



STATE OF NEW JERSEY

In the Matter of Maria Guisande,
Principal Library Assistant
(PC4130D), Atlantic County

CSC Docket No. 2022-3276

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Reconsideration

ISSUED: JULY 25, 2022 (SLK)

Maria Guisande requests reconsideration of *In the Matter of Maria Guisande* (CSC, decided June 15, 2022) where the Civil Service Commission (Commission) denied her request to file a late application for the promotional examination for Principal Library Assistant (PC4130D), Atlantic County.

By way of background, the examination at issue was announced with requirements that had to be met as of the May 23, 2022, closing date. Agency records indicate that eight employees applied and were admitted to the subject examination. The method of testing has not yet been determined. Therefore, the list has not yet promulgated.

In the prior decision, the Commission denied Guisande’s request to submit a late application as there was no evidence in the Online Application System (OAS) that she started her online application prior to the 4:00 p.m. deadline on the May 23, 2022, closing date. Further, this agency’s Information Center staff records did not indicate that Guisande called or emailed for OAS assistance prior to the 4:00 p.m. deadline on the May 23, 2022, closing date.

In her request for reconsideration, Guisande submits a signed, sworn statement where she presents that on May 23, 2022, she emailed the appointing authority advising that she was having an issue completing her application using the

OAS.¹ Subsequently, on May 24, 2022, she indicates that she spoke to a representative in the Information Center seeking assistance with her online application.² Guisande states that she had technical issues when she attempted to file her application and was unable to complete it.

CONCLUSION

N.J.A.C. 4A:2-1.6(b) provides that a request for reconsideration must show the following:

1. The new evidence or additional information not presented at the original proceeding, which would change the outcome and the reasons that such evidence was not presented at the original proceeding; or
2. That a clear material error has occurred.

N.J.A.C. 4A:4-2.6(a)4 states that applicants for promotional examinations must meet all requirements by the announced closing date, including filing an application on or before the application filing date. *N.J.A.C.* 4A:4-2.1(e) states that applications for open competitive and promotional examinations shall be submitted to the Commission no later than 4:00 p.m. on the announced application filing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In this matter, Guisande failed to meet the standard for reconsideration as she has not presented new evidence or additional information that was unavailable at the time of the original proceeding. Further, she has not demonstrated that a clear material error has occurred. Specifically, although Guisande submits a signed, sworn statement in support of her appeal, her statement confirms that she contacted this agency for assistance on May 24, 2022, which is **after** the 4:00 p.m. May 23, 2022 closing date deadline. Further, she provided no evidence that she started her application using the OAS prior to the 4:00 p.m. deadline on the closing date. Instead, Guisande submits an email at 7:35 p.m. on the closing date to the appointing authority where she indicates that she was having an issue completing her application. Accordingly, her request for reconsideration is denied.

¹ Guisande submits an email that she sent to the appointing authority at 7:35 p.m. on May 23, 2022 where she indicates that she had trouble getting into the OAS this week and on the closing date. On May 24, 2022, the appointing authority emailed her back indicating that the subject examination closed at 4:00 p.m. on May 23, 2022 and she needed to contact this agency.

² Guisande provides phone records that indicate that she called this agency at 12:04 p.m. on May 24, 2022.

ORDER

Therefore, it is ordered that reconsideration 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 20TH DAY OF JULY 2022

Deirdre' L. Webster Cobb

Deirdré 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: Maria Guisande
Gerald DelRosso
Division of Agency Services
Records Center