



STATE OF NEW JERSEY

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

In the Matter of Claudette Bailey,
Project Engineer Electrical
(PS8265T), Department of
Transportation

Examination Appeal

CSC Docket No. 2019-1079

ISSUED: MARCH 8, 2019 (HS)

Claudette Bailey requests permission to submit a late application for the promotional examination for Project Engineer Electrical (PS8265T), Department of Transportation (Transportation).

The subject examination was announced on September 1, 2018 with a closing date of September 21, 2018. The promotional announcement instructed applicants that only online applications would be accepted. The appellant did not file an application online during the application filing period but did submit the application processing fee.¹ On October 1, 2018, the Division of Agency Services returned the fee since the appellant had not submitted an online application.

In the instant request, the appellant claims that she attempted to file an application for the PS8265T examination online at least once before the announcement closed. Specifically, she states that on the afternoon of September 20, 2018, she had already started her application for Project Engineer Landscape (PS8266T), Transportation² and assumed she could also start her PS8265T application and complete the applications simultaneously. At that time, she realized that the Online Application System (OAS) would only allow her to complete one application at a time. The appellant adds that she was unaware that she did not have to upload all her supporting documents each time she filed an application. She maintains that had she been aware, she might have been able to complete her

¹ She claims to have also mailed her application.

² Agency records indicate that the appellant started her PS8266T application at 5:05 P.M. on September 20, 2018 and successfully completed it.

PS8266T application sooner and subsequently complete a PS8265T application. Included with the appellant's request in this matter is an August 24, 2018 e-mail from Transportation, which, among other things, advised the appellant that the PS8265T announcement was forthcoming and provided a link to the OAS User Guide on this agency's website.³ The appellant acknowledged receipt of this e-mail on August 24, 2018.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides, in pertinent part, that applicants for promotional examinations shall meet all requirements contained in the announcement. *N.J.A.C.* 4A:4-2.1(e) provides, in pertinent part, that applications for promotional examinations shall be submitted no later than 4:00 P.M. on the announced application filing date. *N.J.A.C.* 4A:1-1.2(c) provides that the Civil Service Commission (Commission) may relax a rule for good cause in a particular circumstance.

Upon review, the Commission declines to permit the appellant to file a late application. All applicants were informed on the announcement that only online applications would be accepted and that the last day to file applications was September 21, 2018. The appellant maintains that she attempted to file online on the afternoon of September 20, 2018. Nevertheless, it is clear that the appellant did not in fact complete an online application during the application filing period. It is unavailing that she relies on the fact that the OAS permits the applicant to work on only one application at a time. This is simply a design in the system, not a technical error. Also, assuming the appellant attempted to file an online application on the afternoon of September 20, 2018, she still had until 4:00 P.M. of the following day to complete the application, yet she does not explain why she could not file within that period of time. Further, it should not be ignored that the appellant had previously been advised of the announcement on August 24, 2018 and then had a three-week window from September 1, 2018 to September 21, 2018 to complete the application. However, it appears that she waited until close to the end of the application filing period to begin work on the application. The Commission also cannot credit the appellant's statement that she was unaware that she did not have to upload all her supporting documents each time she filed an application. In this regard, the OAS User Guide, available to all candidates on this agency's website, clearly indicates that "[o]nce you upload a document, it will become part of your record. If you submit future applications, you will not have to upload the same document again." Moreover, on August 24, 2018, the appellant had been apprised of the availability of the OAS User Guide. Accordingly, the Commission does not find good cause in this case to allow the appellant to file a late application.

³ The OAS User Guide indicates, with respect to "Uploading Supporting Documentation Online," the following: "Once you upload a document, it will become part of your record. If you submit future applications, you will not have to upload the same document again."

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 6TH DAY OF MARCH, 2019



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c. Claudette Bailey
Michele A. Shapiro
Kelly Glenn
Records Center