



STATE OF NEW JERSEY

In the Matter of James Lewis,
Sheriff's Officer (C0225D), Morris
County

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

CSC Docket No. 2022-2201

Examination Appeal

ISSUED: May 2, 2022 (JH)

James Lewis requests that he be permitted to submit an application for the open competitive examination for Sheriff's Officer (C0225D), Morris County, after the application filing deadline.

By way of background, the announcement for the subject examination issued on January 3, 2022 with a February 28, 2022 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 Spring 2022.

On appeal, Lewis contends that he attempted to file an application for the subject exam on February 24, 2022 but "the message I received was there was an existing account. So per the instructions on oas.support@csc.nj.gov, I submitted a

request to have this updated. The return email stated that this would be addressed the next business day.” He indicates that on February 25, 2022, he “received an email from oas.support@csc.nj.gov requesting the last 4 [digits] of my social security number which I provided[.] I even emailed the support email again asking to reset my account and that it was an urgent request with no response.” In support of his appeal, Lewis provides additional documentation including copies of email correspondence with oas.support@csc.nj.gov dated February 24, 25, 28 and March 7, 2022.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)3 provides that applicants for open competitive 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 open competitive 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 February 24, 2022 at 7:41 p.m., the appellant contacted OAS support using a gmail.com address with the subject line, “Update User Account,” and the following message: “I’m trying to register for the civil service test and it says I have an existing account[.] Please update so I can register for the civil service test[.] My email is on file[.]” In response, in an email sent on February 25, 2022, OAS support indicated, “For security purposes, please reply with the last 4 digits of your Social Security Number. Thank you.” The appellant replied within 10 minutes providing the requested information. On February 28, 2022 at 2:03 p.m., the appellant emailed OAS support and indicated, “I’m trying to register before the end of the day[.] Please respond and reset my account so I can register[.] Thank you[.] This is urgent.” On March 7, 2022, OAS support sent the appellant an email indicating his user name and security question and further informed him, in part, that “the job announcements for the Law Enforcement Exam were posted January 3, 2022 and closed at 4:00 PM on February 28, 2022 . . . We have no record of you starting an application at any time during the filing period. As indicated on the announcement page, technical support is available during regular business hours. We are unable to accept late applications.”

In the present matter, the appellant contacted OAS support prior to the application filing deadline in anticipation of remedying his login issue so that he could submit a timely application. However, for reasons that are unclear in the record, the appellant’s request to update his account information was not processed prior to the closing date. In this regard, after the appellant provided the requested last four digits of his Social Security number on February 25, 2022, as requested,

the appellant was not contacted further until March 7, 2022, a week after the application filing deadline.

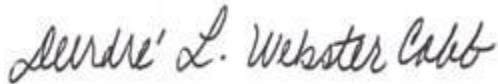
The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, 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 (C0225D), Morris County. This remedy 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 (C0225D), Morris County. It is also ordered that the appellant submit an open competitive examination application and the \$35.00 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 27TH DAY OF APRIL 2022



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Attachment

c: James Lewis
Division of Agency Services