

B-21



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Regina Garilli,
Supervisor 1 MVC (PS4243T), Motor
Vehicle Commission

Examination Appeal

CSC Docket No. 2017-3813

ISSUED: ~~2017~~ 26 2017 (SLK)

Regina Garilli petitions the Civil Service Commission to accept her untimely application for the promotional examination for Supervisor 1 MVC (PS4243T), Motor Vehicle Commission.

The examination at issue was announced with specific requirements that had to be met as of the January 23, 2017 closing date (see attached). The announcement was amended to extend the application deadline to February 21, 2017. A total of 108 employees applied for the subject examination. The test was administered on May 16, 2017 and 32 employees were determined eligible.

On appeal, the petitioner presents that, in late 2016, her husband was hospitalized for over three months after surgery and he suffered a very serious medical condition. When her husband was released from the hospital, she was his primary caregiver. The petitioner indicates that the subject announcement was posted shortly after her husband was discharged from the hospital. However, she represents that she did not see this posting that was mixed in with a group of job vacancy listings. The petitioner highlights that in the past prior promotional examination announcements for positions where she was eligible to apply for, including a prior supervisory promotional examination, were mailed to her house.¹

¹ As the subject announcement was open to all employees serving in the announced unit scope who met the open-competitive requirements and not to employees serving in specific titles, the announcement was not mailed to employees.

While she acknowledges that it is her responsibility to check postings for promotional announcements, she requests that her extenuating circumstances be considered and she be allowed to file a late application. She states that if she had seen the subject promotional announcement, she would have applied as the incumbent in the subject title is retiring at the end of the year and she has been working very closely with this individual to learn every aspect of the position. Additionally, the petitioner submits a note from her husband's doctor that indicates that her husband had lifesaving surgery and suffered a serious medical condition. Further, her husband's doctor indicates that there are multiple studies documenting the high level of stress that family members, especially a primary caregiver, endure when such life changing events occur and opines that it would be a huge disservice to the petitioner to deny her the opportunity to apply for the subject promotional examination under these circumstances.

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.

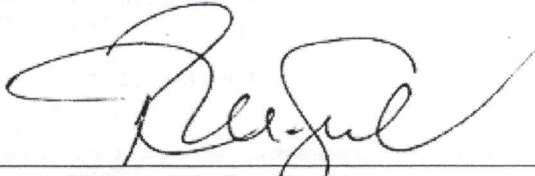
Applications for the subject promotional examination were due by the amended application filing deadline, February 21, 2017. *N.J.A.C.* 4A:4-2.1(e) provides that applications must be filed no later than the announced filing deadline. This provision is necessary for the Division of Agency Services to properly process the voluminous applications it receives for various examinations. *See In the Matter of Andrew Romeo* (MSB, decided September 22, 2004). Although petitioner describes an unfortunate set of circumstances, the petitioner acknowledges that she did view job postings and missed the subject announcement. Further, the petitioner does not state that she was on an approved leave of absence during the time-period when the subject announcement was posted and her personnel record does not indicate that she was on an approved leave of absence during this time-period. Therefore, she has not provided a sufficient basis to relax the above-noted requirement.

ORDER

Therefore, it is ordered that this appeal 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 21st DAY OF JUNE, 2017

A handwritten signature in black ink, appearing to read 'R. Czech', is written over a horizontal line.

Robert M. Czech, 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

Attachment

c: Regina Garilli
Records Center

NEW JERSEY CIVIL SERVICE COMMISSION-STATE SERVICE
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
 Make Check/Money Order Payable to NJCSC

SYMBOL: PS4243T	WEIGHT CODE: *
TITLE: SUPERVISOR 1 MVC	SALARY: \$53,910.00 - \$76,393.00
ISSUE DATE: January 01, 2017	CLOSING DATE: January 23, 2017
TITLE CODE: 56495/MYRXR0	CLASS CODE: 21
DEPARTMENT: MVA/MOTOR VEHICLE COMMISSION	APPLICATION DEADLINE: February 21, 2017
UNIT SCOPE: MV40 Motor Vehicle Agency Services	

Visit www.state.nj.us/csc
 And select "Job Announcements"
 to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Experience: Five (5) years of experience applying, disseminating, interpreting and analyzing regulatory information, one (1) year of which must have been as a lead worker performing one or a combination of the following functions: review and analysis of driver records; driver testing; damage and/or insurance claim evaluations or adjustment work; receipt, review, analysis/evaluation and/or response to customer inquiries and/or complaints; vehicle safety/compliance inspection, performing varied vehicle inspections; or other similar work areas related to the administration of motor vehicle regulations.

Note: An Associate's degree or 60 course credits from an accredited college or university may be substituted for two (2) years of the above experience. This substitution shall not be applied towards meeting the lead worker requirement. You must indicate the total number of college credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle rather than employee mobility, is necessary to perform the essential duties of the position. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles they operate, rests with the Appointing Authority.

NOTE: All requirements must be met as of the above closing date, however applications will be accepted up to and including **February 21, 2017**.

SPECIAL NOTE: If you filed an application for this announcement during the original posting period, you cannot file again. No additional information will be accepted.

Amended 2/1/17

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to the department and unit scope, and satisfying the permanent status requirement.
2. ONLY ON-LINE APPLICATIONS WILL BE ACCEPTED. YOU MUST COMPLETE YOUR APPLICATION IN DETAIL. Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full- and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill full-time and part-time positions. If 35- and 40-hour positions are used within the unit scope, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.
5. 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 Department of Military and Veterans Affairs (DMAVA) (as defined by N.J.S.A. 11A:5-1 et seq.). Those claiming Veterans Preference but have not yet received approval from DMAVA must pay the full application fee and may request a refund if the claim is approved at least 8 days prior to the issuance of this eligibility list. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES.
6. SPECIAL NOTE TO ALL APPLICANTS Please make sure you are assigned to the unit scope indicated above. If you do not know your unit scope assignment, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the unit scope indicated above, YOU WILL BE FOUND INELIGIBLE FOR THIS EXAM AND YOUR APPLICATION FEE WILL NOT BE REFUNDED.
7. If you are having difficulty submitting your application online, 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 regular business hours on the closing date will not change the application filing deadline so PLEASE FILE EARLY.
8. Application fees submitted via personal check or money order must be postmarked within five (5) business days of submitting your application. If your fee is postmarked after five (5) business days, or is returned as invalid, you will be declared ineligible and denied admittance to the examination process.

DPF-256A * Revised 03/09