



STATE OF NEW JERSEY

In the Matter of Joseph Hynes, Police
Sergeant (PM4628C), Point Pleasant
Borough

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

CSC Docket No. 2022-1158

Administrative Appeal
(CORRECTED DECISION)

ISSUED: JUNE 10, 2022 (ABR)

Joseph Hynes requests permission to file a late application for the promotional examination for Police Sergeant (PM4628C), Point Pleasant Borough.

By way of background, the subject examination was announced on October 1, 2021 with an application filing deadline of October 21, 2021 and all applications had to be received by 4:00 p.m. on that date.

The petitioner, in an October 27, 2021 letter in support of his request, states that he completed the application process on October 19, 2021. He indicates that when speaking with colleagues thereafter, he learned that they had received confirmations after they completed their applications for the subject examination, which he did not. Subsequently, he contacted this agency and was told that his application was not processed and was advised to file the instant request. He notes that he has served as a Police Officer for more than 20 years and emphasizes that he has spent months preparing for the subject examination.

In a supplemental submission, dated December 1, 2021, the petitioner maintains that the flare up of a close family member’s chronic medical condition was on his mind when he attempted to file his application and “could have affected this situation,” i.e., his failure to ensure that he obtained a confirmation of the submission of his application. In addition, he submits photographs to support this claim.

The Division of Agency Services (Agency Services) has advised that there is no record of the petitioner starting an application for the subject examination on the Online Application System (OAS).

CONCLUSION

N.J.A.C. 4A:4-2.6(a)4 provides that applicants for promotional examinations shall submit an application on or before the announced application filing date. *N.J.A.C.* 4A:4-2.1(e) states that unless otherwise provided for by the Chairperson or designee, applications for open competitive and promotional examinations shall be submitted to the Civil Service Commission no later than 4:00 P.M. on the announced application filing date.

In the instant matter, applications for the subject promotional examination were due by the application filing deadline of October 21, 2021. *N.J.A.C.* 4A:4-2.6(a)4 provides that applications must be filed no later than the announced filing deadline. This provision is necessary for Agency Services to properly process the voluminous applications it receives for various examinations. *See In the Matter of Andrew Romeo* (MSB, decided September 22, 2004). Although the petitioner describes an unfortunate set of circumstances, there does not appear to be a basis to relax the above-noted requirement. In this regard, the OAS User Guide, available on this agency's website, states in pertinent part:

Once you successfully submit your application and complete the payment process, you will receive a confirmation page which you should print for your records. This confirmation page will also be sent to the email address you provided in your User Account (emphasis added).

See New Jersey Civil Service Commission Announcement and Online Application System User Guide 26, available at: https://www.nj.gov/csc/seekers/jobs/pdf/Online_Application_System_User_Guide.pdf. As such, even assuming *arguendo* that the petitioner started and attempted to submit an application for the subject examination, based upon the aforementioned instructions he should have been aware that his application was not *successfully* submitted, given his indication that he not receive a confirmation via this agency's website or via email. Further, while the petitioner suggests an immediate family member's medical condition "could have affected this situation," his delay in asserting this link between this medical condition until more than one month after his initial appeal and his equivocating statement raises questions about whether this was a significant factor in his failure to properly submit an application for the subject examination. Moreover, although the photographs the petitioner submits in support of his claim depict an individual's medical condition, but they do not corroborate his claim that the specified family member was experiencing a flare up of this condition during the relevant period. Importantly, the photographs do not constitute medical

documentation establishing that the family member in question had been diagnosed with or was receiving treatment for the asserted medical condition. Accordingly, based upon the foregoing, there is not a sufficient basis to relax the above-noted requirement.

ORDER

Therefore, it is ordered that this request be denied.

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 JANUARY, 2022



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