



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Roobentroff Dragon,
Police Officer (S9999U), City of
Jersey City

List Removal Appeal

CSC Docket No. 2020-2186

ISSUED: SEPTEMBER 18, 2020 (VJ)

Roobentroff Dragon appeals the City of Jersey City’s request to remove his name from the eligible list for Police Officer (S9999U), on the basis that he failed to respond to the certification notice.

The appellant, a non-veteran,¹ took and passed the open-competitive examination for Police Officer (S9999U), which had a closing date of August 31, 2016. The subject eligible list promulgated on March 29, 2017 and expired on May 1, 2020.² The appellant’s name appeared on the April 10, 2019 certification (OL190405) of the subject eligible list. The appointing authority returned the certification for disposition on January 15, 2020, and indicated that the appellant was to be removed as “No response to certification notice.”

On appeal, the appellant asserts that he was deployed overseas at the time of the certification, but that he anticipated continuing the process of becoming a Police Officer. The appellant requests that he continue the process that he was not effectively able to pursue during the time of his deployment. In support, the appellant submits his military orders.

¹ The appellant was listed as a non-veteran on the S9999U eligible list. Agency Records indicate that the Department of Military and Veteran’s Affairs determined he was veteran, effective January 21, 2020.

² The expiration date was extended until the new Law Enforcement Examination (S9999A) eligible list promulgated on May 15, 2020.

Despite an opportunity to do so, the appointing authority did not respond.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)6 provides that an eligible's name may be removed from a list for "non-compliance with the instructions listed on the notice of certification."

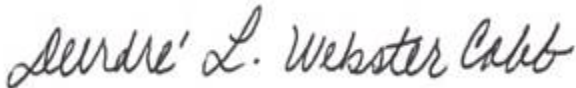
N.J.A.C. 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove the appellant's name from an eligible list was in error. In the instant matter, the appellant has established that he was out of the country on active duty at the time of the certification notice. Thus, it is appropriate that his name be restored to the subject eligible list.

ORDER

Therefore, it is ordered that this request be granted and that the list for Police Officer (S9999U), City of Jersey City be revived, in order for the appellant to be considered for appointment at the time of the next certification, 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 DAY 16th OF SEPTEMBER, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Roobentroff Dragon
Brian D. Platt
Agency Services