



STATE OF NEW JERSEY

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

In the Matter of Ellis Tamasi, Parole
Officer Recruit (S1000A), Statewide

CSC Docket No. 2020-106

Examination Appeal

ISSUED: AUGUST 5, 2019 (SLK)

Ellis Tamasi requests to file a late application for the open competitive examination for Parole Officer Recruit (S1000A), Statewide.

The examination at issue was announced with requirements that had to be met as of the June 21, 2019 closing date. Applications needed to be filed by 4:00 PM on the closing date. Agency records indicate that nearly 1200 candidates applied for the subject examination. The list has not yet promulgated.

On appeal, the petitioner states that he contacted this agency in May 2019 regarding the next upcoming date for the Parole Officer Recruit examination. He claims that this agency advised him that the Parole Officer Recruit examination was included with the Law Enforcement Examination (LEE) series, which was going to be announced in July 2019. Therefore, the petitioner was advised to check the Civil Service Commission's (Commission) website in July 2019. He indicates that he went on vacation in June 2019, and upon his return, he checked the Commission's website on July 2, 2019 and found that there was no announcement for the Parole Officer Recruit examination and there was only an announcement for the LEE. The petitioner states that he contacted this agency on July 3, 2019 and this time was advised that the Parole Officer Recruit and the LEE were separate examinations. Further, this agency informed him that the closing date for the subject examination was on June 21, 2019 and, therefore, it was suggested that he file an appeal. The petitioner highlights that he is currently a Probation Officer and represents that it has been his goal for many years to become a Parole Officer.

CONCLUSION

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 Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, the petitioner asserts that he initially contacted this agency in May 2019 to inquire as to when the subject examination was going to be announced. He states that he was advised that it was going to be announced in July 2019 as part of the LEE. Thereafter, the petitioner indicates that he went on the Commission website in early July 2019 to look for the subject examination announcement only to see that it was not there. He then contacted this agency a second time only to be advised that the deadline for the subject examination had passed on June 21, 2019, as it was a separate examination that was not part of the LEE. 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). Further, there are nearly 1200 applicants and multiple vacancies are anticipated for the subject title, so the candidate pool will not be significantly impacted by allowing another candidate to file. Additionally, the petitioner indicated that he contacted this agency twice about the subject examination and was initially provided incorrect information. Under these circumstances, the Commission finds that for equitable reasons the petitioner 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 petitioner 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.

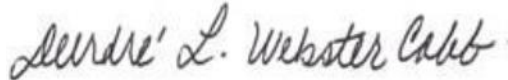
ORDER

Therefore, it is ordered that this petition be granted, and Ellis Tamasi be permitted to submit an application for the Parole Officer Recruit (S1000A), Statewide, examination. It is further ordered that Mr. Tamasi submit an open competitive 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 Mr.

Tamasi's application and the required payment are not postmarked on or before the 15th 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 31st DAY OF JULY, 2019



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: Ellis Tamasi (with blank application enclosure)
Kelly Glenn
Records Center