

In the Matter of Sidney Terrell, Director Police School (PC0660S) and (PC1609S), Atlantic County

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

CSC Docket Nos. 2015-1189 and 2015-2584

Examination Appeals

ISSUED: APR 1 6 2015

(CSM)

Sidney Terrell appeals the determinations of the Division of Agency Services (Agency Services) which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examinations for Director Police School (PC0660S) and (PC1609S), Atlantic County.

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The promotional examination for Director Police School (PC0660S) was announced with specific requirements that had to be met as of the closing date of June 21, 2014 (see attached). That examination was cancelled on September 27, 2014 due to a lack of qualified applicants. The promotional examination for Director Police School (PC1609S) was announced with specific requirements that had to be met as of the closing date of December 22, 2014. That examination was cancelled on March 10, 2015 due to a lack of qualified applicants.

The appellant indicated on his applications that he was provisionally serving in the title under test from March 2014 to the closing dates, June 2014 and December 2014. From September 2009 to March 2014 he was a Training Officer Law Enforcement and from June 1992 to June 2009 he was a Police Officer/Police Detective with the Egg Harbor Township Police Department. The appellant indicated possession of 100 college credits. As of the December 2014 closing date for PC1609S, Agency Services determined that the appellant would need an additional one year and two months of supervisory experience and eleven months of general experience to qualify for that examination.

In his appeals, the appellant highlights his provisional experience in the title under test as well as his supervisory experience as a Training Officer Law

Enforcement and his extensive training duties he was assigned when he was a Police Officer. Therefore, the appellant maintains that he is qualified for the subject examination.

N.J.A.C. 4A:4-2.6(c) provides that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the examination process, unless good cause is shown for an exception. N.J.A.C. 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

In the present matter, a review of the documentation demonstrates that initially, Agency Services correctly determined that the appellant was not eligible for the subject examinations. For the promotional examination (PC1609S) which had the later closing date of December 22, 2014, the appellant was properly credited with eight years and one month of general experience and would need an additional eleven months of general experience to qualify for the examination. The appellant was also credited with ten months of supervisory experience and would need an additional one year and two months of supervisory experience to qualify for the Primarily performing the required supervisory duties would be considered out-of-title work for an incumbent in the Training Officer Law Enforcement title. Additionally, it is clear that the appellant was assigned the required general training duties when he was a Police Officer with Egg Harbor Township. In this case, it cannot be ignored that the subject examinations were cancelled on two occasions due to a lack of qualified applicants and the appellant continues to serve provisionally in the title under test. Under these circumstances, good cause exists to accept the appellant's out-of-title work experience as well as the totality of his training experience as a Police Officer and his provisional experience after the closing date and admit him to the Director Police School (PC1609S) examination.

ORDER

Therefore, it is ordered that this appeal be granted, the examination cancellation for Director Police School (PC1609S) be rescinded, and the appellant's application be processed for 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 15TH DAY OF APRIL, 2015

Robert M. Czech

Chairperson

Civil Service Commission

Inquiries and Correspondence

Attachment

c. Sidney Terrell
Dennis Levinson
Kelly Glenn
Kenneth Connolly

Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Written Record Appeals Unit
Civil Service Commission
P.O. Box 312
Trenton, NJ 08625-0312

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: PC0660S

TITLE: DIRECTOR POLICE SCHOOL

ISSUE DATE: June 01, 2014 TITLE CODE: 05284/ FGRAR7

JURISDICTION: ATLANTIC COUNTY DEPARTMENT: PUBLIC SAFETY

WEIGHT CODE: *

SALARY: \$41,245.00 - \$57,687.00

CLOSING DATE: June 21, 2014 JURISDICTION CODE: C01000020

RETURN COMPLETED APPLICATIONS TO:

ONLY ON LINE APPLICATIONS WILL BE ACCEPTED FOR THIS ANNOUNCEMENT

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:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of college credits completed to date on your application. If you expect to complete additional credits within four months of the closing date, you must also indicate the number of credits and expected completion 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.

Applicants who do not possess the required education may substitute, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

Experience: Five (5) years of experience involved in the determination of police training needs, development of training plans and materials, and the conduct of orientation, inservice, refresher, and other types of police training courses, two (2) years of which shall have been in a supervisory capacity.

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.

Make-up Examinations: Requests for make-up examinations based on medical grounds for public safety promotional exams must include a New Jersey Civil Service Commission Authorization for Public Safety Make-Up Examination Form.

IMPORTANT INFORMATION

DPF-256A * Revised 03/09

^{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

^{2.} 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 fulltime 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 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. PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES. (i.e. Police, Fire, Corrections and Sheriff).

^{6.} 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@esc.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.

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

New Jersey Civil Satvice Commission

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

SYMBOL: PC1609S

TITLE: DIRECTOR POLICE SCHOOL

ISSUE DATE: December 01, 2014 TITLE CODE: 05284/ LGRAR7

JURISDICTION: ATLANTIC COUNTY
DEPARTMENT: PUBLIC SAFETY

WEIGHT CODE: *

SALARY: \$41,245.00 - \$57,687.00

CLOSING DATE: December 22, 2014

JURISDICTION CODE: C01000020

ONLY ON LINE APPLICATIONS WILL BE ACCEPTED FOR THIS ANNOUNCEMENT

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:

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IMPORTANT INFORMATION

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- 2. 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.
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