



**STATE OF NEW JERSEY**

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

In the Matter of Brian Albertson,  
Drafting Technician/Public Works  
Inspector (C0504B), Burlington  
County

Examination Appeal

CSC Docket No. 2021-1257

**ISSUED: APRIL 12, 2021 (RE)**

Brian Albertson appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the open-competitive examination for the “dual” title Drafting Technician/Public Works Inspector (C0504B), Burlington County.

The subject examination had a closing date of April 6, 2020 and was open to residents of Burlington County who met the announced requirement. This requirement was one year of experience in the construction or installation of roads, water mains, sewer lines, or similar public works construction activities involving the reading and interpretation of blueprints, plans, specifications, and engineering drawings or surveying techniques directly related to public works construction. The appellant was found to be ineligible based on a lack of experience. As there were no admitted applicants, the examination was canceled on March 10, 2021.

On his application, the appellant indicated possession of a Bachelor’s degree and listed four positions on his application, Civil Engineer Trainee from November 2019 to March 2020; Laborer/TCC/Foreman with Work Zone Contractors from June 2017 to September 2019; Laborer with RE Pierson Construction from September 2011 to June 2016; and Laborer/Foreman with highway Safety Systems, Inc. from May 2005 to September 2010. Official records indicate that the appellant was provisionally appointed as a Drafting Technician/Public Works Inspector in February 2020, and prior to that was a Civil Engineer Trainee from December 2019 to February 2020, and a Truck Driver from November 2019 to December 2019. He was credited with

five months of experience in the first position listed on his application, and was found to be lacking seven months of applicable experience.

On appeal, the appellant states that he has worked in the construction industry for 16 years, particularly in heavy highway construction. He lists some duties performed as a Laborer and Foreman, and submits a resume with additional positions listed.

### **CONCLUSION**

*N.J.A.C.* 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive 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. He was credited with five months of experience in his Civil Engineer Trainee position, time which included his provisional experience. His remaining experience was not qualifying, as it did not have the announced experience requirement as the primary focus. However, the examination was cancelled, the appellant continues to serve provisionally in the title under test, and he has accrued at least an additional seven months of experience since the April 2020 closing date. 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 provisional experience beyond the closing date and admit him to the examination.

### **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 7<sup>TH</sup> DAY OF APRIL, 2021

*Deirdre' L. Webster Cobb*

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