



STATE OF NEW JERSEY

In the Matter of Damien Guillen,
Police Officer (M2405E), Elizabeth

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

CSC Docket No. 2025-210

List Removal Appeal

ISSUED: May 21, 2025 (SDW)

Damien Guillen appeals the removal of his name from the eligible list for Police Officer (M2405E), Elizabeth on the basis that he failed to appear/complete preemployment processing.

The appellant took and passed the open-competitive examination for Police Officer (M2405E), which had a closing date of March 31, 2023. The resulting eligible list promulgated November 16, 2023 and expired on November 15, 2024. The appellant's name was certified to the appointing authority on January 25, 2024, with a notice date of February 1, 2024. In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis that he failed to appear for preemployment processing on February 22, 2024. In support, it submits a February 9, 2024, letter to his address of record, telling him to appear for preemployment processing on February 22, 2024.

On appeal to the Civil Service Commission (Commission), the appellant explains that he was unable to appear as he was away for military training. In support, he submits his DD Form 214 indicating that he was stationed in Georgia from July 31, 2023 through March 7, 2024.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)6 provides that an eligible's name may be removed from a list for "non-compliance with the instructions listed on the notice of certification."

N.J.A.C. 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his name from an eligible list was in error.


The appointing authority requested the removal of the appellant's name from the eligible list for Police Officer (M2405E) on the basis of his failure to appear/complete preemployment processing when he did not appear at the February 22, 2024, scheduled appointment. However, the appellant has submitted documentation that he was out-of-State for military service at the time the notice to appear was sent and the date of the appointment. Thus, it is appropriate that his name be restored to the subject eligible list.

ORDER

Therefore, it is ordered that this appeal be granted and the eligible list for Police Officer (M2405E), Elizabeth, be revived in order for appellant to be considered for appointment at the time of the next certification for prospective employment opportunities only.

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 MAY, 2025



Allison Chris Myers
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: Damien Guillen
Earl Graves
Division of Human Resource Information Services
Records Center

