

B-19



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Barry LaFranco,
Supervising Examiner
Unemployment Tax (PS3219N),
Department of Labor and Workforce
Development

Examination Appeal

CSC Docket No. 2017-2352

ISSUED: APR 21 2017

(RE)

Barry LaFranco appeals his score for the promotional examination for Supervising Examiner Unemployment Tax (PS3219N), Department of Labor and Workforce Development. It is noted that the appellant passed the examination with a final average of 78.690 and ranks fifth on the resultant eligible list.

The subject examination was administered via the Supervisory Test Battery (STB). The appellant took the STB, and received a score of 522 out of 800, while the passing point was 512. A notice was sent in January 2017 to the appellant informing him that he had passed the examination, and he ranked fifth of five passing candidates. In reply to this notice, the appellant requests a review of the examination and appeals his score. He states that the computerized scoring system can be dysfunctional and his test score could have been incorrectly calculated. He states that he is .0014 points below the fourth-ranking candidate and if scores were rounded he would tie for fourth.

CONCLUSION

The record establishes that appellant took the subject examination and was subsequently found to have passed the examination. Extensive information regarding this test is provided to all candidates on the Civil Service Commission's website, which explains that since this test will be used repeatedly in the future, candidates will not be permitted to review its content (i.e., the test questions and answers). This policy has been in effect for many years, and the appellant's arguments do not warrant a review specifically for him. The appellant has not

provided any proof or evidence of his assertion that his score is incorrect. The appellant's score was 522 when he completed the examination and it has not been changed or adjusted in any way. In light of the appeal, the appellant's responses were hand-scored, and his score was found to be correct.

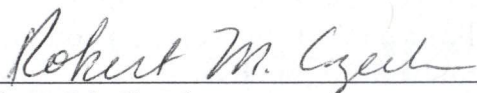
A thorough review of the record indicates that the determination of the Division of Test Development and Analytics was proper and consistent with civil service regulations, and that the appellant has not met his burden of proof in this matter.

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 19th DAY OF APRIL, 2017



Robert M. Czech
Chairperson
Civil Service Commission

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and
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