

STATE OF NEW JERSEY

In the Matter of William Canizzaro, Assistant Supervisor, Public Works	•	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
(PM1211A), Ocean City	•	Examination Appeals
CSC Docket No. 2020-1281	•	
		<b>ISSUED: NOVEMBER 21, 2019</b> (SLK)

:

William Canizzaro requests to file a late application for the promotional examination for Assistant Supervisor, Public Works (PM1211A), Ocean City.

The examination at issue was announced with requirements that had to be met as of the September 23, 2019 closing date. There was only one employee who applied and that employee was found ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

On appeal, Canizzaro presents that he was out on Worker's Compensation at the time of the September 23, 2019 closing date. He explains due to complications from his illness and being out of work, he lost track of the subject examination closing date. On September 24, 2019, he contacted the appointing authority's human resources director who advised him to file an appeal. He presents his qualifications for the subject examination and highlights that he was provisionally appointed to the subject title in June 2019.

## CONLCUSION

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:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, Canizarro indicates that he was planning on applying for the subject examination, but he lost track of the closing date as he was out on leave due to an illness. Additionally, Canizarro is provisionally serving in the subject title and the examination was cancelled due to a lack of qualified candidates. 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). Under these circumstances, the Commission finds that Canizarro should be allowed to apply for the subject examination. Therefore, the Commission finds that there is good cause to relax N.J.A.C. 4A:4-2.1(e) and to allow the Canizarro to submit his application and application fee after the closing deadline for prospective employment opportunities only.

This determination is limited to the instant matter and does not provide precedent in any other matter.

## ORDER

Therefore, it is ordered that this request be granted, and William Canizzaro be permitted to submit an application for the Assistant Supervisor, Public Works (PM1211A), Ocean City examination. It is further ordered that Canizarro submit a promotional application and the \$25.00 application processing fee to the Division of Agency Services. The application and processing fee must be postmarked no later than 15 days from the issuance date of this decision. Upon receipt of the application and processing fee, it is ordered that his application be processed. Finally, if Canizzaro's application and the required payment are not postmarked on or before the 15<sup>th</sup> day after the issuance date of this decision, he 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 19<sup>th</sup> DAY OF NOVEMBER, 2019

derdre' L. Webster Calib

Deirdré L. Webster Cobb Chairperson Civil Service Commission

Inquiries and Correspondence Christopher S. Myers Director Division of Appeals and Regulatory Affairs Civil Service Commission Written Record Appeals Unit P.O. Box 312 Trenton, New Jersey 08625-0312

c: William Canizzaro (with blank application enclosure) Jay Gillian Jennifer Robb Kelly Glenn Records Center