



STATE OF NEW JERSEY

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

In the Matter of Wesley Latham,
County Correctional Police
Lieutenant (PC4820C), Middlesex
County

Examination Appeal

CSC Docket No. 2022-1483

ISSUED: JUNE 20, 2022 (RE)

Wesley Latham appeals the denial by the Division of Agency Services (Agency Services) of his request to file a late application for the promotional examination for County Correctional Police Lieutenant (PC4820C), Middlesex County.

The subject examination was announced on November 1, 2021, and closed on November 22, 2021. Only on-line applications were accepted, and the appellant did not submit one. Eighteen candidates filed applications, and the examination has not yet been held.

In his initial request to Agency Services, the appellant stated that he attempted to file for the exam but had trouble with his password for the Online Application System (OAS). He provides emails with customer service. Specifically, the email string starts on Monday, November 22, 2021 at 11:15 am, when he asked for assistance in accessing his account. At 1:35 pm that day, customer support asked him to verify himself by providing the last four digits of his Social Security number, and he did so two minutes later. This was acknowledged at 2:16 pm. At 2:48 pm, the appellant asked for a progress report, and stated that he had been trying to log in for two days. At 3:13 pm, the appellant was told that different people respond to the OAS.support inbox, and asked him if he wanted to update his email address, since it was not the same as the one he was using in the emails. He responded at 3:20 pm that he would keep the older email, and that he was waiting for an update on his password. At 3:39 pm the appellant emailed again stating he did not know why this was taking so long and he had only 20 minutes left to file. At 3:43 pm he was given

his prior username and asked to respond to the link in an email which would be generated in order to reset his password. Another response from customer support at 3:46 pm asked if his email was to be updated, and provided these instructions again. He was instructed to be sure to check his spam or junk mail. At 9:52 pm, the appellant emailed that he had not received the email with a link and that he missed the deadline, and at 9:49 pm, he stated that he checked his mail and spam mail for the older email account, and asked if his OAS account could be set up with his new email address. Customer support was closed at that time and stated that emails received after regular business hours (M-F 8am to 4pm) would be responded to on the next business day. The appellant then emailed back on Tuesday, November 23, 2021 at 2:51 pm stating that he had not received a response and has been waiting since Sunday (November 21, 2021) to remedy the issue, causing him to miss the deadline.

Agency Services stated that the appellant reached out to the OAS support mailbox at 12:43 pm on Sunday, November 21, 2021, and received a response on Monday, November 22, 2021, at 12:08 pm to confirm his email. Agency Services indicated that the changing of a password function is a computer-generated email and can take time to arrive in the user email box in order to proceed. It indicated that while the appellant's difficulties were unfortunate, Agency Services denied this request to file a late application.

On appeal to the Civil Service Commission (Commission), the appellant states that what he was directed to do was not working, and he did not receive a response to update his account. He states that an application should be accepted as he attempted to file one prior to the deadline on the closing date. He states that he has not received further assistance.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in pertinent part, that applications for open competitive and promotional examinations should be filed no later than the announced filing date for filing applications.

The appellant was not admitted to the subject examination since he did file an application by the closing date. The examination filing period was from November 1 to 22, 2022, and as such, candidates had 22 days to file an application, at any time of the day, and 18 candidates met the deadline. The announcement instructed candidates that online applications must be completed and submitted by the closing date at 4:00 pm. It states that if you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 am to 4:00 pm EST Monday through Friday, excluding holidays and emergency closings. It states 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.

The Online Application System User Guide is on the Civil Service Commission's website and is available for all candidates. It provides in-depth instructions on the use of the system. On page 5, it states that you must establish a User Account by creating a User ID and password. It then instructs candidates to record their User ID and password in a safe place so that they can access their account in the future. At the bottom of the page, it states, "If you are a returning user and cannot remember your User ID or password, click on the "Forgot your User ID or Password?" link. Be sure to use the same email address you used when you established your user account. Also, note that [the] password is case sensitive."

The appellant's circumstances are precisely why the extensive instructions are repeatedly provided. First, the appellant changed his email. He does not explain whether he followed the instruction the OAS user guide and used the same email address used when he established his account. If he used his new email address to file an application, it would not have linked to his registered account. It is the responsibility of the candidate to record his or her User ID and password and use it consistently when filing applications.

Nevertheless, the appellant did attempt to file his application two days prior to the closing date and time. The appellant did request assistance, however through misunderstanding of the problem and delays in email forwarding, the appellant did not receive the information that he needed to log into the OAS and file his application until after the filing deadline. Based on the unique circumstances present, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.1(e)* to permit the appellant to file a late application. This decision shall not be used as precedent in any other matter. In the future, appellant is cautioned to begin the filing process in enough time to allow communication with OAS Support, should that be again necessary.

ORDER

Therefore, it is ordered that this appeal be granted.

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 15TH DAY OF JUNE 2022

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