



On appeal to the Civil Service Commission (Commission), the appellant states that there was no language in the SFSS1 “job description” that explained that he could not apply for the SFSS1 position. In that regard, he argues that there was no clarity or language that separated the supervisor or case work supervisor position. There was also no clear warning to help him to understand he was applying for the wrong examination and, because it took over a month to receive a notification that he had applied for the wrong examination, he was not given the opportunity to re-apply for the correct examination. The appellant indicates that he filed for the SFSS1 (PS4823K), DCF, examination on the first day that the announcement posted. It is noted that the appellant’s application for that examination was confirmed received on October 3, 2018.

### CONCLUSION

*N.J.A.C.* 4A:4-6.3(b) states, in pertinent part, that the appellant has the burden of proof in examination and selection appeals.

In the instant matter, the appellant did not submit an application for the subject examination between the issuance date of October 1, 2018 and the closing date of October 22, 2018. In that regard, *N.J.A.C.* 4A:4-2.1(e) provides, in pertinent part, that applications for promotional examinations should be submitted to the Commission no later than 4:00 p.m. on the announced application filing date. This provision is necessary for Agency Services to properly process the voluminous numbers of applications it receives for various examinations. Moreover, applicants must meet the requirements listed on the *job announcements* in order to be deemed eligible to file for specific examinations. As to the “job description” that the appellant refers to in his appeal, it is noted that job specifications specifically advise that “*You are reading the State of New Jersey Job Descriptions. This is not a Job Vacancy Announcement.*”

In addition, all announcements advise applicants that only on-line applications will be accepted. In that regard, when filing for a specific promotional announcement utilizing the On-line Application System (OAS), the first screen that appears *before* applicants can proceed to fill out their application consists of a large red *STOP* sign and indicates:

You must work for:

Department:

Unit: [Specific unit scope for announcement]

to meet the first eligibility requirement of this announcement.

If you do not meet this requirement and choose to file an application, you will be found ineligible and your application fee will not be refunded.

After completing the on-line application, applicants are sent an automatic e-mail confirming that their application has been received by this agency and listing, among other things, *the title name, promotional symbol*, closing date, and jurisdiction for the promotion.

Furthermore, pursuant to *N.J.A.C. 4A:4-2.1(b)*, although DCF was not obligated to inform the appellant of the subject examination as he had not permanently served in the FSS1 title for one year as of the October 22, 2018 closing date, DCF's Human Resources staff trains employees at all local and area offices on their respective unit scopes and how to file for an examination, utilizing screens from the OAS that explains to employees to verify that they are filing for the correct examination before proceeding. Employees are also advised that access to all postings are on the Commission's web site and DCF's intranet. Moreover, via e-mail, job announcements are forwarded to all managers and are posted behind a locked glass cabinet. Managers are required to sign off on the *Manager Acknowledgement Signature Sheet* and return it to Human Resources. Lastly, employees are provided with a contact number and an e-mail address to the Human Resources helpdesk if they have any questions.

Notwithstanding all of the information provided to the appellant regarding the importance of filing promotional applications for the appropriate symbol numbers and unit scopes, for various reasons, the appellant erroneously applied for the incorrect promotional examination. While the Commission has granted remedies for this type of situation in the past, it is clear in this case that the appellant was provided with the proper information regarding the application process. In *In the Matters of Supervising Family Service Specialist 2 (PS1035K), Supervising Family Service Specialist 2 (Bilingual in Spanish and English) (PS1036K), Supervising Family Service Specialist 1 (PS1032K), Supervising Family Service Specialist 1 (PS1015K), and Family Service Specialist 1 (PS2267K), Department of Children and Families* (CSC, decided October 19, 2016), the Commission determined that it would not permit applicants who file for an incorrect examination symbol to file a late application for the correct symbol given that there are numerous warnings provided to ensure the proper symbol is used when initially applying for the test. Moreover, agency records indicate that over 900 applicants properly followed the announced procedures and applied for the correct examination. Thus, it is unfortunate that the appellant applied for the incorrect examination. However, it is his responsibility to ensure his application was correct before submittal. The explanation provided by the appellant in the present matter for his failure to apply for the correct examination is insufficient to overcome the training provided by DCF and the various warnings provided while applying for the examination. Additionally, the appellant received timely notice that he filed for the SFSS1 (PS4823K) examination, and thus, he had

remaining time to rectify the error and apply for the SFSS2 (PS4837K) examination before the closing date. Therefore, he has not presented a sufficient basis to relax the above-noted requirements. Accordingly, the appellant's appeal cannot be granted.

**ORDER**

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in these matters. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 23<sup>rd</sup> DAY OF OCTOBER, 2019



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