



**STATE OF NEW JERSEY**

In the Matter of Kevin Hibbert,	:	<b>FINAL ADMINISTRATIVE ACTION</b>
Supervising Family Service Specialist	:	<b>OF THE</b>
2 (PS8313K), Department of Children	:	<b>CIVIL SERVICE COMMISSION</b>
and Families	:	
	:	
	:	
CSC Docket No. 2023-797	:	Examination Appeal
	:	
	:	
	:	

**ISSUED:** November 23, 2022 (SLK)

Kevin Hibbert requests to file a late application for the promotional examination for Supervising Family Service Specialist 2 (PS8313K), Department of Children and Families.

In *In the Matter of Kevin Hibbert* (CSC, decided June 15, 2022), the Civil Service Commission (Commission) granted the appellant’s initial request to submit a late application for the Supervising Family Service Specialist 2 (PS8313K), Department of Children and Families examination. The decision was issued to the appellant via his work email on June 20, 2022. The decision indicated that the appellant’s application and processing fee must be postmarked no later than 15 days from the issuance date of the decision. Upon timely receipt of the application and processing fee, it was ordered that his application be processed. If the application and the required payment were not postmarked on or before the 15<sup>th</sup> day after the issuance date of that decision, he would not be entitled to have his application reviewed.

In his request, the appellant presents that he failed to retrieve his email containing the Commission’s decision. He states that this was an oversight, which he regrets, and he apologizes. The appellant explains that he did not realize that the response had been sent on June 20, and being ignorant of the protocol, he expected to receive a response via mail. He notes that when he first learned that the test for the subject examination was to be administered on October 15, 2022, he contacted this

agency, where he learned that the Commission granted his request. The appellant asserts that he takes the subject promotional examination very seriously and he would hate to lose the opportunity to take the test after the Commission granted his original request. He states that he is confident that he would perform well in the subject title based on his 19 years of service.

### CONCLUSION

*N.J.A.C.* 4A:4-2.1(e) provides that applications must be filed no later than the announced filing deadline. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

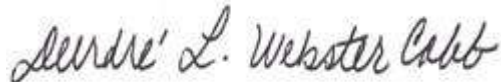
In this matter, the record indicates that on the April 21, 2022, closing date, the appellant attempted to submit his application, but he experienced technical difficulties that were not resolved in time to submit his application by the 4:00 p.m. deadline. Therefore, the Commission found good cause to grant his initial request to submit a late application. Nevertheless, it is noted that if the appellant had originally attempted to complete his application earlier in the filing period, presumably, his technical support issues would have been resolved in a manner which would have enabled him to submit a timely application. Now, for the second time, the appellant is requesting to submit a late application for the subject examination. While the appellant explains that he thought the Commission's decision would be mailed to him, the Commission finds the appellant's explanation unpersuasive as he should have been regularly checking his **work email** as part of his work duties. It strains credibility that the appellant did not review his work email account for 15 days following June 20. Therefore, there is no basis to allow the appellant to submit a late application for the subject examination.

### 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 23<sup>RD</sup> DAY OF NOVEMBER, 2022



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Deirdre L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Nicholas F. Angiulo  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Kevin Hibbert  
Linda Dobron  
Division of Agency Services  
Records Center