



STATE OF NEW JERSEY

 FINAL ADMINISTRATIVE ACTION
 OF THE
 CIVIL SERVICE COMMISSION

In the Matter of Albert Garth,
 Maintenance Worker 2, Grounds
 (PC2803B), Atlantic County

Examination Appeal

CSC Docket No. 2021-524

ISSUED: NOVEMBER 27, 2020 (SLK)

Albert Garth requests to file a late application for the promotional examination for Maintenance Worker 2, Grounds (PC2803B), Atlantic County.

The examination at issue was announced with requirements that had to be met as of the October 21, 2020 closing date. Three candidates applied for the subject examination. Agency records indicate that there are two employees, including the appellant, provisionally serving in the subject title. The list has not yet promulgated.

On appeal, the petitioner presents that October was a difficult month as he had to care for his wife and himself. He indicates that he returned from a leave of absence in mid-October, and after adjusting back to work, he applied for the subject examination on the October 21, 2020 closing date. However, the petitioner states that he had to pause the application process to take his wife to emergency care. Upon his return, he was unable to complete the application as it was after the deadline. Therefore, he requests to file a late application for the subject examination.

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:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, the petitioner asserts that he was unable to start the application for the subject examination until the closing date due to health issues that both his wife and he were experiencing. Further, he indicates that while he was completing the application on the October 21, 2020 closing date, he had to stop and take his wife to emergency care. However, upon his return, the application deadline had passed. 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). Further, it is anticipated that the subject list shall be incomplete as there are two employees, including the petitioner, who are provisionally serving in the subject title, and there are only three applicants. Therefore, the Commission finds that there is good cause to relax N.J.A.C. 4A:4-2.1(e) and to allow the petitioner to submit his application and application fee after the closing deadline for prospective employment opportunities only.

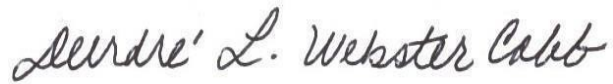
This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this petition be granted, and Albert Garth be permitted to submit an application for the Maintenance Worker 2, Grounds (PC2803B), Atlantic County, examination. It is further ordered that Mr. Garth submit a promotional examination application and the \$25.00 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. Finally, if Mr. Garth'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 24TH DAY OF NOVEMBER 2020



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Albert Garth (with blank application enclosure)
 Elizabeth D'Ancona
 Division of Agency Services
 Records Center

\$ 25.00 FEE REQUIRED
Make Check/Money Order Payable to NJCSC
FOR COMMISSION USE ONLY

FOR COMMISSION USE ONLY			2. Social Security Number:		3. Symbol:	
STATUS: <div><div></div><div></div></div>			* (see block 10 for additional information)			
SEN: <div><div></div><div></div><div></div><div></div><div></div></div>			4. Name & Address:		<i>Last:</i> _____ <i>First:</i> _____ <i>M.I.</i> _____	
UE: <div><div></div><div></div><div></div><div></div><div></div></div>					<i>Street:</i> _____	
1. Title of Promotion:					<i>City:</i> _____ <i>State:</i> _____ <i>Zip Code:</i> _____	
					<i>E-mail address:</i> _____	
					<i>County:</i> _____ <i>Daytime Telephone:</i> _____	
					<i>(Area Code) - Number</i> _____	
NO REV						
Note: Applications must be postmarked by						

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 <i>VOLUNTARY</i> 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 (DMAVA). For more information, visit their web site at www.state.nj.us/military or contact them at 1-888-865-8387. Note: In accordance with Public Law 2010 c.26, Veterans pay a reduced application fee of \$15.00 if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.), or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list.
8. ADA Assistance: 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.		

Title of Promotion:		Symbol:		SS#:	
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12. Educational Section - College And Graduate School - List any colleges, universities, and graduate schools you have attended. If it is required in the job announcement, be sure to attach a copy of your transcript or a list of courses, course descriptions, and credits completed. Foreign degrees/transcripts must be evaluated by a recognized evaluation service.

What is the name and location of the college(s) you attended?	What yrs. did you attend?	What was your major course of study?	What type of degree did you earn?	Did you graduate?	If NO, when will you graduate?	Number of credits earned
	From: _____ To: _____			<input type="checkbox"/> Y <input type="checkbox"/> N	_____ Month / Year	
	From: _____ To: _____			<input type="checkbox"/> Y <input type="checkbox"/> N	_____ Month / Year	

13. Other Schools or Training Courses - Include business, vocational, technical, or military schools you have attended, as well as any training courses that are **related** to the title for which you are applying. If it is not a full-time curriculum, be specific as to the number of hours attended.

What is the name & location of school/facility where course(s)/training was held?	What classes did you take?	What were the dates you attended?	How many hours per week did you attend?	Did you complete the program?
		_____ Month/Yr. TO _____ Month/Yr.		<input type="checkbox"/> Y <input type="checkbox"/> N
		_____ Month/Yr. TO _____ Month/Yr.		<input type="checkbox"/> Y <input type="checkbox"/> N

14. Use this space to describe any internships, licenses, certifications or registrations that you possess which are related to the position for which you are applying.

<p>A. What type of license(s), certification(s), and/or registration(s) do you hold?</p> <p>_____</p> <p>In which state(s) do you hold the license(s), certification(s), and/or registration(s)? _____</p> <p>B. What was the original issue date of the license(s), certification(s), and/or registration(s)?</p> <p>_____</p> <p>What is the date of your current license(s), certification(s), and/or registration(s)? _____</p>	<p>C. What type of internship(s) have you completed?</p> <p>Where was the internship(s) completed? _____</p> <p>What were the dates of the internship(s)? _____</p> <p>How many hours per week did you take part in the internship? _____</p> <p>Was it part of a college curriculum? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>D. Certified Public Manager's Program</p> <p>Level 1 - 3 Completed ▶ _____ Month/Year</p> <p>Level 4 - 6 Completed ▶ _____ Month/Year</p>
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15. Employment Record - If you do not properly complete your application you may be declared ineligible or you may not receive proper credit for scoring purposes. If you held different positions with the same employer, list each position separately. Make sure you give full dates of employment (month/year), indicate whether the job was full or part time, and the number of hours worked per week. Since your application may be your only "test paper," be sure it is complete and accurate. Failure to complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail. If more space is needed, attach separate sheets.

<p>A What is the name and address of your current employer?</p> <p>_____</p> <p>What dates have you been employed in this position? From _____ To _____ Month/Year Month/Year</p>	<p>What is your title in this position?</p> <p>_____</p> <p>Is this position: <input type="checkbox"/> FULL TIME? <input type="checkbox"/> PART TIME? (Average No. hrs. per wk.) _____</p> <p>How many staff members do you supervise? Professional Staff _____ Support Staff _____</p>	<p>List the major duties you perform in this position in order of importance.</p> <p>_____</p>
<p>B What was the name and address of your previous employer?</p> <p>_____</p> <p>What dates were you employed in this position? From _____ To _____ Month/Year Month/Year</p>	<p>What was your title in this position?</p> <p>_____</p> <p>Was this position: <input type="checkbox"/> FULL TIME? <input type="checkbox"/> PART TIME? (Average No. hrs. per wk.) _____</p> <p>How many staff members did you supervise? Professional Staff _____ Support Staff _____</p>	<p>List the major duties you perform in this position in order of importance.</p> <p>_____</p>
<p>C What was the name and address of your previous employer?</p> <p>_____</p> <p>What dates were you employed in this position? From _____ To _____ Month/Year Month/Year</p>	<p>What was your title in this position?</p> <p>_____</p> <p>Was this position: <input type="checkbox"/> FULL TIME? <input type="checkbox"/> PART TIME? (Average No. hrs. per wk.) _____</p> <p>How many staff members did you supervise? Professional Staff _____ Support Staff _____</p>	<p>List the major duties you perform in this position in order of importance.</p> <p>_____</p>