



STATE OF NEW JERSEY

In the Matter of Niove Ramirez,
County Correctional Police Sergeant
(PC4825C), Hudson County

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

CSC Docket No. 2022-3029

Examination Appeal

ISSUED: January 18, 2023 (JH)

Niove Ramirez requests reconsideration of the final administrative determination in *In the Matter of Joseff Linsangan, et al., County Correctional Police Sergeant (PC4825C), Hudson County* (CSC, decided April 27, 2022).

As provided in the original decision, the announcement for the subject examination was issued on November 1, 2021, and open to employees in the competitive division who had an aggregate of three years of continuous permanent service and were serving in the County Correctional Police Officer title as of the November 22, 2021 closing date. A review of available records found that effective January 10, 2019, the appellant received a regular appointment to the County Correctional Police Officer title in Hudson County. Available records further indicated that Ramirez resigned in good standing effective March 29, 2019. Accordingly, the Division of Agency Services (Agency Services) determined that the appellant was ineligible as the available employment records indicated that she was not employed in the announced unit scope.¹ The Commission noted that 102 eligible

¹ As noted in the original decision, the appellant was sent a notice of ineligibility dated December 22, 2021, which indicated the reason for her ineligibility as “not employed in the announced unit scope.” Although the available employment record that is used to determine eligibility, the County and Municipal Personnel System (CAMPS), indicated that the appellant resigned in good standing on March 29, 2019, this did not affect her eligibility for the subject test since, as the Commission subsequently discussed, she did not possess three years of continuous permanent status in the title of County Correctional Police Officer in Hudson County as of the November 22, 2021 closing date. It is further noted that in the original decision, the Commission ordered, in part, that Agency Services, in

candidates were admitted, and the examination for County Correctional Police Sergeant was tentatively scheduled to be administered in May 2022.² On appeal, Ramirez argued, in part, that she “has been working for Hudson County Department of Corrections since 01/05/2019. I have been a State employee for 3 years and am eligible to take the County Corrections Sergeant exam in 2022;” and that at the time of the administration of the subject test, she will “have over 3 years of required experience working at the Correctional Facility . . .” Ramirez also submitted “an a[d] I came across of Hudson County Corrections hiring for Correctional Officers. How is it possible that I would be able to qualify for a promotional position with someone who didn’t take the exam to begin with? I had to study, be on a list, and wait, but someone who just got hired through a referral and on the spot, will be able to apply for the same position as myself. How is that fair? How will the process go to become a sergeant in the future? Will it be like that a[d]?”

In her current request, Ramirez presents that as of the exam administration date, she has “been employed for 3 (three) years and 5 (five) months with the Hudson County Department of Corrections. Ag[ai]n[,] it is not fair that the next Sergeants exam, I would have to take it with persons who never took the Civil Service exam, which I studied hard for, to begin with.”

CONCLUSION

N.J.A.C. 4A:2-1.6(b) sets forth the standards by which the Commission may reconsider a prior decision. This rule provides that a party must show that a clear material error occurred or present new evidence or additional information which would change the outcome of the case and the reasons that such evidence was not presented during the original proceeding.

In the present matter, the appellant has failed to meet the standard for reconsideration. The appellant does not present new evidence or additional information which was not presented at the original proceeding which would change the outcome of the original decision, nor has the appellant proven that a clear material error has occurred in the original decision. Accordingly, based on the record presented, the appellant has failed to support her burden of proof in this matter.

As thoroughly discussed in the original decision, effective January 10, 2019, the appellant received a regular appointment to the County Correctional Police Officer title in Hudson County. Assuming continuous service from January 10, 2019 through the November 22, 2021 closing date, the appellant had 2 years, 10 months

conjunction with the appointing authority, review the appellants’ employment records and make any necessary corrections. It is noted that to date, Ramirez’ employment record has not been corrected.

² The subject examination was administered on June 1, 2022.

and 12 days of pertinent experience. Therefore, she did not possess the required three years of continuous permanent status in the title of County Correctional Police Officer in Hudson County as of the closing date. Although Ramirez argues that she would possess the requisite experience by the test administration date, pursuant to *N.J.A.C. 4A:4-2.6(b)*, eligibility is determined as of the closing date and *not* at the time of the test administration.

As further discussed in the original decision, *N.J.S.A. 11A:4-1.3*, which took effect on August 4, 2021, permits a law enforcement agency to hire a person, exempt from the requirement to take the entry level law enforcement examination conducted by the Civil Service Commission, who has successfully completed the full Basic Course for Police Officers at a school approved and authorized by the New Jersey Police Training Commission. Subsequently, *P.L. 2021, c. 406*, which was approved on January 18, 2022, and took effect on July 18, 2022, amends *N.J.S.A. 11A:4-1.3* to read as follows:

The Civil Service Commission shall exempt from the requirement to take an examination for an entry-level law enforcement officer position, entry-level sheriff's officer position, or entry-level State or county correctional police officer position a person who successfully completes a full Basic Course for Police Officers training course or a full Basic Course for Correction Officers training course at a school approved and authorized by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer under the provisions of this section . . . Upon successful completion of the training course, any person employed under the provisions of this section shall be appointed from a temporary to a permanent entry-level law enforcement police officer, entry-level State or county correctional police officer, as appropriate.

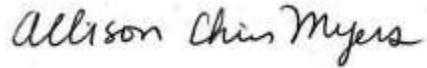
In essence, successful completion of the full basic training course has been equated to passing the entry level law enforcement examination and permits appointing authorities to hire those individuals absent open competitive list issuance and normal Civil Service certification and appointment procedures. It is emphasized, however, that regardless of the hiring method utilized by Hudson County, in order to be eligible for the subject exam, or any future similar exam for the subject title, an individual must possess three years of continuous permanent service in the County Correctional Police Officer title in Hudson County as of the announced closing date.

ORDER

Therefore, it is ordered that this request 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 18TH DAY OF JANUARY, 2023



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