



STATE OF NEW JERSEY

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

In the Matter of Wayne Daniel, Jr.,
Battalion Fire Chief (PM3388C),
Newark

Examination Appeal

CSC Docket No. 2022-1702

ISSUED: MARCH 4, 2022 (RE)

Wayne Daniel, Jr. requests to file a late application for the Battalion Fire Chief (PM3388C), Newark promotional examination.

The subject examination was announced on July 1, 2021, with an application deadline date of July 21, 2021, and a closing date of September 30, 2021. Only on-line applications were accepted. This is a two-part examination, and 65 candidates were admitted. The multiple-choice portion was administered on January 27, 2022 and the oral portion has not been administered.

The petitioner explains that he applied for the examination on July 2, 2021 and thought he had completed the process. He was told by other candidates that they received their notices to appear for the written portion of the examination, and as he had still not received one, he called Customer Care. He was informed that he started the application and completed up to part 6. However, he did not complete part 7 which was selection of a payment method. Thus, his online application had not been submitted. Thereafter he filed an appeal of this issue, stating that he thought he had filed for the examination, and is prepared to take the test.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in pertinent part, that applications for open competitive and promotional examinations should be filed no later than the announced filing date for filing applications. *N.J.A.C.* 4A:1-1.2(c) provides that the

Civil Service Commission (Commission) may relax a rule for good cause to effectuate the purpose of Title 11A, New Jersey Statutes.

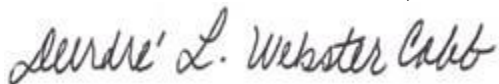
The petitioner was not admitted to the subject examination since he did not complete the filing of an application by 4:00 p.m. on the July 21, 2021, application deadline date. However, the petitioner started the filing process and simply erred in not completing the payment portion. The Commission believes that the petitioner thought he had completed the application process. The Commission generally denies requests to accept late examination applications, as *N.J.A.C. 4A:4-2.1(e)* requires applicants to file their applications by the closing date. However, under the circumstances presented, the Commission finds that there is good cause to relax *N.J.A.C. 4A:4-2.1(e)* and allow the petitioner to submit a late application for the subject examination. Finally, as this remedy is limited to the unique circumstances of this matter, it does not provide a precedent in any other matter.

ORDER

Therefore, it is ordered that this request be granted, and the petitioner be permitted to submit an application for the Battalion Fire Chief (PM3388C), Newark promotional examination and take a make-up examination. It is further ordered that petitioner submit the promotional application and the \$75.00 application processing fee to the Division of Agency Services by check or money order. 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 ordered that his application be processed. Finally, if the petitioner's application and the 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 2ND DAY OF MARCH, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris Myers
Director
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Civil Service Commission
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P. O. Box 312
Trenton, New Jersey 08625-0312

c: Wayne Daniel, Jr. (with blank application enclosure)
Division of Test Development and Analytics
Division of Agency Services
Records Center

Staple Payment Here 

APPLICATION FOR PROMOTIONAL EXAMINATION

NEW JERSEY CIVIL SERVICE COMMISSION --County and Municipal Government

INSTRUCTIONS: Please print or type. Answer all pertinent questions and ensure that all information is accurate and complete. Sign your name in Block 11. **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 no later than the last date for filing listed on the announcement to: NJ CSC, 44 S. Clinton Ave. PO Box 322, Trenton, N.J. 08625-0322

\$ 75.00 FEE REQUIRED
Make Check/Money Order Payable to NJCSC
FOR COMMISSION USE ONLY

FOR COMMISSION USE ONLY			2. Social Security Number: * (see block 10 for additional information)	3. Symbol:
STATUS: <input type="checkbox"/>			4. Name & Address: Last: _____ First: _____ M.I. _____ Street: _____ City: _____ State: _____ Zip Code: _____ E-mail address: _____ Daytime _____ County: _____ Telephone: _____ (Area Code) - Number	
SEN: <input type="checkbox"/>	UE: <input type="checkbox"/>	REV <input type="checkbox"/>		
NO REV <input type="checkbox"/>				
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: <input type="checkbox"/> (1) Male <input type="checkbox"/> (2) Female		Check the group you are a member of: <input type="checkbox"/> (1) Black <input type="checkbox"/> (2) White <input type="checkbox"/> (3) Hispanic <input type="checkbox"/> (4) Asian <input type="checkbox"/> (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? <input type="checkbox"/> YES <input type="checkbox"/> 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. For more information, visit their web site at www.state.nj.us/military or contact them at 1-888-865-8387.		
8. ADA Assistant: Check the box if you would like to <input type="checkbox"/> be contacted regarding auxiliary aid or reasonable accommodation in taking this examination in accordance with the Americans with Disabilities Act.				

9. Present Permanent Title & Appointment Date: Name & Title of Immediate Supervisor: Telephone Number & Email Address of Immediate Supervisor:	* 10. 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.
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11. 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, I 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)

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

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

FOR CSC ONLY