



STATE OF NEW JERSEY

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

In the Matter of Felicia Ojolo,
Department of Corrections

CSC Docket Nos. 2021-50

Request for Rule Relaxation

ISSUED: OCTOBER 2, 2020 (SLK)

The Department of Corrections (Corrections) 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 Felicia Ojolo, a former Senior Correctional Police Officer, to submit a late application for SCOR benefits.

By way of background, Ojolo retired from State service, effective February 28, 2019. In an April 27, 2020 letter, the Division of Agency Services (Agency Services) informed Corrections that Ojolo’s 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 Ojolo’s behalf, Corrections states that an investigation into the matter revealed that the delay in submitting Ojolo’s SCOR application to this agency, which resulted in the denial of payment, was a direct result of an administrative error made by its human resources department. It presents that Ojolo submitted her application to human resources in a timely manner. Therefore, the appointing authority fully supports the payment of these benefits to Ojolo.

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, Ojolo retired from State service effective, February 28, 2019. Although her SCOR application was not received by this agency until after February 28, 2020, the appointing authority indicates that Ojolo submitted her SCOR application to its human resources department in a timely fashion. However, due to an administrative error, its human resources department did not submit her application to this agency within the one-year timeframe. Therefore, due to the appointing authority’s administrative error, the Commission finds good cause to relax the provisions of *N.J.A.C.* 4A:6.3.4(a) and grant the request.

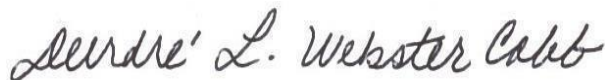
This determination is limited to the instant matter and does not provide precedent in any other matter.

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 30TH DAY OF SEPTEMBER, 2020



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