

STATE OF NEW JERSEY

In the Matters of Carl Moore and David Shaw, Crew Supervisor, Building Maintenance Programs (PS3334K), Department of Human Services		FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION					
CSC Docket Nos. 2021-634 and	::	Examination Appeal					
2021-838		ISSUED: FEBRUARY 5, 2021 (JET)					

Carl Moore and David Shaw petition the Civil Service Commission (Commission) to accept their untimely applications for the promotional examination for Crew Supervisor, Building Maintenance Programs (PS3334K), Department of Human Services.

The subject examination was announced with specific requirements which had to be satisfied by the November 23, 2020 closing date. A total of 19 candidates applied for the subject examination and 19 were determined eligible. The test has not yet been scheduled.

On appeal to the Commission, the petitioners assert that, due to unforeseen circumstances that occurred as a result of the Covid-19 pandemic, they were unable to submit their applications by the November 23, 2020 closing date. Specifically, Moore asserts that he was unable to access a public computer to submit an application as public facilities were closed due to the pandemic, and he does not own a computer at home. Shaw explains that he was taking care of his daughter who was infected with the Covid-19 virus, and although he attempted to submit the application, he experienced problems with the application program. As such, they now request to submit their applications.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in pertinent part, that applications for promotional examinations should be filed no later than the announced closing date for filing applications. *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.

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 the merit and fitness. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See Communication Workers of America v. New Jersey Department of Personnel, 154 N.J. 121 (1998). Additionally, the petitioners confirm that they were unable to timely submit their applications as a result of incidents stemming from the Covid-19 pandemic. Under these circumstances, the Commission finds that for equitable reasons, the petitioners should be allowed to apply for the subject examination. Therefore, the Commission finds good cause to relax N.J.A.C. 4A:4-2.1(e) and to allow the petitioners to submit their applications and application fees 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 these appeals be granted and the petitioners shall submit the attached applications and the \$25 application fee postmarked no later than 15 days of issuance date of this decision to the Division of Agency Services so that their applications can be processed. If their applications and required payments are not postmarked on or before the 15th day after the issuance date of this decision, they 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 3RD DAY OF FEBRUARY 2021

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Deirdré L. Webster Cobb Chairperson Civil Service Commission

Inquiries and Correspondence Christopher Myers Director Division of Appeals & Regulatory Affairs Civil Service Commission Written Record Appeals Unit PO Box 312 Trenton, New Jersey 08625-0312

c: Carl Moore (w/application) David Shaw (w/application) Angela Santandrea Division of Agency Services

Staple Payment Here					\$ 25.00 FEE REQUIRED Make Check/Money Order Payable to NJCSC FOR COMMISSION USE ONLY						
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Note: Applications m	ust be postmarked by						Code) - Number				
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6. Check the county in which you prefer to take the examination. 7. Are you claiming veterans preference? YES NO (Check one box only) Check YES if you are claiming veterans preference for this examination. If you have											
(1) Camden	established veterans preference since April 1, 1980, no further action is needed. Otherwise, complete a veterans preference claim form and include the required										
(4) Monmouth	n (6) Atlantic	(7) Bergen	documents. Claim forms are available on our web site at www.state.nj.us/csc and at our office at 44 S. Clinton Avenue, Trenton, NJ. Completed forms should be mailed to								
8. ADA Assistance: be contactuaccommod with the Ar	the Department of Military and Veterans' Affairs (DMAVA). For more information, visit their web site at www.state.nj.us/military or contact them at 1-888-865-8387. Note: In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list.										
	s) in which you will acce egarding this, contact yo		note: Not all pro	motional lists	can be used in all	geographic location	ons. If you				
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	an 🔲 (R) Passaic	(S) Salem	(T) Some	rset 🛛 (U) Sussex	(V) Union	(W) Warren				
10. Present Perman	ent Title & Appointmen	t Date:				umber will be kept					
Name & Title of Immediate Supervisor:				used as your applicant I.D. number to identify and track records and transactions associated with the application process. Collecting this data is permissible under NJSA							
				but its subm	ission is voluntar	y. If you do not p	rovide the number,				
Telephone Numbe		you will be i	responsible for re	ned to you. How, nembering it for a plication or testing							
in good faith. I understand	t that the statements made by that if my application is incom	nplete, it may be rejected. (WA	RNING: The Civil	rrect to the best of	of my knowledge and	belief, and are made	FORCSCONLY				
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NOTE: Your application m	ay be released to the Appoint	ing Authority for the purpose of	a veritying informat	-) your qualifications.						

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Signature	 	 	 	Date	

Title of Promotion:	ol: SS#:							
13. Educational Section - College And Graduate School - List any colleges, universities, and graduate schools you have attended. If it is required in the job announcement, be sure to attach a copy of your transcript or a list of courses, course descriptions, and credits completed. Foreign degrees/transcripts must be evaluated by a recognized evaluation service.								
What is the name and location of the college(s) you attended?	What yrs. did you attend?	s. did What was your major course of study? nd?		at type of degree you earn?	Did you graduat		If NO, when will you graduate?	Number of credits earned
	From: To:			ΠY		🗆 N	Month / Year	
	From: To:				ΠY	N	Month / Year	
14. Other Schools or Training Courses - Include related to the title for which you are applyi							ses that are	
What is the name & location of school/facility where What classes did course(s)/training was held?						Did you complete the program?		
				Month/Yr. TO	Month/Yr.			□ Y □ N
					Month/Yr. TO Month/Yr.			□ Y □ N
15. Use this space to describe any internships,	licenses, cert	ifications or registrations that you posse	ss w	nich are related	to the posi	tion for v	which you are apply	ring.
A. What type of license(s), certification(s), and/or re	egistration(s) do you hold?		C. What ty	pe of inte	ernship	(s) have you com	pleted?
				Where	was the ir	nternshi	p(s) completed?	
In which state(s) do you hold the lice	nse(s), certi	fication(s), and/or registration(s)?	What were the dates of the internship(s)?					
			How many hours per week did you take part in the internship?					
B. What was the original issue date of t	the license(s	s), certification(s), and/or registration	n(s)? Was it part of a college curriculum? └─ Y ── N D. Certified Public Manager's Program					
			Level 1 - 3 Completed Month/Year					
What is the date of your current licen	ise(s), certin	cation(s), and/or registration(s)?	Level 4 - 6 Completed Month/Year					
16. Employment Record - If you do not proheld different positions with the same employe part time, and the number of hours worked per application properly may cause you to be decla	er, list each po week. Since	osition separately. Make sure you give your application may be your only "tes	full d st pap	ates of employr per," be sure it is	nent (mon s complete	th/year) and acc	indicate whether t curate. Failure to c	he job was full or
A What is the name and address of y current employer?	at is the name and address of your rent employer? Use the major duties you perform in this position in order of importance.						n	
What dates have you been employed in this position? (Average No. hrs. per wk.) How many staff members do you supervise? Professional Staff								
From To Professional Staff								
B What was the name and address of previous employer?	your \	What was your title in this position?	List the major duties you perform in this position in order of importance.					
	Wa	s this position: FULL TIME?						
		PART TIME? (Average No. hrs. per wk.)						
What dates were you employed in this position From To		v many staff members did you supervise? fessional Staff						
Month/Year Month/Year	- Sup	port Staff						
C What was the name and address of previous employer?	your \	What was your title in this position?	List the major duties you perform in this position in order of importance.					n
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DPF-1a \$25 (page 2 of 2 Revised 10-13-11)	Sup	port Staff DID YOU INCLUD	FΔN		тотни			YES NO