



STATE OF NEW JERSEY

In the Matter of Crystal Reed, Police
Sergeant (PM2540W), Newark

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

CSC Docket No. 2019-2467

Examination Appeal

ISSUED: DECEMBER 20, 2021 (JH)

Crystal Reed requests that she be permitted to submit an application for the promotional examination for Police Sergeant (PM2540W), Newark, after the application filing deadline.

By way of background, the announcement for the subject examination was issued on October 1, 2018 with an application filing deadline of October 22, 2018 and all applications had to have been received by that date. It is noted that the subject examination was administered on February 23, 2019.¹

On appeal, Reed indicates that she was “placed on leave as of June 18, 2018 and have an anticipated return to duty date of March 4, 2019.” She argues that she was not notified of the subject announcement.

Newark was contacted on numerous occasions regarding this matter and in an email sent on November 9, 2021, Captain Tawana Rollins, Chief of Staff, Department of Public Safety, Police Division, City of Newark, indicates that Reed was on leave from June 18, 2018 to March 5, 2019. Captain Rollins further indicates that an “announcement went on May 28, 20[18] in which she was still active full duty.” Rollins provides a copy of the May 28, 2018 “announcement” which is a Department of Public Safety Memorandum dated May 29, 2018 from Anthony F. Ambrose, Public Safety Director, regarding “Police Promotional

¹ It is noted that the next examination for Police Sergeant is tentatively scheduled to be administered in February 2022.

Schedule for 2018 Police Sergeant and Lieutenant.” The memorandum indicates that “the New Jersey Civil Service Commission (NJ CSC) has announced the Police Promotional Schedule for 2018 for the rank of Sergeant and Lieutenant. The below listed dates have been provided in advance that will assist potential candidates with their planning needs.” The memorandum further indicates that the announcement for Police Sergeant is scheduled to be issued on October 1, 2018 with an application filing deadline of October 22, 2018.

CONCLUSION

N.J.A.C. 4A:4-2.1(b) provides:

In order to notify all employees of promotional opportunities, promotional examination announcements shall be posted on, and applications shall be made available through, the Civil Service Commission web site and may also be made available through the web sites of affected appointing authorities. If an affected appointing authority does not maintain or utilize a web site, promotional examination announcements shall be conspicuously posted by the affected appointing authority at all geographic locations within the unit scope (in State service) or department (in local service) to which the examination is open. Appointing authorities shall also ensure the notification by electronic or other means of all eligibles of the promotional examination announcement. Appointing authorities shall maintain a record of promotional examination announcement postings and the notification of eligibles of the announcement.

N.J.A.C. 4A:4-2.1(e) provides, in part, that applications for promotional examinations shall be filed no later than 4:00 p.m. on the announced filing date.

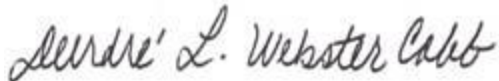
In the present matter, Captain Rollins does not indicate that Reed was contacted while she was out on leave and notified of the subject announcement. Furthermore, there is no evidence in the record that the appointing authority attempted to contact Reed while she was on leave to ensure that she was aware of the subject announcement. *See In the Matter of John Unger* (MSB, decided January 17, 2007) and *In the Matter of Mark Prior* (CSC, decided July 11, 2012). In this regard, the memorandum, as noted above, which was dated four months prior to the issue date of the announcement does not meet the requirements of *N.J.A.C.* 4A:4-2.1(b). Moreover, Captain Rollins verifies that Reed was on leave during the entire application filing period. Accordingly, based on equitable grounds, it is appropriate to relax the provisions of *N.J.A.C.* 4A:4-2.1(e) and permit Reed to file an application, a copy of which is enclosed.

ORDER

Therefore, it is ordered that this appeal be granted. It is further ordered that the completed application and required \$50.00 application processing fee should be forwarded to: New Jersey Civil Service Commission, Division of Agency Services, P.O. Box 322, Trenton, New Jersey 08625-0322. The completed application and processing fee must be postmarked no later than 15 days from the issuance date of this decision. Failure to file the application and processing fee within the time provided will result in rejection from the examination process. Finally, upon determination of eligibility, the appellant be admitted to the subject examination.

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 DECEMBER, 2021



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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

c: Crystal Reed
Tiffany M. Stewart, Esq.
Division of Agency Services
Records Center

APPLICATION FOR PROMOTIONAL EXAMINATION

NEW JERSEY CIVIL SERVICE COMMISSION —County and Municipal Government

\$ 50.00 FEE REQUIRED
Make Check/Money Order Payable to NJCSC

FOR COMMISSION USE ONLY

INSTRUCTIONS: Please print or type. Answer all pertinent questions and ensure that all information is accurate and complete. Sign your name in Block 11. **NOTE:** No additional information may be accepted after the last date for filing applications has passed. **If you change your address, you must notify the Civil Service Commission immediately in writing.**

Return your completed application no later than the last date for filing listed on the announcement to: NJ CSC, 44 S. Clinton Ave. PO Box 322, Trenton, N.J. 08625-0322

FOR COMMISSION USE ONLY			2. Social Security Number:	3. Symbol:
STATUS: <input type="text"/>			* (see block 10 for additional information)	
SEN: <input type="text"/>	UE: <input type="text"/>	REV NO REV		
1. Title of Promotion: <div style="color: red; font-size: small;">Note: Applications must be postmarked by</div>			4. Name & Address: Last: _____ First: _____ M.I. _____ Street: _____ City: _____ State: _____ Zip Code: _____ E-mail address: _____ County: _____ Daytime Telephone: _____ <div style="text-align: right; font-size: x-small;">(Area Code) - Number</div>	

5. BACKGROUND DATA

5a. Education (Indicate the highest level Diploma or Degree you have earned): <input type="checkbox"/> High School Diploma or GED <input type="checkbox"/> (A) Associate's Degree <input type="checkbox"/> (M) Master's Degree <input type="checkbox"/> (S) Some College but No Degree <input type="checkbox"/> (B) Bachelor's Degree <input type="checkbox"/> (D) Doctorate		
5b. Completion of this part is VOLUNTARY and is to be used only for complying with EEOC Guidelines and the New Jersey State Affirmative Action Program.		
Gender: <input type="checkbox"/> (1) Male <input type="checkbox"/> (2) Female	Check the group you are a member of: <input type="checkbox"/> (1) Black <input type="checkbox"/> (2) White <input type="checkbox"/> (3) Hispanic <input type="checkbox"/> (4) Asian <input type="checkbox"/> (5) American Indian or Alaskan Native	
6. Check the county in which you prefer to take the examination. (Check one box only) <input type="checkbox"/> (1) Camden <input type="checkbox"/> (2) Mercer <input type="checkbox"/> (3) Essex <input type="checkbox"/> (4) Monmouth <input type="checkbox"/> (6) Atlantic <input type="checkbox"/> (7) Bergen	7. Are you claiming veterans preference? <input type="checkbox"/> YES <input type="checkbox"/> NO Check YES if you are claiming veterans preference for this examination. If you have established veterans preference since April 1, 1980, no further action is needed. Otherwise, complete a veterans preference claim form and include the required documents. Claim forms are available on our web site at www.state.nj.us/csc and at our office at 44 S. Clinton Avenue, Trenton, NJ. Completed forms should be mailed to the Department of Military and Veterans' Affairs. For more information, visit their web site at www.state.nj.us/military or contact them at 1-888-865-8387.	
8. ADA Assistance: Check the box if you would like to be contacted regarding auxiliary aid or reasonable accommodation in taking this examination in accordance with the Americans with Disabilities Act. <input type="checkbox"/>		

9. Present Permanent Title & Appointment Date: <hr/> Name & Title of Immediate Supervisor: <hr/> Telephone Number & Email Address of Immediate Supervisor:	<p>* 10. Your Social Security number will be kept confidential and used as your applicant I.D. number to identify and track all of your records and transactions associated with the application and testing process. Collecting this data is permissible under NJSA 11A:4-1, but its submission is voluntary. If you do not provide the number, a unique number will be assigned to you. However, once assigned, you will be responsible for remembering it for any inquiries you may have concerning your application or testing process.</p>
---	--

11. Signature: I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I understand that if my application is incomplete, it may be rejected. (WARNING: The Civil Service Commission may refuse to examine, or certify after examination, any applicant who makes a false statement of any material fact per NJAC 4A:4-6.2)

FOR CSC ONLY

NOTE: Your application may be released to the Appointing Authority for the purpose of verifying information with regard to your qualifications.

Signature..... Date.....