



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Cedric Edwards,  
Office of the Public Defender

CSC Docket No. 2020-931

Request for Rule Relaxation

ISSUED: DECEMBER 6, 2019 (SLK)

The Office of the Public Defender (Public Defender) requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Cedric Edwards, a former Deputy Public Defender 1, to submit a late application for SCOR benefits.

By way of background, Edwards retired from State service, effective June 30, 2018. In a September 18, 2019 letter, the Division of Agency Services informed the Public Defender that Edwards' application for SCOR was being returned as the application was not filed within one year of the effective date of retirement.

In its request to the Civil Service Commission (Commission) on Edwards' behalf, the Public Defender states that it provided Edwards with an application for SCOR at the time of his retirement. However, it did not specifically advise him that his application must be completed and processed within the one-year timeframe. Thereafter, when Edwards contacted the Public Defender in July 2019, it instructed him to complete and submit his SCOR application; however, it did not realize that the timeframe had elapsed. The Public Defender asserts that it is not uncommon for its employees to request a delay in processing their SCOR payment. The Public Defender presents that going forward, it shall include information to retiring employees that SCOR applications must be processed within one-year from retirement. Additionally, it is planning on sending follow-up reminders to all retirees concerning their submission of their SCOR application. The Public Defender states that it hopes that Edwards does not have to forfeit his SCOR

payment, which it argues he deserves and earned based on his 30 years of service to the Public Defender and its clients as an attorney and attorney manager.

### CONCLUSION

*N.J.A.C.* 4A:6-3.3(a) provides that, upon retirement, an employee is entitled to SCOR to be “computed at the rate of one-half the employee’s daily rate of pay for each day of earned and unused accumulated sick leave at the effective date of retirement.” *N.J.A.C.* 4A:6-3.4(a) provides that an employee may file an application for SCOR within one year of the effective date of retirement. *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, Edwards retired from State service effective June 30, 2018. Although he did not file for his SCOR application until July 2019, the appointing authority indicates that it did not specifically advise him that his application must be completed and processed within the one-year timeframe. Further, it indicates that it supports his request based on his 30 years of service. Therefore, for equitable reasons, the Civil Service Commission relaxes the provisions of *N.J.A.C.* 4A:6.3.4(a) and grants his request.

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.

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 4<sup>th</sup> DAY OF DECEMBER, 2019



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