



**STATE OF NEW JERSEY**

In the Matter of Carolyn Sylvester,  
Buyer (PC2336W), Sussex County

CSC Docket No. 2020-1590

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

Request for Reconsideration

**ISSUED:** May 1, 2020 (RE)

Carolyn Sylvester, petitions the Civil Service Commission (Commission) for reconsideration of the attached decision rendered on September 10, 2019, which denied her appeal regarding her ineligibility for the promotional examination for Buyer (PC2336W), Sussex County.

The background of this matter is thoroughly discussed in the attached Commission decision. In the prior decision, the Commission explained that the petitioner was credited with three months of experience based on her provisional service in the title under test, but found that experience gained in her was not applicable. As such, the Commission found that the petitioner was not eligible for the subject examination and indicated she should be returned to her regular prior-held title immediately upon receipt of the decision.

In the present matter, the appellant argues that she spent much time ordering and purchasing equipment and supplies for her business, and for other positions. The appointing authority provides a letter of support which includes a memo from the Purchasing Agent who states that she believes that the petitioner meets the requirements, and the petitioner has been able to carry a heavy workload, works well with others, and has a willingness to work. She also states that the petitioner has completed all public purchasing classes and is working toward a Qualified Purchasing Agent certification. A revised resume is provided with more detailed duties of the petitioner's various positions as well as an additional position. It is noted that the petitioner's duties for her Owner/Operator of a sign, graphics

and printing company position have been tailored to emphasize the duties similar to those of Buyer.

It is noted that the subject examination was cancelled on May 22, 2019 due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test.

### **CONCLUSION**

*N.J.A.C.* 4A:2-1.6(b) sets forth the standards by which a prior decision may be reconsidered. This rule provides that a party must show that a clear material error has occurred or present new evidence or additional information not presented at the original proceeding which would change the outcome of the case and the reasons that such evidence was not presented at the original proceeding.

In the present matter, the Commission finds that reconsideration should be granted. While the petitioner's experience as a small business owner does not precisely mirror those of the announced requirements, given the verification of her duties and support provided by the appointing authority and the Purchasing Agent, the Commission is satisfied that the totality of her various levels of purchasing experience as far back as 2005 warrants her admission to the subject examination. Additionally, it cannot be ignored that the subject examination was cancelled due to a lack of qualified applicants and the appointing authority has demonstrated the need to retain her in provisionally in the title under test. Therefore, the petitioner should be admitted to the subject examination.

### **ORDER**

Therefore, it is ordered that this request be granted, the examination cancellation be rescinded, and the petitioner's application be processed for prospective employment opportunities only.

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 29<sup>TH</sup> DAY OF APRIL , 2020

*Deirdre' L. Webster Cobb*

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Deirdré L. Webster Cobb  
Chairperson  
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Attachment

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Records Center