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B-31

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Rochelle Manuel,  
Human Services Specialist 2  
(PC0311T), Union County

Examination Appeal

CSC Docket No. 2015-2514

ISSUED: **OCT 12 2015** (HS)

Rochelle Manuel requests permission to submit a late application for the promotional examination for Human Services Specialist 2 (PC0311T), Union County.

The subject examination was announced with a closing date of February 21, 2015. The promotional announcement, which was posted on February 1, 2015, instructed applicants that only online applications would be accepted. The appellant did not file an application. The resulting eligible list containing the names of 19 eligibles was promulgated on May 21, 2015 and expires on May 20, 2018. A certification containing the names of all 19 eligibles was issued on June 5, 2015. In disposing of that certification, the appointing authority appointed all 19 eligibles.

On appeal, the appellant states that the death of her aunt on February 15, 2015 prevented her from filing a timely application. When her aunt was diagnosed with stage IV lung cancer, the appellant "stood by her side" until the day of her death. The appellant states that she was her aunt's personal caregiver and lost all sense of "time and matter" in the days when she was told that her aunt only had a month to live. The appellant describes her aunt, who was six years older than the appellant, as more like a sister. The appellant lived with her aunt in the same house before her aunt was married. She also shopped and travelled with her aunt. In support, the appellant submits a copy of her aunt's obituary, which indicates that her aunt was married in 1974. The appellant also submits a letter of support from the appointing authority dated February 27, 2015. In its letter, the appointing

authority states that the appellant missed the deadline to file an application due to the death of a close relative and notes its support of this appeal since the appellant is serving provisionally in the subject title.

It is noted that agency records reveal that the appellant was appointed to the subject position provisionally pending promotional examination procedures, effective October 24, 2013.

### CONCLUSION

*N.J.A.C. 4A:4-2.6(a)4* provides that applicants must file an application on or before the application deadline. *N.J.A.C. 4A:4-2.17(a)* provides, in pertinent part, that unless the fee is reduced because the applicant is a veteran, a \$25.00 processing fee shall be charged for each promotional examination application. *N.J.A.C. 4A:1-1.2(c)* provides that a rule may be relaxed for good cause shown in a particular situation.

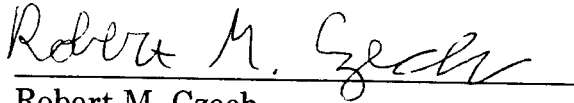
The appellant has been serving provisionally in the subject title since October 24, 2013. As all eligibles who appeared on the PC0311T eligible list have been appointed, the eligible list is exhausted. Moreover, the appointing authority has indicated its support of this appeal. Given these particular circumstances, good cause exists to relax the provisions of *N.J.A.C. 4A:4-2.6(a)4* and accept the appellant's application after the closing date. The Division of Agency Services should send the appellant a paper application upon receipt of this decision, and the appellant should file the application with the \$25 processing fee by check or money order payable to the "NJCS." This remedy is provided based on the particular circumstances of this matter and shall not set a precedent. The appellant is cautioned that for future examination announcements, she must timely file her application.

### ORDER

Therefore, it is ordered that this appeal be granted and the appellant file an application with the processing fee within 20 days, for purposes of prospective employment opportunities only.

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 7<sup>TH</sup> DAY OF OCTOBER, 2015



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