

STATE OF NEW JERSEY

In the Matter of Sally Shadlun, Architect (M0048A), Jersey City

CSC Docket No. 2020-169

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED: October 29, 2019 (RE)

Sally Shadlun appeals the decision of the Division of Agency Services which found that she lacked the required license for the open-competitive examination for Architect (M0048A), Jersey City.

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The subject examination was announced with a closing date of January 7, 2019, and was open to residents of Jersey City, who met the requirements of possession of a valid license as an Architect issued by the New Jersey State Board of Architects. The announcement instructed applicants to upload a copy of this certificate with their application, and indicated that failure to do so would result in ineligibility. The appellant was found ineligible for failure to possess the required license. As there were no other applicants, the examination was cancelled on July 19, 2019.

On appeal, the appellant submits a copy of a valid license issued May 29, 2019, five months after the closing date.

- *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: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.

CONCLUSION

The announcement for the subject examination noted that applicants must upload a copy of the certificate with the application or be found to be ineligible. The appellant indicated on her application that she possessed a license in New York, but not one in New Jersey. After receiving her Notification of Ineligibility, she filed an appeal and provided a copy of the required license. However, this license was issued five months after the closing date. Nevertheless, the appellant now has the required license, and the examination is not competitive as there are no admitted applicants. Accordingly, good cause has been established to relax the provisions of *N.J.A.C.* 4A:2-3(b) to accept the appellant's license issued to her after the closing date and admit her to the subject examination. For any future positions in which he might be interested, the appellant is cautioned that she should complete his application and provide all requested information.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation be rescinded, and the appellant be admitted to the examination for Architect (M0048A), Jersey City.

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 23rd DAY OF OCTOBER, 2019

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Chairperson

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