



STATE OF NEW JERSEY

In the Matter of Cary Robinson,
Police Captain (PM4073C), Winslow
Township

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

CSC Docket No. 2022-511

Examination Appeal

ISSUED: MARCH 4, 2022 (JH)

Cary Robinson requests that he be permitted to submit an application for the promotional examination for Police Captain (PM4073C), Winslow Township, after the application filing deadline.

By way of background, the announcement for the subject examination was issued on July 1, 2021 with an application filing deadline of July 21, 2021 and all applications had to have been received by that date.¹ It is noted that the subject examination was administered on October 23, 2021.² Similarly, an announcement for County Police Captain (PC3404C), Camden County, was issued on July 1, 2021 with an application filing deadline of July 21, 2021.

On appeal, Robinson indicates that “while going over the notification, I made an error on the application. I see that the jurisdiction was for Camden County Police Captain. I did not mean to fill that symbol out and it was an error while

¹ The subject test was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the September 30, 2021 closing date and were serving in the title of Police Lieutenant or Police Sergeant. An announcement for Police Lieutenant (PM4195C), Winslow Township was issued on July 1, 2021 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the September 30, 2021 closing date and were serving in the title of Police Sergeant.

² It is noted that the appellant was conditionally admitted to the subject test pending the resolution of this matter.

filling out the application. My application should have been for Police Captain Winslow Township Police Department (Symbol #PM4073C).”³

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in part, that applications for promotional examinations shall be submitted no later than 4:00 p.m. on the announced application filing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant in an examination appeal shall have the burden of proof.

In the present matter, although Robinson intended to apply for the Police Captain (PM4073C), Winslow Township promotional examination and successfully submitted a timely application, it was for the incorrect symbol. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Given this, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)4 and allow the appellant to file an application for the subject test after the application deadline. However, the Commission cautions the appellant to ensure that they apply to the appropriate promotional announcement for future examinations as this remedy will not be afforded to him in the future.

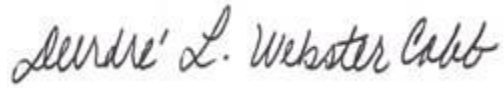
ORDER

Therefore, it is ordered that this appeal be granted. It is further ordered that the completed application and required \$75.00 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.

³ It is noted that on July 16, 2021, Robinson submitted applications for Police Lieutenant (PM4195C), Winslow Township, and for County Police Captain (PC3404C), Camden County.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 2ND DAY OF MARCH, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment

c: Cary Robinson
Division of Agency Services
Records Center

APPLICATION FOR PROMOTIONAL EXAMINATION

NEW JERSEY CIVIL SERVICE COMMISSION —County and Municipal Government

\$ 75.00 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

STATUS:

SEN:

UE:

REV

NO REV

1. Title of Promotion:

Note: Applications must be postmarked by

2. Social Security Number:

* (see block 10 for additional information)

3. Symbol:

4. Name & Address:

Last: First: M.I.

Street:

City: State: Zip Code:

E-mail address:

County: Daytime Telephone:

(Area Code) - Number

5. BACKGROUND DATA

5a. Education (Indicate the highest level Diploma or Degree you have earned):

- ☐ High School Diploma or GED ☐ (A) Associate's Degree ☐ (M) Master's Degree
☐ (S) Some College but No Degree ☐ (B) Bachelor's Degree ☐ (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: ☐ (1) Male ☐ (2) Female

Check the group you are a member of:

☐ (1) Black ☐ (2) White ☐ (3) Hispanic ☐ (4) Asian ☐ (5) American Indian or Alaskan Native

6. Check the county in which you prefer to take the examination.
(Check one box only)

- ☐ (1) Camden ☐ (2) Mercer ☐ (3) Essex
☐ (4) Monmouth ☐ (6) Atlantic ☐ (7) Bergen

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.

7. Are you claiming veterans preference? ☐ YES ☐ 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.

9. Present Permanent Title & Appointment Date:

Name & Title of Immediate Supervisor:

Telephone Number & Email Address of Immediate Supervisor:

*** 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.

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.....