



**STATE OF NEW JERSEY**

In the Matter of Charles Lamin,  
Police Lieutenant (PM4182C), City of  
Trenton

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

CSC Docket No. 2022-970

Examination Appeal

**ISSUED: MARCH 25, 2022 (ABR)**

Charles Lamin requests a make-up examination for the promotional examination for Police Lieutenant (PM4182C), City of Trenton.

By way of background, the appellant was scheduled to be tested on October 23, 2021, at Middlesex College<sup>1</sup> in Edison. The Center Supervisor Report on Conduct indicated that the appellant forgot his identification in the car of a cousin who had driven him to the test center. Around 9:10 a.m. on the testing date, the appellant asked the Center Supervisor if he could call his cousin to have his identification brought to the testing site, which would take about 20 minutes, or if he could show his identification using Google Photos on the Center Supervisor’s phone. The Center Supervisor told the appellant that he would not be permitted to take the examination if he did not have his identification with him. The appellant was not admitted to the examination and he submitted a Test Administration Appeal/Comment Form before leaving the test center.

On appeal, the appellant argues that mitigating circumstances support granting him a make-up examination. In this regard, he explains that a wake was held for his uncle on the evening of October 22, 2021, and that he stayed at his cousin’s residence in Somerset that night to meet the needs of family during their time of bereavement and to make it easier to arrive at the test center on time on the

<sup>1</sup> Prior to January 1, 2021, Middlesex College was called Middlesex County College.

following day. He adds that the intent was for his cousin to pick him up after the examination and proceed directly to his uncle's funeral. On the morning of the examination, he had his cousin drop him off at the test center. The appellant states that when he arrived at the test center just before 8:20 a.m. on October 23<sup>rd</sup>, he initially had a cell phone in the pouch of his hooded sweatshirt. However, upon hearing staff instruct candidates not to bring cell phones into the building, he returned to his cousin's car and emptied everything out of the pockets of his hooded sweatshirt, including his wallet, keys and cell phone, leaving them in the vehicle. He states that approximately 45 minutes later, at 9:15 a.m., he and other candidates were sent to the testing room. Upon arrival in the testing room, he was told to take out the required documents, including his photo identification. He then realized he did not have his driver's license, as he had left it in his wallet in his cousin's car and he notified the monitor. The appellant was then sent to the Center Supervisor. The appellant states that he asked the Center Supervisor if he could show her a photograph of his New Jersey driver's license on her phone using Google Photos, but that she told him that she could only accept a physical photo identification. Although the Center Supervisor permitted him to call his cousin, when he asked her if he could return to the test room once he had the identification, the Center Supervisor told him that he would not be permitted to because he did not have his identification at 9:15 a.m. The appellant also states that at the same time his cousin had called the Center Supervisor to state that he had arrived with the appellant's identification, the appellant encountered a monitor from a different test room who was looking for a candidate who had gone to find a vending machine. The appellant maintains that this monitor indicated that they had not started administering the examination in that test room. The appellant argues that if one of the other test rooms delayed their start time to allow a candidate to find a vending machine, he should have been permitted to retrieve his identification from his cousin at the same time. Accordingly, based upon these circumstances he requests an opportunity to take a make-up examination.

## CONCLUSION

*N.J.A.C. 4A:4-2.9(b)* provides that professional level engineering, police, fire, correction officer, correctional police officer, sheriff's officer, juvenile detention officer, and other public safety promotional examinations, make-up examinations may be authorized only in cases of:

1. Debilitating injury or illness requiring an extended convalescent period, provided the candidate submits a doctor's certification containing a diagnosis and a statement clearly showing that the candidate's physical condition precluded his or her participation in the examination;
2. Death in the candidate's immediate family as evidenced by a copy of the death certificate;

3. A candidate's wedding which cannot be reasonably changed as evidenced by relevant documentation;
4. When required for certain persons returning from military service (*see N.J.A.C. 4A:4-4.6A*); or
5. Error by the Civil Service Commission or appointing authority.

*N.J.A.C. 4A:1-1.3* defines “immediate family” as:

an employee's spouse, domestic partner (*see* section 4 of P.L. 2003, c. 246), civil union partner, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives residing in the employee's household or any other individual whose close association with the employee is the equivalent of a family relationship, such as a step-relative.

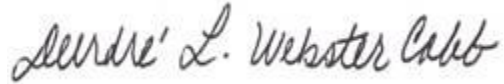
In the instant matter, while the appellant presents an unfortunate set of circumstances, these circumstances do not fall under any of the categories for which *N.J.A.C. 4A:4-2.9(b)* permits a make-up examination. The appellant had sufficient notice of both the prohibition against cell phones in test centers and the requirement that candidates bring a photo identification with them, as this information was set forth in the 2021 Police Lieutenant Orientation Guide. In particular, the guide stated, in pertinent part that “[c]andidates arriving at the test center without a valid photo i.d. **WILL NOT** be admitted to the exam.” Civil Service Commission, 2021 Police Lieutenant Orientation Guide at 1 (emphasis in original). Finally, given the foregoing considerations, even assuming *arguendo* that another test room had not started its administration of the examination at the time the appellant’s cousin returned to the test center with the appellant’s photo identification, it does not excuse the appellant’s failure to produce his identification upon arrival, as required, and it does not render his disqualification from the subject examination improper. Accordingly, the Commission finds that the appellant has failed to sustain 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 23<sup>RD</sup> DAY OF MARCH, 2022



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