



STATE OF NEW JERSEY

In the Matter of Jason Woodhead,
Police Captain (PM4057C), City of
Trenton

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

CSC Docket No. 2022-972

Examination Appeal

ISSUED: MARCH 25, 2022 (ABR)

Jason Woodhead appeals the administration of the promotional examination for Police Captain (PM4057C), City of Trenton.

By way of background, the subject examination, which was administered on October 23, 2021, consisted of a multiple-choice portion, questions 1 through 80, and an essay portion, question 81. It is noted that candidates were provided with three hours and 50 minutes to complete the examination. The appellant was assigned to the test center at Middlesex College¹ in Edison for the administration of the subject examination.

In an appeal filed at the test center, Woodhead argues that the administration of the examination did not comply with *N.J.A.C.* 4A:4-2.10.² In this regard, he complains that individuals seated in the same examination room had differing levels of visual access to the time displayed on the wall clock. He states that the angle and glare of the clock from his seat in his testing room made it difficult for him to read the time. Woodhead states that many of the test takers he observed in seats with an equal or lesser view of the wall clock were wearing wristwatches, with the exception of one individual who secured permission from the monitor for permission to move to a seat with a better view of the clock. Woodhead proffers that he did not ask to do the

¹ Prior to January 1, 2021, Middlesex College was called Middlesex County College.

² On appeal, Woodhead erroneously cites this provision as *N.J.S.A.* 4A:4-2.10.

same because he initially believed he was reading the time correctly and did not raise the issue thereafter because he feared making such a request would place him at risk of being disqualified. Woodhead also advises that the seat this other candidate moved to was the last open seat remaining in the room. Woodhead contends that those wearing wristwatches had an unfair advantage on the examination based upon the condition in the test room. Woodhead states that he did not wear a wristwatch because it was not mentioned as an authorized aid and he did not want to risk a disqualification pursuant to *N.J.A.C.* 4A:4-2.10(b)6. In addition, he complains that the monitor in the examination room did not make any announcements about the time remaining for the examination. Finally, he indicates that because of these issues, he mistakenly believed that he had an additional 20 minutes to complete the examination and transfer his answers for the essay portion of the examination onto the lined paper in the test booklet that was to be scored. Accordingly, he requests the opportunity to retake the essay portion of the examination or to retake the examination in its entirety.

CONCLUSION

N.J.A.C. 4A:4-6.4(f) provides that the Civil Service Commission (Commission) shall decide any examination administration appeal on the written record or such other proceeding as the Commission deems appropriate.

Initially, the Commission emphasizes that test centers are under the supervision of Center Supervisors and that candidates may address issues like the inability to see a room clock with a room monitor or with the Center Supervisor. *See In the Matter of Marc Ferrara* (CSC, decided May 15, 2013), *aff'd on reconsideration* (CSC, decided July 16, 2014). In the instant matter, there is no record of the appellant complaining about this issue to the room monitor or Center Supervisor prior to or during the test administration. The appellant acknowledges that he was aware that he could have made a request to have his seat changed, but that he did not do so. Even assuming *arguendo* that there was not another open seat in the room, the Commission observes that the monitor or Center Supervisor may have been able to find a solution to address this issue if the appellant had timely raised his concern.

In terms of Woodhead's complaint that candidates wearing wristwatches had an unfair advantage and his assertion that he did not wear a wristwatch to the examination because it was not mentioned as an authorized aid, the Commission finds that these issues do not provide a basis to grant him relief. The Commission has consistently observed that it is not the responsibility of this agency to provide candidates with time-keeping devices. *See, e.g. In the Matter of Marc Ferrara, supra.* The 2021 Police Captain Orientation Guide made available ahead of the subject examination stated that "possession of electronic devices, such as cell phones, pagers, tablets, PDAs, or any other photographic/recording equipment" was prohibited. *See Civil Service Commission, 2021 Police Lieutenant Orientation Guide at 2.* Simple

watches were not included on this list of prohibited devices. Thus, all candidates, including Woodhead, had reasonable notice that they could wear a simple wristwatch during the examination and it cannot be said that the other candidates had an “unfair” advantage given this notice.

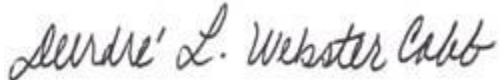
As to the lack of a warning from the monitor about the time remaining on the examination, the Commission emphasizes that Woodhead had proper notice of this ahead of the examination as well. In particular, the 2021 Police Captain Orientation Guide instructed candidates to “[b]e aware of how much time you have to complete the exam and the fact that you will be responsible for keeping track of your own time.” *See id.* at 15. Further, the guide cautioned that “[n]o warnings will be given as to how much time is left.” *See id.* at 4. Moreover, prior to the start of the examination, monitors were required to announce to candidates that they were responsible for keeping track of the time remaining and that the monitors could not answer questions about how much time is left. As such, Woodhead’s objections to the administration of the subject examination are without merit.

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 23RD DAY OF MARCH, 2022



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