



STATE OF NEW JERSEY

In the Matter of Jonathan Arocho,
Sheriff's Officer (C0218D)

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2023-187

Examination Appeal

ISSUED: March 15, 2023 (ABR)

Jonathan Arocho requests a make-up for the open competitive examination for Sheriff's Officer (C0218D), Essex County.

By way of background, the subject announcement was issued on January 3, 2022, with an application filing deadline of February 28, 2022. A notice dated May 19, 2022, was sent to the appellant, advising him that the subject test was to be administered on July 14, 2022 at 6:00 p.m. and that he was assigned to the Essex County College testing site. On July 14, 2022, the appellant completed a Test Administration Appeal/Comment Form, in which he requested a make-up test, stating that he "apologize[d] for arriving late, due to traffic and not being able to find the main entrance of the building."

It is noted that the Center Supervisor keeps notes of incidents which occur at the testing center, and, in this case, he noted his interaction with the appellant. He stated that the appellant arrived at the testing center at 6:20 p.m., was not tested, wished to file an appeal and did so.

CONCLUSION

N.J.A.C. 4A:4-2.9(a) provides make-up examinations for open competitive and general promotional testing, except for professional level engineering promotional

examinations and public safety promotional examinations under (b) below, may be authorized for the following reasons:

1. Error by the Civil Service Commission or appointing authority;
2. Serious illness or disability of the candidate on the test date, provided the candidate submits a doctor's certificate specifying that the candidate was not able to take the test on that day for medical reasons;
3. Documented serious illness or death in the candidate's immediate family;
4. Natural disaster;
5. Prior vacation or travel plans outside of New Jersey or any contiguous state, which cannot be reasonably changed, as evidenced by a sworn statement and relevant documentation;
6. When required for certain persons returning from military service (see *N.J.A.C.* 4A:4-4.6A); and
7. Other valid reasons.

Additionally, *N.J.A.C.* 4A:4-2.8 (scheduling of examinations) states, in relevant part, that candidates shall be at the examination site at the designated time, and that candidates for written or computer-based examinations or examinations containing written and performance parts shall be admitted to the examination if they arrive at the test room within 15 minutes after the designated time.

In the instant matter, the record establishes that the appellant was scheduled to take the subject examination on July 14, 2022, and did not do so. The examination was scheduled for 6:00 p.m. and the appellant did not arrive at the test room within 15 minutes of this time. In order to assist candidates, this agency's website provides directions to the various test centers located throughout the State, the Arrival Times/Late policy, as well as an information phone number that candidates can call for directions. In addition, the test notification that all candidates receive scheduling them for a particular examination clearly provides the name and address of the testing facility. Notwithstanding advisory information provided to prospective candidates, the ultimate responsibility for getting to a test room on time can only rest with each candidate. See *In the Matter of Ryan Lee* (CSC, decided January 18, 2017).

The appellant has not met the criteria for a make-up examination in this matter. The documentation does not establish that the appellant met the make-up criteria outlined in *N.J.A.C.* 4A:4-2.9. As noted above, the ultimate responsibility for getting to a test room on time can only rest with each candidate. As such, it cannot be said that the foregoing circumstances provide a basis to grant the appellant's request for a make-up examination.

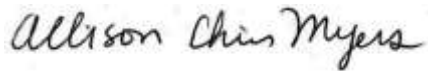
A thorough review of the record indicates that the appellant has failed to meet his burden of proof in this matter.

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 15TH DAY OF MARCH, 2023



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