



STATE OF NEW JERSEY

In the Matter of D.G., Fire Captain
(PM1916G), City of Camden

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

CSC Docket No. 2025-1880

Examination Appeal

ISSUED: July 2, 2025 (HS)

D.G. requests permission to submit a late application for the promotional examination for Fire Captain (PM1916G), City of Camden.

The announcement for the subject examination issued on February 1, 2025 with an application deadline of February 21, 2025. It was open, in pertinent part, to employees in the competitive division who had an aggregate of three years of continuous permanent service as of the closing date and were currently serving in the title of Fire Fighter. An abbreviated, one-page application was used for this announcement, and no detailed information regarding education, experience, training, *etc.*, was required. Sixty-three applicants were admitted to the examination. The appellant did not submit an application. Agency records indicate that the appellant has served in the title of Fire Fighter since April 2004, with a period of layoff from January 2011 to April 2011.

On appeal to the Civil Service Commission (Commission), the appellant states that during the time of the application announcement process, he was out of work on medical family leave and “missed the opportunity to take part in the application process.” He states that he “[has] been out on family leave since . . . April [2024]. Although it was not continuous[,] I am my mother’s full time caregiver.” He states that “the test was annual on the 1st of the month.”¹

¹ Agency records indicate that the appellant has applied for Fire Captain examinations in the past.

In support, the appellant submitted a March 5, 2025 doctor's note that indicated that the appellant's mother had been under medical care since March 2024; the appellant had been on continuous and intermittent leave during the medical care for his mother's activities of daily living; and he was "currently on intermittent leave, recent FMLA forms were completed with the date of January 30, 2025." The appellant also submitted a May 28, 2025 doctor's note that contains the same information as the March 5, 2025 note, except that it indicates that "recent FMLA forms were completed with the date of May 19, 2025."

The appellant further submitted a copy of his work schedule for February 2025, which indicates that he was away from work February 3, 7, 11, 15, 19, and 23 and at work February 27, 2025.² The appellant highlights that the notation "S" on the schedule stands for "sick."³

The appointing authority was contacted for input on this matter. It confirmed the following: all eligible Fire Fighters were notified of the promotional announcement by mail; the promotional announcement was posted in all firehouses for the application period; Fire Administration sent an email to all eligible Fire Fighters; and the appellant was on intermittent, not continuous, FMLA during the application period. The appellant was apprised of the foregoing information.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides, in pertinent part, that applications for promotional examinations shall be submitted no later than 4:00 P.M. on the announced application filing date.

The appellant has the burden of proof in this matter. *See N.J.A.C.* 4A:4-6.3(b).

Upon review, the Commission declines to permit the appellant to file a late application. The appointing authority indicated that the promotional announcement was mailed to all eligible Fire Fighters. There is a presumption that mail correctly addressed, stamped, and mailed was received by the party to whom it was addressed. *See SSI Medical Services, Inc. v. State Department of Human Services*, 146 N.J. 614 (1996); *Szczesny v. Vasquez*, 71 N.J. Super. 347, 354 (App. Div. 1962); *In the Matter of Joseph Bahun*, Docket No. A-1132-00T5F (App. Div. May 21, 2001). The appellant did not attempt to rebut that presumption or otherwise dispute that he was adequately notified of the promotional announcement. Further, in stating that "the test was annual on the 1st of the month," the appellant acknowledges his understanding that the Fire Captain examination follows a regular announcement

² Thus, the document reflects that the appellant's work schedule called for him to work one day followed by three days off.

³ However, two of the days, February 7 and 19, have a different notation, "V."

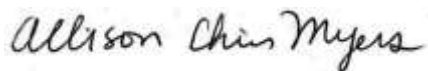
and testing schedule as was indicated in the Fire Promotional Announcement and Testing Schedule (Examination Information Alert), which is available on this agency's website.⁴ Moreover, the appellant has applied for Fire Captain examinations in the past. As to the medical issues involving the appellant's mother, the Commission is sympathetic. However, these issues still cannot justify permitting a late application. While the doctor's notes reflect that the appellant was on continuous FMLA at some point, he was on intermittent FMLA for the relevant timeframe, *i.e.* the application filing period. Further, not all of the appellant's absences from work in February 2025 were "sick"-related. In short, the appellant has not established that the inability to file an abbreviated application at some point during the afforded three-week window was excusable. Accordingly, there is not a sufficient basis in the record to allow the appellant to file a late application.

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 2ND DAY OF JULY, 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: D.G.
Sachina Evans-Johnson
Division of Agency Services
Records Center

⁴ https://www.nj.gov/csc/jobs/publicsafety/pdfs/2024%20Proposed%20Fire%20EIA_UPDATED.pdf.