

STATE OF NEW JERSEY

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

In the Matter of Helen Rible, Account
Clerk/Clerk 2 (PM2730B), Berkeley

CSC Docket No. 2021-1970

Examination Appeal

ISSUED: SEPTEMBER 7, 2021 (SLK)

Helen Rible appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Account Clerk/Clerk 2 (PM2730B), Berkeley.

The subject examination’s closing date was October 21, 2020. The experience requirements were one year of experience in clerical work. The appellant was the only applicant, and the examination was cancelled due to a lack of qualified candidates.

On the appellant’s application, she did not enter any experience. Personnel records indicate that the appellant was provisionally serving in the subject title from March 2019 to the October 21, 2020, closing date and a Clerk 1 from November 2016 to March 2019. Agency Services indicated that it could not determine the appellant’s eligibility as her application was incomplete.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible as she did not indicate any experience on her application. However, on

appeal, the appellant describes how she performed the required clerical duties since November 2016 while serving in clerical titles. Although *N.J.A.C. 4A:4-2.1(f)* proscribes the amendment of an application after the closing date set in the announcement, the circumstances present in this matter provide good cause to permit the appellant to amend his application. Specifically, the examination was cancelled due to a lack of qualified candidates and the appellant continues to successful serve in the subject title. Further, 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). In this regard, the Commission finds that the appellant has demonstrated that she has the required experience for the subject title by the closing date, which, based on the circumstances presented, warrants her admission to the subject examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C. 4A:4-2.1(f)* and admit the appellant.

The Commission cautions the appellant that, in the future, she should ensure that any applications are fully and completely filled out as her failure to do so will be cause for rejection from the selection process. This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, the cancellation of the examination announcement be rescinded, and the appellant'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 1ST DAY OF SEPTEMBER, 2021

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris 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: Helen Rible
John Camera
Division of Agency Services
Records Center