



STATE OF NEW JERSEY

In the Matter of Dale Laird, Campus
Police Officer Recruit (S0226D),
Statewide

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

Examination Appeal

CSC Docket No. 2023-118

ISSUED: September 21, 2022 (JH)

Dale Laird appeals the administration of the open competitive examination for Campus Police Officer Recruit (S0226D), Statewide.

By way of background, Campus Police Officer Recruit (S0226D) was announced as part of the 2022 Entry Level Law Enforcement (LEE) examination. As indicated in the Frequently Asked Questions (FAQs) page on the Civil Service Commission (Commission) website,¹ titles that were included in the 2022 LEE testing cycle were announced separately by jurisdiction.² It is noted that the subject announcements were issued on January 3, 2022 with a February 28, 2022 closing date and all applications had to have been received by 4:00 p.m. on that date. Candidates who were admitted to the 2022 LEE were sent an email on April 8, 2022 which provided information and links for self-selecting a test center, date, and time. As noted in the email, “Each of the test dates is a separate [S]ign-[U]p [G]enius link. Click on the date that you would like to be scheduled and you will be presented with the locations being offered on that date . . . Seating is limited at each location, so sign up early to

¹ <https://www.state.nj.us/csc/authorities/faq/safety/lee.html>

² The following titles were announced as part of the 2022 LEE: Police Officer; County Police Officer; Park Police Officer; Campus Police Officer Recruit; Police Officer Recruit, Human Services; Police Officer, Palisades Interstate Park; State Park Police Officer Trainee; Sheriff’s Officer; County Correctional Police Officer; Correctional Police Officer; Correctional Police Officer, Juvenile Justice Commission; Parole Officer Recruit; and Parole Officer Recruit, Juvenile Justice. Bilingual variants for some of these titles were also announced.

ensure that you secure your preferred location . . . Sign up is on a first-come, first-served basis. Once a test location is selected, Sign-Up Genius will send a confirmation to your email.” Candidates were presented with the following dates: June 11, 16, 25, 30 and July 9 and 14, 2022. The email further indicated that “all candidates will be sent a paper scheduling notice by mail approximately two weeks prior to the test date. Please bring the paper scheduling notification you receive by mail with you to the test center.” In this regard, Notifications to Appear dated May 19, 2022 indicating an assigned test center, date, and time were mailed to candidates.

In an appeal filed on July 12, 2022, the appellant presents that he appeared at the Mercer County Community College test site on June 11, 2022 and was informed that he “was not registered and had been reassigned to Ocean County Community College for Thursday, June 30, 2022.” He presents that he “registered for Mercer County as I am a Mercer County resident . . . Your system seems to have rescheduled and rerouted several [individuals] (approx. 30 people)³ [who] were turned away on June 11th . . . After speaking with a Civil Service Representative, I was told this was a system error due to living in Mercer County . . . and [the] system reassigned [me] to Ocean County . . .” He argues that he was “not able to travel to another County over an hour and a half away on a work day to take a test I registered and was accepted and confirmed for in my own home County.” He requests that he be given a make up test and “if a makeup test is not scheduled, I am asking for my testing fee and appeal fee to be refunded as this entire situation was handled incorrectly and of no fault to myself as I was scheduled for the correct center and turned away on the day of the test.” In support of his appeal, Laird submits additional documentation including a copy of a Sign-Up Genius confirmation email sent on April 10, 2022 indicating that he was “all signed up for ‘June 11, 2022 Law Enforcement Exam Date’” at “Location: Mercer County College, Conference Center at Mercer”; a copy of the Notification to Appear sent to candidates on May 19, 2022 which indicates a June 30, 2022 test date and an Ocean County College test center; and a copy of a Notification to Appear in which the test date is handwritten as “6/30/22” and the examination center as “Ocean.”

CONCLUSION

N.J.A.C. 4A:2-1.1(b) provides that, unless a different time period is stated, an appeal must be filed within 20 days after either the appellant has notice or should reasonably have known of the decision, situation or action being appealed.

³ It is noted that a review of the Center Supervisor report finds that four candidates approached the Center Supervisor and indicated that they had self-selected Mercer County but were told that they should report to Ocean County.

In the matter at hand, candidates for the 2022 LEE were sent notices on May 19, 2022 regarding their assigned test dates and locations. It is noted that the appellant does not claim nor is there any evidence in the record that he contacted the Commission at that time to indicate that the date and the location indicated on the notice, *i.e.*, June 30, 2022 at Ocean County College, differed from the date and location, *i.e.*, June 11, 2022 at Mercer County Community College, he selected through Sign-Up Genius. Subsequently, the appellant appeared at Mercer County Community College on June 11, 2022 where he was informed that he was scheduled to take the test on June 30, 2022 at Ocean County College. The appellant does not provide any explanation as to why he did not file an appeal at the test center⁴ or contact the Commission at that time to indicate that there was an issue with his assigned test date and location. Furthermore, the appellant does not claim nor is there any evidence in the record that he requested a make-up prior to the instant appeal.⁵ Rather, the appellant waited until July 12, 2022, *i.e.*, almost two months after the Notification to Appear was mailed to candidates, and a month after appearing at the Mercer County Community College test site to raise this issue. Therefore, his appeal of this matter is untimely.

Nevertheless, the following is being provided for informational purposes only. Although this agency strove to ensure that LEE candidates were scheduled for their desired test date and/or location, it is noted that it was not always possible to accommodate a candidate's preference. As such, candidates were informed, as noted previously, in the April 8, 2022 email that "all candidates will be sent a paper scheduling notice by mail approximately two weeks prior to the test date. Please bring the paper scheduling notification you receive by mail with you to the test center." Although the appellant was notified prior to his scheduled test date, by notice sent on May 19, 2022, and again on June 11, 2022 when he appeared at the Mercer County Community College test site, the appellant does not provide any explanation as to why he did not contact the Commission at that point. In other words, the appellant was aware that he was scheduled to be tested in Ocean County no less than two weeks **prior to the test administration date**. In this regard, the appellant does not provide any evidence that he raised any objections to being tested in Ocean County prior to filing the instant appeal on July 12, 2022.

With regard to the appellant's request that his "testing fee and appeal fee [be] refunded," *N.J.A.C.* 4A:4-2.17(e) provides that "the application processing fee is for processing purposes only and does not guarantee admittance to an examination or

⁴ *N.J.A.C.* 4A:4-6.4 states that appeals pertaining to administration of the examination must be filed in writing at the examination site on the day of the exam. As such, appeal forms are available at each test center.

⁵ *N.J.A.C.* 4A:4-2.9(e) provides, in pertinent part, that a candidate must request, in writing, a make-up examination, within five days after the examination date or within five days of receipt of the examination notice in case of one of the valid reasons as indicated in (a) or (b) of which a candidate is aware upon receipt of the examination notice.

appointment to a position. The fee shall not be refunded for any reason except untimely filing of the application or cancellation of the examination.” *N.J.A.C.* 4A:2-1.8 provides that a processing fee shall be charged for all appeals and requests, with certain exceptions, for relief filed with the Commission. *See also N.J.S.A.* 11A:4-1.1. As such, the appeal processing fee is not dependent on the outcome of the matter being appealed. In this regard, *N.J.A.C.* 4A:2-1.8(f) specifically indicates that “the fee is for processing purposes only and shall not be refunded for any reason except when submitted in error for an exempt appeal.”

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 21ST DAY OF SEPTEMBER, 2022

Dolores Gorczyca

Dolores Gorczyca
Presiding Member
Civil Service Commission

Inquiries and Correspondence	Nicholas F. Angiulo Director Division of Appeals and Regulatory Affairs Civil Service Commission Written Record Appeals Unit P.O. Box 312 Trenton, New Jersey 08625-0312
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c: Dale Laird
Division of Agency Services
Division of Administrative and Employee Services