



STATE OF NEW JERSEY

In the Matter of William P. Osborn,
Records Support Technician 3
(PC3055B), Monmouth County

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

CSC Docket No. 2021-1187

Examination Appeal

ISSUED: MAY 24, 2021 (RAM)

William P. Osborn requests permission to file a late application for the promotional examination for Records Support Technician 3 (PC3055B), Monmouth County.

By way of background, the announcement for the subject examination was issued on December 1, 2020 and was open to employees in the competitive division who were currently serving in the title of Records Support Technician 2 in the Department of the Clerk and who had an aggregate of one year of continuous permanent service as of the December 21, 2020 closing date **or** to employees in the competitive division who had an aggregate of one year of continuous permanent service in any competitive title with two years of experience in clerical work involving the checking, sorting, indexing and/or filing of records, one year of which must have been performing duties at or equivalent to a Records Support Technician 2 level. Eight employees applied for the subject examination. However, eligibility determinations have not yet concluded.

It is noted that agency records indicate that eight provisional employees are currently serving in the Records Support Technician 3 title. Five of the eight candidates who had filed for the examination were appointed provisionally pending promotional examination procedures to the subject title effective September 1, 2018, March 1, 2020, December 15, 2020, and March 15, 2021 (two employees), respectively. The appellant and two other employees who did not file for the subject examination were appointed provisionally to the subject title effective March 15, 2021. Unlike the

appellant, these two employees have not requested to file a late application for the subjected examination. It is further noted that the March 15, 2021 appointments were approved since there was no eligible list in existence despite that the subject examination was already announced.

On appeal to the Civil Service Commission (Commission), the appellant indicates that he had recently been reassigned from the Monmouth County Clerk building to the County Archives office, and as such, he clarifies his qualifications for the subject examination. It is noted that the appellant remains in the Department of the Clerk. Prior to his provisional appointment to the subject title, the appellant was permanently serving as a Records Support Technician 2 since February 12, 2018. Moreover, the appellant explains that he should have applied for the Records Support Technician 3 (PC3055B), Monmouth County, examination, but he mistakenly applied for the Clerk 3 (PC2997B), Monmouth County, examination¹ because he was under the impression that the two titles were identical.²

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides that unless otherwise provided for by the Chairperson of the Commission or designee, applicants for open competitive and promotional examination shall be submitted to the Commission no later than 4:00 p.m. on the announced application filing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, the appellant explains that it was his belief that the titles of Clerk 3 and Records Support Technician 3 were identical. While clearly that is not the case and the appellant should have been aware of the title that he was seeking, the Commission finds good cause based on the record in this matter to permit the appellant to file a late application for the subject examination. In this regard, the Commission notes that the dual purpose of the Civil Service system is best served when more rather than fewer individuals are presented with appointments and/or advancement opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). Although the record indicates that eligibility determinations of the eight candidates have not been concluded, there are eight employees currently serving provisionally in the subject title, including the appellant. Thus, it is anticipated that these vacancies will be permanently filled upon promulgation of the resulting eligible list. To allow the appellant, who appears to be eligible for the subject examination, to file a late application would minimally increase the possible candidate pool to nine where a list of 10 candidates would be

¹ The appellant was found ineligible for the Clerk 3 (PC2997B), Monmouth County, examination as he was not serving as a Clerk 2 or Clerk 2, Bilingual in Spanish and English.

² It is noted that both examination announcements were issued on December 1, 2020 with a closing date of December 21, 2020.

considered a complete list for eight vacancies. *See N.J.A.C. 4A:4-4.2(c)* (An appointing authority shall be entitled to a complete certification for consideration in making a permanent appointment, which means that from promotional and open competitive lists, the names of three interested eligibles for the first permanent appointment, and the name of one additional interested eligible for each additional permanent appointment). Therefore, under these circumstances, the Commission finds that there is good cause to relax *N.J.A.C. 4A:4-2.1(e)* and to allow the appellant to submit a late application and the application fee after the examination closing date for prospective employment opportunities only.

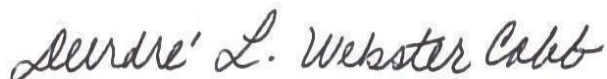
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this request be granted, and William P. Osborn be permitted to submit an application for the Records Support Technician 3 (PC3055B), Monmouth County, examination. It is further ordered that the appellant submit a promotional examination 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 order that his application be processed. Finally, if the appellant's application and 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 19TH DAY OF MAY, 2021



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: William P. Osborn (with blank application enclosed)
Irene Rauch
Division of Agency Services
Records Center

APPLICATION FOR PROMOTIONAL EXAMINATION

NEW JERSEY CIVIL SERVICE COMMISSION — STATE SERVICE

\$ 25.00 FEE REQUIRED
Make Check/Money Order Payable to NJCSC
FOR COMMISSION USE ONLY

INSTRUCTIONS: Please print or type. Answer all pertinent questions and ensure that all information is accurate and complete. Sign your name in Block 12. **NOTE:** No additional information may be accepted after the last date for filing applications has passed. **If you change your address, you must notify the Civil Service Commission immediately in writing.**

Return your completed application to your Personnel Office no later than the last date for filing listed on the announcement.

FOR COMMISSION USE ONLY		
STATUS: <input type="text"/>	PAR: <input type="text"/>	
SEN: <input type="text"/>	UE: <input type="text"/>	REV NO REV

2. Social Security Number: * (see block 11 for additional information)	3. Symbol :
4. Name & Address: Last: _____ First: _____ M.I. _____ Street: _____ City: _____ State: _____ Zip Code: _____ E-mail address: _____ County: _____ Daytime Telephone: _____ (Area Code) - Number	

1. Title of Promotion:

 Note: Applications must be postmarked by

5. BACKGROUND DATA

5a. Education (Indicate the highest level Diploma or Degree you have earned):

<input type="checkbox"/> High School Diploma or GED	<input type="checkbox"/> (A) Associate's Degree	<input type="checkbox"/> (M) Master's Degree
<input type="checkbox"/> (S) Some College but No Degree	<input type="checkbox"/> (B) Bachelor's Degree	<input type="checkbox"/> (D) Doctorate

5b. Completion of this part is **VOLUNTARY** and is to be used only for complying with EEOC Guidelines and the New Jersey State Affirmative Action Program.

Gender: (1) Male (2) Female

Check the group you are a member of:
 (1) Black (2) White (3) Hispanic (4) Asian (5) American Indian or Alaskan Native

6. Check the county in which you prefer to take the examination. (Check one box only)

<input type="checkbox"/> (1) Camden	<input type="checkbox"/> (2) Mercer	<input type="checkbox"/> (3) Essex
<input type="checkbox"/> (4) Monmouth	<input type="checkbox"/> (6) Atlantic	<input type="checkbox"/> (7) Bergen

7. Are you claiming veterans preference? YES NO

Check **YES** if you are claiming veterans preference for this examination. If you have established veterans preference since April 1, 1980, no further action is needed. Otherwise, complete a veterans preference claim form and include the required 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 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.

8. ADA Assistance: Check the box if you would like to be contacted regarding auxiliary aid or reasonable accommodation in taking this examination in accordance with the Americans with Disabilities Act.

9. Check the county(s) in which you will accept employment. Please note: Not all promotional lists can be used in all geographic locations. If you have any questions regarding this, contact your Personnel Office.

<input type="checkbox"/> (A) Atlantic	<input type="checkbox"/> (C) Burlington	<input type="checkbox"/> (B) Bergen	<input type="checkbox"/> (D) Camden	<input type="checkbox"/> (E) Cape May	<input type="checkbox"/> (F) Cumberland	<input type="checkbox"/> (G) Essex
<input type="checkbox"/> (H) Gloucester	<input type="checkbox"/> (J) Hudson	<input type="checkbox"/> (K) Hunterdon	<input type="checkbox"/> (M) Middlesex	<input type="checkbox"/> (N) Monmouth	<input type="checkbox"/> (L) Mercer	<input type="checkbox"/> (P) Morris
<input type="checkbox"/> (Q) Ocean	<input type="checkbox"/> (R) Passaic	<input type="checkbox"/> (S) Salem	<input type="checkbox"/> (T) Somerset	<input type="checkbox"/> (U) Sussex	<input type="checkbox"/> (V) Union	<input type="checkbox"/> (W) Warren

ALL

10. Present Permanent Title & Appointment Date:

Name & Title of Immediate Supervisor: _____

Telephone Number & Email Address of Immediate Supervisor: _____

* 11. Your Social Security number will be kept confidential and used as your applicant I.D. number to identify and track all of your records and transactions associated with the application and testing process. Collecting this data is permissible under NJSA 11A:4-1, but its submission is voluntary. If you do not provide the number, a unique number will be assigned to you. However, once assigned, you will be responsible for remembering it for any inquiries you may have concerning your application or testing process.

12. Signature: I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I understand that if my application is incomplete, it may be rejected. (WARNING: The Civil Service Commission may refuse to examine, or certify after examination, any applicant who makes a false statement of any material fact per NJAC 4A:4-6.2)

FOR CSC ONLY

NOTE: Your application may be released to the Appointing Authority for the purpose of verifying information with regard to your qualifications.

Signature..... Date.....

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?	What was your major course of study?	What type of degree did you earn?	Did you graduate?	If NO, when will you graduate?	Number of credits earned
	From: _____ To: _____			<input type="checkbox"/> Y <input type="checkbox"/> N	_____ Month / Year	
	From: _____ To: _____			<input type="checkbox"/> Y <input type="checkbox"/> N	_____ Month / Year	

14. Other Schools or Training Courses - Include business, vocational, technical, or military schools you have attended, as well as any training courses that are **related** to the title for which you are applying. If it is not a full-time curriculum, be specific as to the number of hours attended.

What is the name & location of school/facility where course(s)/training was held?	What classes did you take?	What were the dates you attended?	How many hours per week did you attend?	Did you complete the program?
		_____ Month/Yr. TO _____ Month/Yr.		<input type="checkbox"/> Y <input type="checkbox"/> N
		_____ Month/Yr. TO _____ Month/Yr.		<input type="checkbox"/> Y <input type="checkbox"/> N

15. Use this space to describe any internships, licenses, certifications or registrations that you possess which are related to the position for which you are applying.

<p>A. What type of license(s), certification(s), and/or registration(s) do you hold?</p> <p>In which state(s) do you hold the license(s), certification(s), and/or registration(s)? _____</p> <p>B. What was the original issue date of the license(s), certification(s), and/or registration(s)?</p> <p>What is the date of your current license(s), certification(s), and/or registration(s)? _____</p>	<p>C. What type of internship(s) have you completed?</p> <p>Where was the internship(s) completed? _____</p> <p>What were the dates of the internship(s)? _____</p> <p>How many hours per week did you take part in the internship? _____</p> <p>Was it part of a college curriculum? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>D. Certified Public Manager's Program</p> <p>Level 1 - 3 Completed ▶ _____ Month/Year</p> <p>Level 4 - 6 Completed ▶ _____ Month/Year</p>
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16. Employment Record - If you do not properly complete your application you may be declared ineligible or you may not receive proper credit for scoring purposes. If you held different positions with the same employer, list each position separately. Make sure you give full dates of employment (month/year), indicate whether the job was full or part time, and the number of hours worked per week. Since your application may be your only "test paper," be sure it is complete and accurate. Failure to complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail. If more space is needed, attach separate sheets.

<p>A What is the name and address of your current employer?</p> <p>What dates have you been employed in this position? From _____ To _____ Month/Year Month/Year</p>	<p>What is your title in this position?</p> <p>Is this position: <input type="checkbox"/> FULL TIME? <input type="checkbox"/> PART TIME? (Average No. hrs. per wk.) _____</p> <p>How many staff members do you supervise? Professional Staff _____ Support Staff _____</p>	<p>List the major duties you perform in this position in order of importance.</p>
<p>B What was the name and address of your previous employer?</p> <p>What dates were you employed in this position? From _____ To _____ Month/Year Month/Year</p>	<p>What was your title in this position?</p> <p>Was this position: <input type="checkbox"/> FULL TIME? <input type="checkbox"/> PART TIME? (Average No. hrs. per wk.) _____</p> <p>How many staff members did you supervise? Professional Staff _____ Support Staff _____</p>	<p>List the major duties you perform in this position in order of importance.</p>
<p>C What was the name and address of your previous employer?</p> <p>What dates were you employed in this position? From _____ To _____ Month/Year Month/Year</p>	<p>What was your title in this position?</p> <p>Was this position: <input type="checkbox"/> FULL TIME? <input type="checkbox"/> PART TIME? (Average No. hrs. per wk.) _____</p> <p>How many staff members did you supervise? Professional Staff _____ Support Staff _____</p>	<p>List the major duties you perform in this position in order of importance.</p>