



STATE OF NEW JERSEY

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

In the Matter of Janai Van Woeart,
Police Sergeant (PM4528C), Carteret

CSC Docket No. 2022-2024

Examination Appeal

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ISSUED: APRIL 11, 2022

Janai Van Woeart appeals the denial of her request for a make-up examination for Police Sergeant (PM4528C), Carteret.

The appellant was originally scheduled to take the subject examination on February 26, 2022. On February 14, 2022, she requested a make-up examination as her wife was scheduled to give birth on February 25, 2022. On March 2, 2022, the Division of Administrative Services (Administrative Services) denied this request as it did not meet that criteria listed in *N.J.A.C. 4A:4-2.9(a)*.

On appeal, the appellant indicates that she called customer support on February 24, 2022, and was told that she would take a make-up examination in six months and that she was fine. She states that she called again on February 28, 2022, and was told that make-up examinations are given a year later. The appellant asserts that this information was unfair and she would have made an effort to appear for the examination if she was given the proper information, and if she was told that she would have to wait a year for a make-up examination. It is noted that ten candidates were admitted, the examination has been held, but the results are not yet available.

CONCLUSION

N.J.A.C. 4A:4-2.9(b) provides, in pertinent part, that for public safety promotional examinations, make-ups 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.

The record establishes that the appellant was scheduled to take the examination on February 26, 2022 and did not do so. The original documentation supplied by the appellant did not include a reason why the appellant could not take the test. The appellant's child was born the day before, and she provided no valid medical documentation indicating why her family's medical condition precluded her participation in the examination. The scheduling of the make-up examination is superfluous information, as it is a consideration only after permission to take a make-up examination is given by Administrative Services. The rules permit a request for a make-up examination in writing, and a response is always provided in writing. It appears as though the appellant sought a decision regarding her make-up eligibility by phone from customer support, and relied on information from that call to support her conclusion that she would get a make-up examination without having an official decision. She then decided not to appear as she believed she would get a make-up examination within six months. This is improper for several reasons. First, any decision regarding the make-up examination had not been provided by Administrative Services as of February 24, 2022. Secondly, if the appellant had the luxury of a choice whether or not to appear, she was not in a medical circumstance which *required* her absence at the test center. Lastly, the timing of a make-up examination is not germane to the issue of whether or not the appellant's circumstances met the make-up criteria. Instead, it supports the context that the appellant was choosing whether or not to appear for the examination, a situation which is clearly not intended by the make-up criteria.

Next, the announcement stated, "Make-up Examinations: Requests for make-up examinations based on medical grounds for public safety promotional exams must include a New Jersey Civil Service Commission Authorization for Public Safety Make-Up Examination Form." The appellant did not provide a completed form with her request, and she did not provide a reason why she was precluded from taking the test on the test date.

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 6TH DAY OF APRIL 2022

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
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