



STATE OF NEW JERSEY

In the Matter of Joseph Loscalzo,
Sheriff's Officer Sergeant (PC4986C),
Gloucester County

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

CSC Docket No. 2022-1512

Examination Appeal

ISSUED: MARCH 25, 2022 (JH)

Joseph Loscalzo requests that he be permitted to submit an application for the promotional examination for Sheriff's Officer Sergeant (PC4986C), Gloucester County, after the application filing deadline.

By way of background, the announcement for the subject examination issued on November 1, 2021 with a November 22, 2021 closing date and all applications had to have been received by 4:00 p.m. on that date. The subject announcement, in the "Important Information" section, informed candidates:

If you are having difficulty submitting your application on-line, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday-Friday, excluding holidays and emergency closings. Please email: OAS.support@csc.state.nj.us or call (609)292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so please file early.

It is noted that the subject examination is tentatively scheduled to be administered in May 2022.

On appeal, Loscalzo presents that he "attempted to register numer[o]us times and was unable to log in. I sent several e-mails explaining and asking for log in help, each time I received return e-mail saying it was sent to an old e-mail address I

had several years ago which was [*****]@aol.com.¹ My e-mail address is [*****]@gmail.com.² I never received any information to that e-mail. I also called several times to try and get assistance and was unsuccessful in getting any help. I was out of work on FMLA leave . . . and did not receive[e] the information of the sergeant's exam until mid-November." Loscalzo maintains that when he "was finally able to get a representative on the phone and was able to get my log in information," he "was informed that I had missed the cut off date."

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) provides, in part, that applications for promotional examinations shall be submitted 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 shown in a particular situation.

The OAS support unit was contacted regarding this matter and provided available email correspondence with the appellant. In this regard, on November 3, 2021, it appears that the appellant used the "Contact Us"³ form to contact OAS support and indicated his gmail.com address with the following message: "I do not remember my user name and password and I am trying to register for the sergeants exam." In response, in an email sent on November 4, 2021 to the appellant's

¹ A review of the record finds that the appellant used the aol.com email address when he filed an application in 2015.

² It is noted that the username portion of the email addresses for the appellant's aol.com and gmail.com accounts are identical.

³ The OAS "Contact Us" form:

The screenshot shows the 'Support Email' form within the 'Online Application System' of the State of New Jersey Civil Service Commission. The form includes the following fields and elements:

- Symbol: M0366D
- Title: BUILDING INSPECTOR
- A red error message: "All fields are required."
- Subject: A dropdown menu currently set to "Select".
- First Name: A text input field.
- Last Name: A text input field.
- e-Mail Address: A text input field.
- Phone Number: Three separate text input fields for area code, prefix, and number.
- A large text area for the user to "Briefly describe your issues/questions/problems".
- Buttons for "Submit" and "Clear".
- A link for "Job Announcements" at the bottom.
- Footer: "© State of New Jersey Civil Service Commission"

gmail.com address, OAS support indicated, “Please return to the login screen⁴ through your announcement and click on ‘Forgot your password?’, then enter your username – [*****] (case sensitive) – and email address.⁵ You will receive an email containing a link to reset your password. Click on the link and enter the answer to your security question – [*****] (case sensitive). You will then be able to reset your password.”⁶ On November 17, 2021, the appellant sent an email from his work email address to OAS support and indicated, “I need a new password, I am not sure if I’m registered or not.” OAS support responded by email on the same day, “The email address [*****]@aol.com was used to create your user profile; should it be

⁴ The OAS login screen provides the following:

The screenshot shows the 'Online Application System' login page for the State of New Jersey Civil Service Commission. The page has a navigation bar with 'User Account', 'Application', 'Pay', and 'Confirm'. Below the navigation bar, there is a message: "Thank you for choosing the New Jersey Civil Service Online Application. Once you complete and submit your application, you will receive a receipt confirmation e-mail from the New Jersey Civil Service Commission. Please be sure to type your e-mail correctly and check your junk e-mail folder if you do not receive a receipt confirmation e-mail upon submission of your application." Below this, it asks if the user is ready to begin their application and provides instructions for new and returning users. A note states that the user will have approximately 40 minutes to complete and submit their application. The login form includes fields for 'User ID:' and 'Password:' (Case sensitive), a 'Submit' button, and links for 'Not registered?', 'Forgot your User ID?', and 'Forgot your Password?'. At the bottom, there are links for 'User Guide', 'Contact us', 'Privacy Notice', and 'Forgot your Password?'. The footer reads '© State of New Jersey Civil Service Commission'.

⁵ After clicking on the “Forgot your Password?,” the following screen appears:

The screenshot shows the 'Forgot your Password?' screen in the OAS. It features the same navigation bar as the previous screen. The main content area contains a note: "Note: Please enter your User ID and the registered email address. If your email address has changed since your registration, click the Contact us button." Below the note, there are input fields for 'User ID:' and 'Email:'. At the bottom, there are three buttons: 'Submit', 'Back', and 'Contact us'. The footer reads '© State of New Jersey Civil Service Commission'.

As noted in the OAS User Guide (https://www.state.nj.us/csc/seekers/jobs/pdf/Online_Application_System_User_Guide.pdf), “If you are a returning user and cannot remember your User ID or Password, click on the ‘Forgot your User ID or Password?’ link. Be sure to use the same email address you used when you established your user account.”

⁶ It is noted that an identical reply from OAS was emailed to the appellant on November 5, 2021.

updated to [the appellant's work email address]? However, if there's no need for a change, please return to the online application system login screen through your announcement and click on 'Forgot your password?', then enter your username – [*****] (case sensitive) and email address. You will receive an email to [*****]@aol.com containing a link to reset your password. Once received, click on the link and enter the answer to your security question – [*****] (case sensitive). You will then be able to reset your password.” On November 21, 2021,⁷ the appellant contacted OAS support using his gmail.com address and indicated, “I do not have the email [*****]@aol.com. I stopped using AOL years ago. Please send my information to [*****]@gmail.com.” In response, sent on November 22, 2021 at 3:01 p.m., OAS support indicated, “Your email address in our system is: [*****]@gmail.com. Please return to the online application system login screen through your announcement and click on 'Forgot your password?', then enter your username – [*****] (case sensitive) - and email address. You will receive an email containing a link to reset your password. Once received, click on the link and enter the answer to your security question – [*****] (case sensitive). You will then be able to reset your password.”

In the present matter, the appellant contacted OAS support prior to the application filing deadline in anticipation of remedying the login issue. As noted previously, the appellant's email usernames for aol.com and gmail.com are identical. Thus, in the appellant's initial contact on November 3, 2021, the underlying issue, *i.e.*, the appellant no longer used the email address he initially registered with, was not readily apparent and not addressed at that time. In the November 17, 2021 exchange, the email address the appellant used to contact OAS was clearly different from his registered email and as such, OAS support alerted the appellant that the aol.com email address was used to create his account and that the link to reset his password would be sent to that email address. However, only shortly before the application filing deadline at 4:00 p.m. on November 22, 2021, was the appellant sent an email from OAS support indicating that his email address had been updated to [*****]@gmail.com.

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). Given this, good cause exists to relax the provisions of N.J.A.C. 4A:4-2.6(a)4 and allow the appellant to file an application after the application deadline for Sheriff's Officer Sergeant (PC4986C), Gloucester County. This remedy

⁷ It is noted that November 21, 2021 was a Sunday and thus, outside of OAS support's regular business hours.

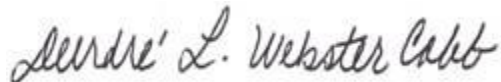
is limited to the facts of this matter and may not be used as precedent for any other proceeding.

ORDER

Therefore, it is ordered that this request be granted and the appellant be permitted to submit an application for Sheriff's Officer Sergeant (PC4986C), Gloucester County. It is also ordered that the appellant submit a promotional examination application and the \$50.00 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 ordered that his application be processed. If the appellant's application and the required payment is not postmarked on or before the 15th day after the issuance date of this decision, he will not be entitled to have his application reviewed. It is further ordered that upon determination of eligibility, the appellant be admitted to the subject examination.

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 23RD DAY OF MARCH, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries	Allison Chris Myers
and	Director
Correspondence	Division of Appeals and Regulatory Affairs
	Civil Service Commission
	Written Record Appeals Unit
	P.O. Box 312
	Trenton, New Jersey 08625-0312

Attachment

c: Joseph Loscalzo
Division of Agency Services
Records Center

APPLICATION FOR PROMOTIONAL EXAMINATION

NEW JERSEY CIVIL SERVICE COMMISSION —County and Municipal Government

\$ 50.00 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 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

FOR COMMISSION USE ONLY			2. Social Security Number:	3. Symbol:
STATUS: <input type="text"/>			* (see block 10 for additional information)	
SEN: <input type="text"/>	UE: <input type="text"/>	REV		
			4. Name & Address:	
			Last: _____ First: _____ M.I. _____	
			Street: _____	
			City: _____ State: _____ Zip Code: _____	
			E-mail address: _____	
			County: _____ Daytime Telephone: _____ <small>(Area Code) - Number</small>	
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)	7. Are you claiming veterans preference? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/> (1) Camden <input type="checkbox"/> (2) Mercer <input type="checkbox"/> (3) Essex	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.	
<input type="checkbox"/> (4) Monmouth <input type="checkbox"/> (6) Atlantic <input type="checkbox"/> (7) Bergen		
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.	<input type="checkbox"/>	

9. Present Permanent Title & Appointment Date: <hr/> Name & Title of Immediate Supervisor: <hr/> Telephone Number & Email Address of Immediate Supervisor:	<p>* 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.</p>
---	--

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, 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.....