

B-44



STATE OF NEW JERSEY

In the Matter of Steven Dixon,
Police Lieutenant (PM1419U),
Keyport

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-1462

Examination Appeal

ISSUED: JAN 18 2017 (JH)

Steven Dixon appeals the determination of the Division of Agency Services denying his request for a make-up examination for Police Lieutenant (PM1419U), Keyport.

By way of background, the subject announcement was issued on July 1, 2016 with an application filing deadline of July 21, 2016. Candidates were sent notices dated October 6, 2016 that the examination would be administered on October 27, 2016. On October 16, 2016, Mr. Dixon filed a make-up request in which he indicated that he would be on vacation out of the country on the exam administration date. In support of his request, he provided a copy of his booking confirmation which indicated a departure date of October 25, 2016 and a return date of October 30, 2016 and a copy of his hotel reservation indicating a check-in date of October 25, 2016 and a check-out date of October 30, 2016.

On appeal, Mr. Dixon presents that he "received notice of the exam date on October 15, 2016 for an exam date of October 27, 2016[,] which is clearly inadequate time to change any plans that I was already committed to . . . I truly believe that the Civil Service Commission is in error for not providing adequate time between the date of the notice and the date of the examination. This error did not provide me with enough time to make different arrangements for my vacation which was booked on April 27, 2016 for October 25, 2016 to October 30, 2016 . . ." In support of his appeal, Mr. Dixon provides additional documentation including copies of the above noted booking confirmation and hotel reservation, a copy of his passport and an email sent October 18, 2016 regarding his reservation.

CONCLUSION

The Orientation Guide provided that, pursuant to *N.J.A.C.* 4A:4-2.9, make-up examinations may be authorized only in cases of: death in the candidate's immediate family; error by the Civil Service Commission or appointing authority; when required for certain persons returning from military service pursuant to *N.J.A.C.* 4A:4-4.6A; or a catastrophic health condition or injury, which shall be defined as either (1) a life-threatening condition or combination of conditions or (2) a period of disability required by the candidate's mental or physical health or the health of the candidate's fetus which requires the care of a physician who provides a medical verification of the need for the candidate's absence from work for 60 or more days.

In the present matter, the documentation submitted by the appellant does not meet the above noted criteria. Mr. Dixon argues that he received Notification to Appear for Examination on October 15, 2016, which provided "inadequate time to change any plans that I was already committed to." However, it is noted that the subject announcement, which was issued on July 1, 2016, indicated, "Note: The Police Lieutenant examination is tentatively scheduled to be administered in October 2016." In addition, the Orientation Guide, which was available by July 1, 2016, informed candidates that "the tentative timeframe to administer the Police Lieutenant exam is **mid to late October, 2016.**"

Furthermore, it is noted that the Examination Information Alert Police Promotional Schedule (2016) (EIA) was issued by the Division of Test Development and Agency Services in February 2016 and available on the Commission website. The EIA indicated that announcements for Police Lieutenant were to be issued on July 1, 2016; the application filing deadline was July 21, 2016; and the tentative test date would be in October 2016.

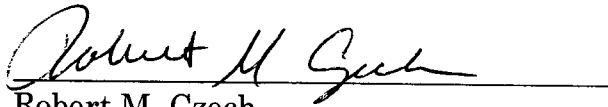
Accordingly, candidates who filed timely applications for the Police Lieutenant exam were on notice as early as February 2016 and no later than July 21, 2016, that the subject exam could be administered in October 2016.

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
THE 18TH DAY OF JANUARY, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries

and
Correspondence

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

c: Steven Dixon
Michael Johnson
Records Center

