



**STATE OF NEW JERSEY**

In the Matter of Andreya Smith,  
Sheriff's Officer (C0222D), Mercer  
County

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

CSC Docket No. 2023-204

Examination Appeal

**ISSUED: March 29, 2023 (ABR)**

Andreya Smith requests a make-up of the open competitive examination for Sheriff's Officer (C0222D), Mercer County.

By way of background, the subject announcement was issued on January 3, 2022, with an application filing deadline of February 28, 2022. On April 8, 2022, candidates were advised of the opportunity to indicate a preferred location for their examination via the SignUpGenius platform. This email also stated, in relevant part, 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. If you have any questions about the process, please call CSC's Information Center at (609) 292-4144.

Subsequently, on May 19, 2022, a notice was sent to the petitioner, advising her that the subject test was to be administered on July 14, 2022, at 6:00 p.m. and that she was assigned to the Mercer County Community College testing site. On July 14, 2022, at 5:33 p.m., the petitioner contacted this agency's Information Center via the SignUpGenius platform, stating that she could not find the correspondence she needed to take to the testing site and requesting a make-up examination. The

Information Center subsequently advised the petitioner to request a make-up examination and the petitioner filed the instant request.

The petitioner, in support of her request for a make-up examination, states that she was unable to find the mailed correspondence prior to the July 14, 2022 examination. She submits a copy of the email she received from SignUpGenius after indicating that the July 14, 2022, 6:00 p.m. administration of the examination at Mercer County Community College was her preferred time and location. She also furnishes information noting the requirement that she bring the paper notice she was to receive by mail in order to be admitted to the subject examination.

### CONCLUSION

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

*N.J.A.C. 4A:4-2.8(b)* states that candidates will be notified in an appropriate manner of the time and place of the examination, and of any postponement or cancellation. *N.J.A.C. 4A:4-2.8(c)* provides, in pertinent part, that candidates shall be at the examination site at the designated time.

In the instant matter, the record establishes that on April 8, 2022, this agency sent an email to candidates which informed them of the opportunity to indicate their preferred examination time and location via SignUpGenius. As noted above, this email stated, in relevant part, that a paper scheduling notice would be sent by mail approximately two weeks prior to the test date and that the paper notice should be brought to the test center. Candidates were also instructed to call the CSC's

Information Center with any questions about this process. As noted above, following this April 8, 2022, email, the petitioner used SignUpGenius to select July 14, 2022, 6:00 p.m. at Mercer County Community College as her preferred testing time and location and she received a confirmation email. Subsequently, on May 19, 2022, a notice was sent to the petitioner, advising her that the subject test was to be administered on July 14, 2022, at 6:00 p.m. and that she was assigned to the Mercer County Community College testing site. However, the petitioner was unable to locate this notice on the examination date.

It is noted that 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). Here, the April 8, 2022, email to candidates made clear that paper scheduling notices would be sent by mail approximately two weeks prior to the examination that these notices would be required to be brought to the testing site. Additionally, agency records indicate that the May 19, 2022, notice sent to the petitioner advised her that she was assigned to the July 14, 2022, 6:00 p.m. administration of the subject examination at the Mercer County Community College testing site. Even assuming, *arguendo*, that the petitioner did not receive the May 19, 2022, notice via mail, based upon the April 8, 2022, email advising that paper notices required to be brought to the test location were to be sent within two weeks of the examination date (on or about June 30, 2022), the petitioner's failure to contact the Information Center until after business hours on the date of the examination (July 14, 2022) and less than 30 minutes prior to her preferred examination time was unreasonably late. Accordingly, a thorough review of the record indicates that the petitioner has failed to meet her burden of proof in this matter.

### **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 29<sup>TH</sup> DAY OF MARCH, 2023

*Allison Chris Myers*

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Allison Chris Myers  
Acting Chairperson  
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

c: Andrey Smith  
Division of Administration  
Division of Test Development, Analytics and Administration