



STATE OF NEW JERSEY

In the Matter of Mauricio Zorrilla
and Michael Suarez,
Police Sergeant (PM4542C),
Elizabeth

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

CSC Docket Nos. 2022-1855 and
2022-1893

Examination Appeal

ISSUED: MARCH 25, 2022 (JH)

Mauricio Zorrilla and Michael Suarez request that they be permitted to submit applications for the promotional examination for Police Sergeant (PM4542C), Elizabeth, after the application filing deadline. These appeals have been consolidated due to common issues presented by the appellants.

By way of background, the announcement for the subject examination issued on October 1, 2021 with an application filing deadline of October 21, 2021 and all applications had to have been received by that date. A review of the record finds that that Zorrilla submitted an application for Police Sergeant (PM4580C), Linden, and Suarez submitted an application for County Police Sergeant (PC4660C), Union County. It is noted that both appellants submitted timely applications. The Division of Agency Services determined that the appellants were ineligible as they were not employed in the respective county or municipal departments. It is noted that the subject examination was administered on February 26, 2022.

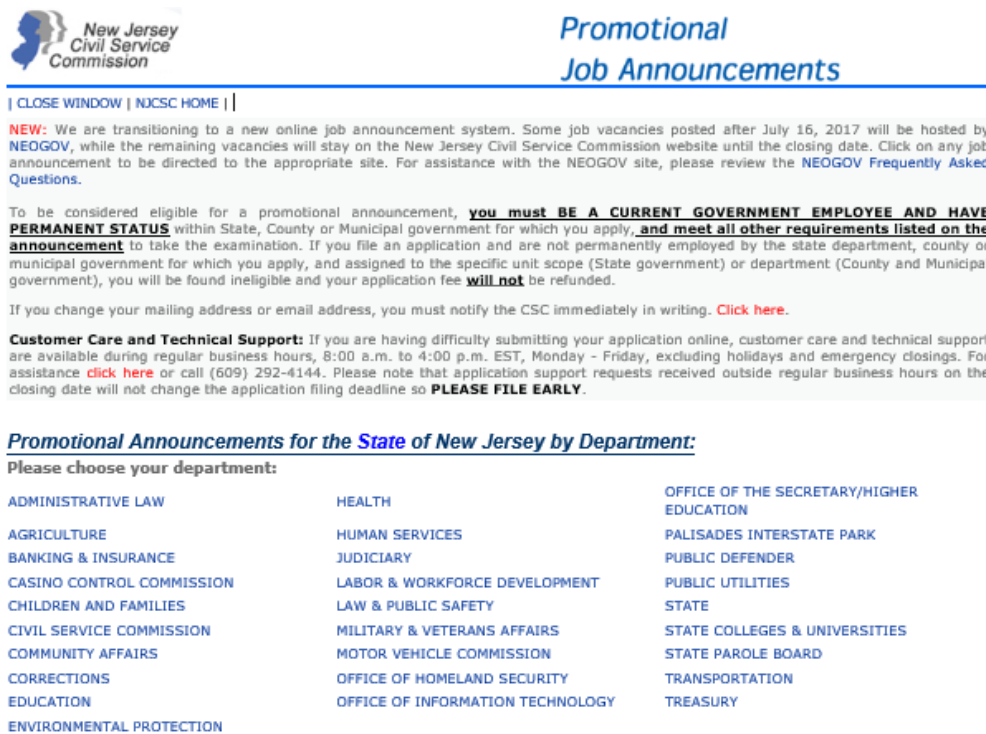
In an appeal filed on February 17, 2022, Zorrilla explains, “today I contacted the Civil Service [Commission (Commission)] and . . . I was advised that I was rejected due to being in the wrong [unit scope]. I was told that I applied under the department of Linden . . . I work with the Elizabeth Police Department. I was not aware of this error and would have fixed it if I knew sooner.” In this regard, Zorrilla contends that he was further advised that a notice of ineligibility dated December 1, 2021 was sent to him but he did not receive it. Zorrilla maintains that he is “uncertain as to how this error occurred.” Suarez, in an appeal filed on February 17, 2022, presents that he “inadvertently chose Union County since I did

not see Elizabeth as an option I assumed that Union County would be the correct choice because Elizabeth is in Union county.” Suarez indicates that when he did not receive notification regarding the test date and location, he contacted the Commission and was informed that “I made the wrong selection, therefore making me ineligible to take the exam.” He explains that in December 2021, he “became very ill for more than two weeks . . . and was unable to function and check my mail thoroughly . . .” and thus, did not see the notice of ineligibility dated December 1, 2021.

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.

It is noted that the subject announcement indicated that only online applications would be accepted and directed candidates to “visit www.state.nj.us/csc and select ‘Job Announcements’ to view this announcement and to file an application.” On the “Job Announcements” page, candidates for the subject examination would select the “View **Promotional** Announcements here” link (<https://info.csc.state.nj.us/epoa/>) which would take them to the following screen:



New Jersey Civil Service Commission

Promotional Job Announcements

| CLOSE WINDOW | NJCSC HOME |

NEW: We are transitioning to a new online job announcement system. Some job vacancies posted after July 16, 2017 will be hosted by NEOGOV, while the remaining vacancies will stay on the New Jersey Civil Service Commission website until the closing date. Click on any job announcement to be directed to the appropriate site. For assistance with the NEOGOV site, please review the [NEOGOV Frequently Asked Questions](#).

To be considered eligible for a promotional announcement, **you must BE A CURRENT GOVERNMENT EMPLOYEE AND HAVE PERMANENT STATUS** within State, County or Municipal government for which you apply, **and meet all other requirements listed on the announcement** to take the examination. If you file an application and are not permanently employed by the state department, county or municipal government for which you apply, and assigned to the specific unit scope (State government) or department (County and Municipal government), you will be found ineligible and your application fee **will not** be refunded.

If you change your mailing address or email address, you must notify the CSC immediately in writing. [Click here](#).

Customer Care and Technical Support: If you are having difficulty submitting your application online, customer care and technical support are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. For assistance [click here](#) or call (609) 292-4144. Please note that application support requests received outside regular business hours on the closing date will not change the application filing deadline so **PLEASE FILE EARLY**.

Promotional Announcements for the State of New Jersey by Department:

Please choose your department:

ADMINISTRATIVE LAW	HEALTH	OFFICE OF THE SECRETARY/HIGHER EDUCATION
AGRICULTURE	HUMAN SERVICES	PALISADES INTERSTATE PARK
BANKING & INSURANCE	JUDICIARY	PUBLIC DEFENDER
CASINO CONTROL COMMISSION	LABOR & WORKFORCE DEVELOPMENT	PUBLIC UTILITIES
CHILDREN AND FAMILIES	LAW & PUBLIC SAFETY	STATE
CIVIL SERVICE COMMISSION	MILITARY & VETERANS AFFAIRS	STATE COLLEGES & UNIVERSITIES
COMMUNITY AFFAIRS	MOTOR VEHICLE COMMISSION	STATE PAROLE BOARD
CORRECTIONS	OFFICE OF HOMELAND SECURITY	TRANSPORTATION
EDUCATION	OFFICE OF INFORMATION TECHNOLOGY	TREASURY
ENVIRONMENTAL PROTECTION		

Promotional Announcements for New Jersey Counties:

Please choose your county:

ATLANTIC COUNTY	GLOUCESTER COUNTY	OCEAN COUNTY
BERGEN COUNTY	HUDSON COUNTY	PASSAIC COUNTY
BURLINGTON COUNTY	HUNTERDON COUNTY	SALEM COUNTY
CAMDEN COUNTY	MERCER COUNTY	SOMERSET COUNTY
CAPE MAY COUNTY	MIDDLESEX COUNTY	SUSSEX COUNTY
CUMBERLAND COUNTY	MONMOUTH COUNTY	UNION COUNTY
ESSEX COUNTY	MORRIS COUNTY	WARREN COUNTY

Promotional Announcements for New Jersey Municipalities:Please select your municipality from the list below **OR** Enter your municipality name:

<input type="text" value="[Select]"/>	<input type="text"/>	<input type="button" value="Search"/>	<input type="button" value="Clear"/>
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Civil Service Commission
P.O. Box 322
Trenton, NJ 08625

Candidates should have proceeded to the “Promotional Announcements for New Jersey Municipalities” section and used the pull-down menu in the “Select” box to choose the jurisdiction in which they are employed. Once candidates selected the appropriate jurisdiction, they would be taken to a screen (<https://info.csc.state.nj.us/epoa/ListMunicipal.aspx>) which listed all available promotional examinations for their jurisdiction. It is noted that after a candidate selects a promotional symbol, he or she is taken to a warning screen in order to provide the candidate with another opportunity to verify that he or she is employed by the State, department, county or municipality, as applicable, before choosing to continue. If the candidate elects to continue, he or she is taken to a copy of the announcement which provides a link to begin the application process.

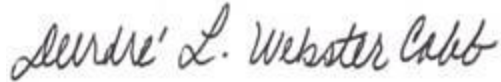
In the present matter, the appellants intended to apply for the subject announcement and they successfully submitted timely applications although for the incorrect symbol. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local 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 appellants to file applications after the application deadline for Police Sergeant (PM4542C), Elizabeth. However, the Commission cautions the appellants to ensure that they apply to the appropriate promotional announcement for future examinations as this remedy will not be afforded to them in the future.

ORDER

Therefore, it is ordered that these requests be granted and the appellants be permitted to submit applications for Police Sergeant (PM4542C), Elizabeth. It is also ordered that the appellants 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 their applications be processed. If an 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 appellants be scheduled for a make-up 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: Mauricio Zorrilla (2022-1885)
Michael Suarez (2022-1893)
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="checkbox"/>			* (see block 10 for additional information)	
SEN: <input type="checkbox"/>	UE: <input type="checkbox"/>	REV <input type="checkbox"/>		
1. Title of Promotion:			4. Name & Address:	
<p style="color: red;">Note: Applications must be postmarked by</p>			Last: _____ First: _____ M.I. _____	
			Street: _____	
			City: _____ State: _____ Zip Code: _____	
			E-mail address: _____	
			County: _____ Daytime Telephone: _____ <small>(Area Code) - Number</small>	

5. BACKGROUND DATA

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

High School Diploma or GED
 (A) Associate's Degree
 (M) Master's Degree
 (S) Some College but No Degree
 (B) Bachelor's Degree
 (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)

(1) Camden (2) Mercer (3) Essex
 (4) Monmouth (6) Atlantic (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. For more information, visit their web site at www.state.nj.us/military or contact them at 1-888-865-8387.

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.

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