



In this matter, the petitioners both indicate that they were planning on applying for the subject examination, but did not apply because their human resources department incorrectly advised them they did not need to apply because the subject title was a lateral and not promotional title. Further, the appointing authority confirms the petitioners' statements. 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). Under these circumstances, the Commission finds that due to the appointing authority's error, the petitioners 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 petitioners to submit their applications and application fees after the closing deadline for prospective employment opportunities only.

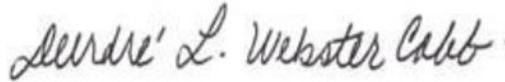
This determination is limited to the instant matter and does not provide precedent in any other matter.

### **ORDER**

Therefore, it is ordered that these petitions be granted, and Dennis Cowan and Patrick Galvin be permitted to submit applications for the Road Repairer 3 (PC0240A), Atlantic County, examination. It is further ordered that Cowan and Galvin submit promotional applications and the \$25.00 application processing fee to the Division of Agency Services. The applications and processing fees must be postmarked no later than 15 days from the issuance date of this decision. Upon receipt of the applications and processing fees, it is ordered that their applications be processed. Finally, if the petitioners' applications and the required payments are not postmarked on or before the 15<sup>th</sup> day after the issuance date of this decision, they will not be entitled to have an application for the subject examination processed.

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 23<sup>rd</sup> DAY OF OCTOBER, 2019



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

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