

CSC  
B-25



STATE OF NEW JERSEY

In the Matter of Sharon Municello-  
Baker, Contract Administrator 3  
(PS2879K), Department of Human  
Services

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-808

Examination Appeal

ISSUED: **DEC 17 2015** (SLK)

Sharon Municello-Baker petitions the Civil Service Commission (Commission) to accept her untimely application for the promotional examination for Contract Administrator 3 (PS2879K), Department of Human Services, Division of Mental Health and Addiction Services.

The examination at issue was announced with specific requirements that had to be met as of the February 21, 2015 closing date (see attached). Four employees applied for the subject examination and all four employees were admitted to the examination which was administered on August 11, 2015. Certification PS151376 was issued containing the names of all four eligibles and its disposition is due December 3, 2015. The list expires on September 2, 2017.

On appeal, the appellant presents that she applied for the subject promotional examination on February 4, 2015, completed and submitted her application via the Online Application System (OAS) and paid the \$25 application fee. The appellant provides a copy of her application and payment verification, which are both dated February 4, 2015, as proof. However, all of her coworkers who applied for the examination, except her, received a notice scheduling them for the examination. Thereafter, the appellant states that she called the Division of Agency Services (Agency Services) on August 3, 2015 and was informed that it had no record of her initiating or submitting an application for the subject examination. The appellant acknowledges that she cannot find any confirmation that her application was accepted by the OAS and her credit card statement does not indicate that the fee was paid. However, the appellant reiterates that she did complete, submit, and pay for

her application and she asserts that it was not received due to an error with the OAS. She argues that she made a good-faith effort to apply for the subject examination in a timely fashion and it should not be held against her for not being aware that she did not receive an email confirmation or check to see if the payment had been confirmed on her credit card statement.

A review of the OAS indicates that the appellant started an application for the subject examination and uploaded a transcript on February 4, 2015. However, she did not complete the payment section. The payment verification page that the appellant submits on appeal is a screen that applicants would see after entering in their payment information. However, the applicant is specifically prompted to verify their credit card information. Specifically, the prompt states:

Review payment information. You may edit Billing and Payment Method here if needed. When complete, select 'Make Payment'.

In this case, the appellant did not click the "Make Payment" button. Therefore, since payment was not tendered, her application was not submitted. Further, OAS records indicate that she did not receive a confirmation page or email with her confirmation number, fees were charged to her credit card, and there is no record that OAS Support received any emails from the appellant indicating that she was having a problem filing her application. OAS records also reflect that on July 8, 2015, the appellant submitted an application for Analyst 1, Health Care Facilities Mental Health Services (PS6434K). However, prior to submitting a new application, the OAS system will advise the user that she had started, but did not submit a prior application that is incomplete. Therefore, in order to submit a new application, a user will have to first delete an incomplete application. In this case, OAS records indicate that the appellant deleted her application for the subject examination on July 8, 2015 when she filed for the Analyst 1, Health Care Facilities Mental Health Services (PS6434K) examination.

## CONCLUSION

*N.J.A.C.* 4A:4-2.1(e) provides that unless otherwise provided for by the Chairperson of the Commission or designee, applications for promotional examinations shall be submitted to the Commission no later than 11:59 P.M. on the announced application filing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the present matter, the appellant did not click the "Make Payment" button when she attempted to submit her application on February 4, 2015. Therefore, since payment was not tendered, her application was not submitted and she did not receive a confirmation page or email with her confirmation number, and fees were not

charged to her credit card. As the OAS system clearly advises all applicants of the necessary steps to perfect an application, the appellant's failure to authorize payment for her application is generally not a sufficient basis on which to permit the filing of late application. However, it cannot be ignored that OAS records confirm that prior to the announced closing date, the appellant uploaded her transcript, completed her application, and thought she submitted her payment on February 4, 2015. Further, the appellant is serving in the next lower in-series title of Contract Administrator 2 in the announced unit scope. Therefore, the record suggests that the appellant attempted to file a timely application, but since she inadvertently did not select the "Make payment" button after she verified her payment information, her application was not submitted to Agency Services.

The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Also, the subject list expires on September 2, 2017 and eligible lists are used in the order they are produced and new eligible lists cannot be used until a prior list has been exhausted or has expired. Consequently, allowing the appellant to file a late application could potentially provide the appointing authority with a viable candidate for future promotional opportunities without having to wait until the subject list has been exhausted or expires in two years. Under these unique circumstances, good cause is established to permit the appellant to file a late application for the subject examination.

It is noted that this remedy is limited to the unique circumstances of this matter and does not provide a precedent in any other matter. Finally, the Commission notes that appellant's remedy is based on the particular circumstances of this matter and she is cautioned that, for future examination announcements, she must timely file her application.

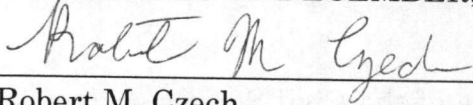
#### ORDER

Therefore, it is ordered that this petition be granted and Sharon Municello-Baker be permitted to submit an application for the Contract Administrator 3 (PS2879K) examination. It is further ordered that Municello-Baker submit a promotional application and \$25.00 application processing fee within 10 days of the issuance date on this determination. Upon receipt of the application and processing fee, it is ordered that her application be processed and if she is deemed eligible, she be scheduled for a make-up examination as soon as possible. If Municello-Baker achieves a passing score, her name should be added to the eligible list for prospective employment opportunities only. Finally, if Municello-Baker fails to submit an

application with the required payment within 10 days of the issuance date on this determination, she will not be entitled to have an application for the subject examination 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 16<sup>th</sup> DAY OF DECEMBER, 2015**



Robert M. Czech  
Chairperson  
Civil Service Commission

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and  
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c: Sharon Municello-Baker  
Valerie Bayless  
Kelly Glenn  
Joseph Gambino



NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE  
**PROMOTIONAL ANNOUNCEMENT**



\$25.00 PROCESSING FEE REQUIRED  
 Make Check/Money Order Payable to NJCSC

SYMBOL: <b>PS2879K</b>	WEIGHT CODE: *
TITLE: <b>CONTRACT ADMINISTRATOR 3</b>	SALARY: <b>\$74,252.00 - \$105,891.00</b>
ISSUE DATE: <b>February 01, 2015</b>	CLOSING DATE: <b>February 21, 2015</b>
TITLE CODE: <b>51250/NPRXR9</b>	CLASS CODE: <b>29</b>
DEPARTMENT: <b>HSB/HUMAN SERVICES</b>	
UNIT SCOPE: <b>K950 Division of Mental Health and Addiction Services</b>	

Visit [www.state.nj.us/csc](http://www.state.nj.us/csc)  
 And select "Job Announcements"  
 to view this announcement and to file an application

**Open to employees in the competitive division who are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):**

**Contract Administrator 2**

**Or to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:**

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. (Foreign degrees/ transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Applicants who do not possess the required education may substitute additional experience as indicated on a year for year basis with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Four (4) years of experience involving contract/grant work, project financing, construction management, financial administration, social services administration, and/or budget and management operations of a government or business entity, at least two (2) years of which shall have involved responsibility for some aspect of contract/grant work administration.

Note: A Master's degree from an accredited college or university in Accounting, Finance, Business Administration, Public Health, Public or Hospital Administration or Social Work (with concentrations in Health, Administration, or Social Policy) may be substituted for one (1) year of the basic experience. (There is no substitution for the two (2) years of experience involving responsibility for some aspect of contract/grant work.) You must indicate the details of your Master's degree on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

**Note: This announcement may be tested via the Supervisory Test Battery, a computer-administered exam. For information regarding the Supervisory Test Battery, please refer to our website <http://www.state.nj.us/csc/seekers/about/steps/step7.html>.**

**IMPORTANT INFORMATION**

1. NJAC 4A:4-2.6 states that all requirements listed, including assignment to the department and unit scope, must be met as of the closing date.
2. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.
5. In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.
6. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: [OAS.support@csc.state.nj.us](mailto:OAS.support@csc.state.nj.us) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.

DPF-256A \* Revised 03/09

PH.D. THESIS

BY

NAME

DEPARTMENT

DATE

ADVISOR

COMMITTEE

ABSTRACT

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CHAPTER VII

CHAPTER VIII

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