



**STATE OF NEW JERSEY**

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

In the Matter of Lueciel Morgan,  
Senior Practical Nurse (PS9629E),  
New Jersey Memorial Home  
Vineland

Examination Appeal

CSC Docket No. 2019-3543

**ISSUED: JUNE 28, 2019**

**(SLK)**

Lueciel Morgan requests to file a late application for the promotional examination for Senior Practical Nurse (PS9629E), New Jersey Memorial Home Vineland.

The examination at issue was announced with requirements that had to be met as of the May 21, 2019 closing date. Specifically, the examination was open to employees who served within the appointing authority’s E400 unit scope, who had an aggregate of one year of continuous permanent service as of the closing date as a Practical Nurse, and had two years of experience as a Licensed Practical Nurse. A total of the three employees applied for the examination. The list has not yet promulgated. However, the appellant, who is currently serving provisionally in the subject title and has been permanently serving as a Practical Nurse since April 29, 2017, did not apply to the subject examination.<sup>1</sup> Instead, she applied to Senior Field Representative Health Education (PC0631A), Cumberland County, which was open to employees within Cumberland County’s Department of Health.

In her request, the appellant presents that she is a Licensed Practical Nurse and has worked for the appointing authority for the past 10 years. She indicates

<sup>1</sup> The appellant’s personnel record indicates that she was provisionally serving in the subject title from March 2019 to the May 21, 2019 closing date, a Practical Nurse from April 2017 to March 2019, a Medical AFSCME from July 2014 to April 2017, a Direct Care AFSCME from June 2012 to July 2014, a Practical Nurse from November 2011 to June 2012, and a Medical AFSCME from June 2007 to November 2011.

that she intended to apply for the subject examination. However, instead, she applied to the Senior Field Representative Health Education (PC0631A), Cumberland County promotional examination. The appellant explains that this is the first time she applied for a promotional examination. She states that she thought she was following the instructions to apply for the subject examination. However, the appellant presents that she went to the “wrong site” and applied for the wrong examination. The appellant indicates that she only learned of her mistake after the subject examination closing date when human resources informed her that her name was not on the list for the subject examination. She requests to either have her application from the Senior Field Representative Health Education (PC0631A), Cumberland County announcement applied to the subject examination or that she be given the opportunity to submit a late application for the subject examination.

### CONCLUSION

*N.J.A.C.* 4A:4-2.1(e) provides that applications must be filed no later than the announced filing deadline. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

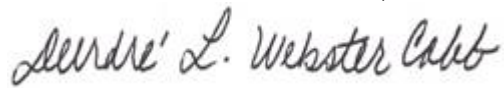
In the instant matter, the appellant acknowledges that she did not file for the subject examination by the announced filing date. Instead, she explains that this was the first time she applied for a promotional examination, went to the wrong site, and mistakenly applied to the wrong examination. A review of the record indicates that the symbols and the titles for the two examinations were completely different. Further, the subject examination was a position with a State appointing authority while the mistaken examination was for a local jurisdiction. Moreover, when a candidate goes on the Civil Service Commission website to apply for a promotional examination, candidates are given a warning message that the promotional examination is only open to employees serving in the applicable unit scope. Therefore, as the appellant is not employed in Cumberland County’s Department of Health, she should have realized that she was applying for the wrong examination after receiving the warning concerning unit scope. Moreover, the subject announcement is likely to produce a complete eligible list of candidates. Thus, while unfortunate, there is no basis to relax the provisions of *N.J.A.C.* 4A:4-2.1(e) to allow the appellant to file a late application. Accordingly, there is no reasonable explanation as to why the appellant applied for the wrong examination and she failed to meet her burden of proof.

### ORDER

Therefore, it is ordered that this request be denied.

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 26<sup>th</sup> DAY OF JUNE, 2019



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