, road graders, power shovels, or similar equipment. Applicants who do not possess the required year of formal training could substitute one additional year of experience. Possession of a certificate as an Automotive Mechanic issued by the National Institute for Automotive Service Excellence could be substituted for one year of formal training. The appellant was found to be below the minimum requirements in experience. Two applicants appear on the eligible list, which has been certified, but no appointments have yet been made.

On his application, the appellant indicated possession of the required training, and he listed one position, Technician from December 2015 to December 2016. Official records indicate that he was a Mechanics Helper from January 2017 to

February 2018, and a provisional Mechanic from March 2018 to the May 2018 closing date. He was credited with one year, one month of experience, for the one position on his application and was found to be lacking eleven months of required experience.

On appeal, the appellant indicates that he is qualified for the examination, and he submits a resume with additional positions.

### 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:1-1.2(c) provides that the Civil Service Commission may relax the rules for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, the appellant was found to be lacking eleven months of qualifying experience. The appellant listed only one positions on his application, and as such, Agency Services correctly determined that the appellant was not eligible for the subject examination. Nevertheless, the appellant has accrued at least an additional eleven months of applicable experience in his positions with Middlesex County. He serves as a provisional in the subject title, the list is incomplete, and the eligibles on the list also serve as provisional incumbents in the subject title. As such, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a), and accept the appellant's additional experience and admit his to the examination.

On a final note, the On-Line Application System User's Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under the experience portion of the applications advise applicants to provide all employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one separately. The appellant should follow these instructions and properly complete any future applications for examinations.

### ORDER

Therefore, it is ordered that this appeal be granted, 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 20<sup>TH</sup> DAY OF FEBRUARY, 2019



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