



STATE OF NEW JERSEY

In the Matter of Deborah LaNier,
Human Services Specialist 2
(PC0534V), Union County

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2018-121

Examination Appeal

ISSUED: OCT 20 2017 (JET)

Deborah LaNier petitions the Civil Service Commission (Commission) to accept her untimely application for the promotional examination for Human Services Specialist 2 (PC0534V), Union County.

The subject examination was announced with specific requirements which had to be satisfied by the June 21, 2017 closing date (see attached). A total of 39 candidates were admitted to the subject examination and 39 were determined eligible. The test is scheduled to be administered on October 23, 2017.

On appeal to the Commission, the petitioner asserts, among other things, that she was out sick from work as a result of asthma and bronchitis when the announcement for the subject position was distributed by the appointing authority. She adds that, over a period of six months, she was assigned to different cubicles, and her most recent cubicle was not equipped with a telephone, computer, or any other items necessary to assist her in the performance of her duties. The appellant states that, although most of the interoffice mail that she receives is hand delivered to her, she did not receive notice of the announcement from the Assistant Personnel Officer since her cubicle at the time was not set up to receive interoffice mail and it was not hand delivered. The appellant adds that she found notice of the announcement on a vacant desk after the closing date had passed. As such, the petitioner contends that she was never notified that the subject examination was announced and, therefore, was unaware that the opportunity existed prior to the closing date.

In an e-mail dated September 12, 2017 in support of the appellant's appeal, the appointing authority explains that the appellant's desk was assigned to accommodate other employees at the time she was out sick from work. The appointing authority adds that appellant did not receive notice as it was placed in a box that was moved from her desk, and she did not find out about the examination until she was verbally notified of it after she returned to work. As such, the appointing authority confirms that the appellant was not notified of the examination prior to closing date.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in pertinent part, that applications for promotional examinations should be filed no later than the announced closing date for filing applications. *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

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 the merit and fitness. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communication Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). Additionally, the petitioner was on sick leave at the time the appointing authority distributed the announcements for the subject examination, and she did not receive verbal notice of it until after the closing date. The appointing authority confirms that the appellant was not notified of the subject examination, nor was she aware of the promotional opportunity while out sick from work. Under these circumstances, the Commission finds that for equitable reasons the appellant should be allowed to apply for the subject examination. Therefore, the Commission finds that there is good cause to relax *N.J.A.C.* 4A:4-2.1(e) and to allow the appellant to submit her 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.

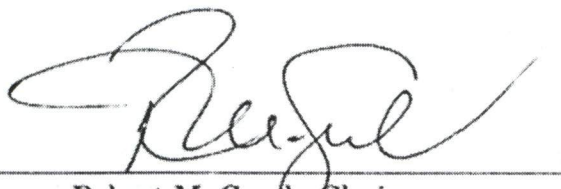
ORDER

Therefore, it is ordered that this appeal be granted and the appellant shall submit the attached application and the application fee within 30 days of the date of this decision to the Division of Agency Services so that her application can be processed. Upon receipt of the application and processing fee, if she is deemed eligible for the examination, the Division of Agency Services shall schedule the

appellant for the examination as soon as possible. Further, if the appellant receives a passing score on the examination, her name shall be added to the subject list for prospective employment opportunities.

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 18th DAY OF OCTOBER, 2017



Robert M. Czedh, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher Myers
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
PO Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Deborah LaNier
Alexis Luna
Michael M. Yuska
Kelly Glenn

NEW JERSEY CIVIL SERVICE COMMISSION
 COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



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

SYMBOL: PC0534V

WEIGHT CODE: *

TITLE: HUMAN SERVICES SPECIALIST 2

SALARY: \$45,798.00 - \$70,326.00

ISSUE DATE: June 01, 2017

CLOSING DATE: June 21, 2017

TITLE CODE: 07995/ RIFVR7

JURISDICTION CODE: N20000030

JURISDICTION: UNION COUNTY

DEPARTMENT: HUMAN SERVICES

RETURN COMPLETED APPLICATIONS TO:

**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 are currently serving in a title to which the announcement is open and have an aggregate of one year of continuous permanent service as of the closing date in the following title(s):

**Human Services Specialist 1 07994
 Human Services Specialist 1 Bilingual in Spanish and English 09000**

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, 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-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, 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 (i.e. Police, Fire, Corrections and Sheriff).
6. **SPECIAL NOTE TO ALL APPLICANTS** Please make sure you are assigned to the department indicated above. If you do not know your department, please contact your Human Resource Office. If you file an application for this announcement and you are not assigned to the department 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 of 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 07/06

Staple Payment Here

APPLICATION FOR PROMOTIONAL EXAMINATION

NEW JERSEY CIVIL SERVICE COMMISSION —County and Municipal Government

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

FOR COMMISSION USE ONLY

INSTRUCTIONS: Please print or type. Answer all pertinent questions and ensure that all information is accurate and complete. Sign your name in Block 11. **NOTE:** No additional information may be accepted after the last date for filing applications has passed. **If you change your address, you must notify the Civil Service Commission immediately in writing.**

Return your completed application no later than the last date for filing listed on the announcement to: NJ CSC, 44 S. Clinton Ave. PO Box 322, Trenton, N.J. 08625-0322

FOR COMMISSION USE ONLY		
STATUS: <input type="checkbox"/>		
SEN: <input type="checkbox"/>	UE: <input type="checkbox"/>	REV NO REV

2. Social Security Number: * (see block 10 for additional information)	3. Symbol: PC0534V
--	------------------------------

4. Name & Address:

Last: _____ First: _____ M.I. _____

Street: _____

City: _____ State: _____ Zip Code: _____

E-mail address: _____

County: _____ Daytime Telephone: _____
(Area Code) - Number

1. Title of Promotion:
HUMAN SERVICES SPECIALIST 2

Note: Applications must be postmarked by June 21, 2017

5. BACKGROUND DATA

5a. Education (Indicate the highest level Diploma or Degree you have earned):

High School Diploma or GED (A) Associate's Degree (M) Master's Degree
 (S) Some College but No Degree (B) Bachelor's Degree (D) Doctorate

5b. Completion of this part is VOLUNTARY and is to be used only for complying with EEOC Guidelines and the New Jersey State Affirmative Action Program.

Gender: (1) Male (2) Female

Check the group you are a member of:
 (1) Black (2) White (3) Hispanic (4) Asian (5) American Indian or Alaskan Native

6. Check the county in which you prefer to take the examination.
(Check one box only)

(1) Camden (2) Mercer (3) Essex
 (4) Monmouth (6) Atlantic (7) Bergen

7. Are you claiming veterans preference? YES 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 be contacted regarding auxiliary aid or reasonable accommodation in taking this examination in accordance with the Americans with Disabilities Act.

9. Present Permanent Title & Appointment Date:

Name & Title of Immediate Supervisor:

Telephone Number & Email Address of Immediate Supervisor:

*** 10.** Your Social Security number will be kept confidential and used as your applicant I.D. number to identify and track all of your records and transactions associated with the application and testing process. Collecting this data is permissible under NJSA 11A:4-1, but its submission is voluntary. If you do not provide the number, a unique number will be assigned to you. However, once assigned, you will be responsible for remembering it for any inquiries you may have concerning your application or testing process.

11. Signature: I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I understand that if my application is incomplete, it may be rejected. (WARNING: The Civil Service Commission may refuse to examine, or certify after examination, any applicant who makes a false statement of any material fact per NJAC 4A:4-6.2)

FORCSC ONLY

NOTE: Your application may be released to the Appointing Authority for the purpose of verifying information with regard to your qualifications.

Signature..... Date.....

Title of Promotion: HUMAN SERVICES SPECIALIST 2 **Symbol:** PC0534V **SS#:** _____

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>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>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>
---	--

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>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>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>B What was the name and address of your previous employer?</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>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>C What was the name and address of your previous employer?</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>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>