



STATE OF NEW JERSEY

In the Matters of Stefan Engers, *et al.*, West New York

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

CSC Docket Nos. 2026-418, *et al.*

Examination Appeals

ISSUED: January 21, 2026 (HS)

West New York, Stefan Engers, and Joseph Morrell appeal the determination of the Division of Agency Services (Agency Services), which denied West New York’s request to reduce the one-year service requirement for the promotional examination for Police Lieutenant (PM2838G), West New York. West New York and Mnawer Menwer appeal the determination of Agency Services, which denied West New York’s request to reduce the one-year service requirement for the promotional examination for Police Captain (PM2789G), West New York. Additionally, Engers, Morrell, and Menwer appeal their ineligibility for the respective examinations. These matters have been consolidated herein.

As background, the PM2838G examination was announced on June 1, 2025 with an application deadline of June 23, 2025 and closing date of August 31, 2025. The examination was open to employees in the competitive division who possessed one year of continuous permanent service in the title of Police Sergeant. It is noted that there were 19 applicants, of which 13 were admitted. The examination was administered in October 2025.

The PM2789G examination was announced on June 1, 2025 with an application deadline of June 23, 2025 and closing date of August 31, 2025. The examination was open to employees in the competitive division who possessed one year of continuous permanent service in the title of Police Lieutenant. It is noted that there were eight applicants and five were admitted to the subject examination.

The written examination was administered in October 2025, and one admit was a no-show. The oral examination was administered in December 2025.

The appointing authority petitioned Agency Services for reductions of the one-year service requirement to completion of the working test period. In this regard, the appointing authority maintained that seven out of its 11 Police Lieutenants have one year of permanent status in title and meet current eligibility requirements for the Police Captain examination. Similarly, 13 out of its 18 Police Sergeants have one year of permanent status in title and meet current eligibility requirements for the Police Lieutenant examination. Since a number of individuals within the police department could potentially retire, the appointing authority expressed concern that it may not have enough candidates for its promotional vacancies to maintain staffing numbers and efficiently operate. While not reflected in the ordinance, it was noted that the police department required five Police Captains and 14 Police Lieutenants for efficient operations.

Agency Services, by letter, noted that a recent review of records in the County and Municipal Personnel System (CAMPS) revealed that the appointing authority had 23 Police Sergeants and 29 Police Lieutenants with at least one year in-grade. Considering the number of Police Sergeants and Police Lieutenants who met the current eligibility requirements for the promotional examination announcements in comparison to the required staffing numbers, it appeared there would likely be an adequate number of eligible candidates to fill any vacancies that may arise. Accordingly, Agency Services denied the appointing authority's request.

On appeal to the Civil Service Commission (Commission), the appointing authority stated that the staffing figures used in Agency Services' denial were not accurate or representative of the police department's current situation. It provided the following information:

- **Actual Staffing Levels:** The appointing authority had 18 Police Sergeants and 11 Police Lieutenants, not 23 Police Sergeants and 29 Police Lieutenants as stated in the decision letter.
- **Retirement Eligibility Impact:** Of these, three Police Sergeants and eight Police Lieutenants were eligible for retirement. Additionally, three of its five Police Captains were eligible for retirement.

The appointing authority contends that the corrected staffing and retirement eligibility figures clearly demonstrate that the number of eligibles will be insufficient to fill anticipated vacancies within the life of the list. It also indicates that it has updated CAMPS to reflect the active number of Police Sergeants, Lieutenants, and Captains.

Engers indicates that he was deemed ineligible for the Police Lieutenant examination, being five days short of the one-year permanent service requirement.¹ He asserts that the police department anticipates retirements in the near future among employees who would appear on both the Police Lieutenant and Police Captain promotional lists. He highlights that the department only has 11 of the required 14 Police Lieutenants and adds that three are expected to be promoted to Police Captain and several others are eligible for retirement during the life of the next promotional list. Engers also contends that the police department's operational needs, compounded by retirements, suspensions, and current list shortages, present valid reasons to reduce the time-in-grade requirement to maintain a functional and experienced command structure.

Morrell indicates that he was deemed ineligible for the Police Lieutenant examination, being five days short of the one-year permanent service requirement. His appeal presents concerns similar to those voiced by Engers.

Menwer indicates that he was deemed ineligible for the Police Captain examination, being five days short of the one-year permanent service requirement. Menwer raises similar concerns and asserts that several individuals can retire in the coming years. He contends that "[w]hile theoretically, some of those employees listed may only become eligible for retirement around the time of the expiration of the list, this leaves . . . no wiggle room for training and experience in those ranks and presents a true problem in leadership for the future."

CONCLUSION

N.J.A.C. 4A:4-2.6(a)1 provides that applicants for promotional examinations shall have one year of continuous permanent service for an aggregate of one year immediately preceding the closing date in a title or titles to which the examination is open. *N.J.A.C.* 4A:4-2.6(g) states, in relevant part, that an appointing authority may request that the time requirements specified in *N.J.A.C.* 4A:4-2.6(a) be reduced to completion of the working test period if:

1. There is currently an incomplete promotional list and/or the number of employees eligible for examination will result in an incomplete list;
2. It appears that vacancies to be filled within the duration of the promotional list will exceed the maximum number of eligibles that could result from examination; or
3. Other valid reasons as determined by the Chairperson or designee.

The Commission is responsible for the review and determination of denied requests to reduce the one-year service requirement to the completion of the working

¹ Agency records indicate that Engers was appointed to Police Sergeant from certification PL241390. However, this appointment has not been entered into CAMPS.

test period. Such requests are at the discretion of the appointing authority. Nonetheless, while an appointing authority may initiate a request, this request may be denied by the Commission if it does not meet the criteria set forth in *N.J.A.C.* 4A:4-2.6(g). Further, Engers, Morrell, and Menwer did not have standing to make the initial requests to reduce the time-in-grade requirement, but they are entitled to appeal Agency Services' denial of the appointing authority's requests to reduce the time-in-grade requirement for the subject examinations. In this regard, individuals have standing to appeal any issue wherein their rights are impinged, including appealing denials of time-in-grade reductions; however, they cannot make the initial request to reduce the time-in-grade. See *In the Matter of Peter Corbo, et al.* (CSC, decided September 15, 2012), *aff'd on reconsideration* (CSC, decided December 19, 2012), *aff'd on appeal, In the Matter of Peter Corbo, Sheriff's Officer Captain (PC0989N) and Sheriff's Officer Lieutenant (PC0993N), Essex County, A-2275-12T2* (App. Div. October 20, 2014).

With respect to the Police Lieutenant (PM2838G) examination, the parties have not demonstrated that any of the criteria set forth in *N.J.A.C.* 4A:4-2.6(g) have been met. In this regard, the appointing authority had indicated that it has 11 of the needed 14 Police Lieutenants, suggesting that there may be three vacancies. Since 13 applicants were admitted to the subject examination, the conditions of *N.J.A.C.* 4:4-2.6(g)1 have not been met as it does not appear that an incomplete list is likely to occur after the administration of the examination. See *N.J.S.A.* 11A:4-8.² Additionally, with regard to the requirement of *N.J.A.C.* 4A:4-2.6(g)2, the record does not demonstrate that the number of vacancies will exceed the maximum number of eligibles that could result from the subject examination. While the parties express concern over potential retirements in coming years, this is the same type of speculation and contingencies that the Commission has consistently held do not meet the criteria for the relaxation of the time-in-grade requirement set forth in *N.J.A.C.* 4A:4-2.6(g). Similarly, the information submitted has not demonstrated that a valid reason exists to reduce the time-in-grade requirement pursuant to *N.J.A.C.* 4A:4-2.6(g)3. If the appointing authority has a need for staffing at the Police Lieutenant level, it may consider provisional or interim appointments as appropriate. See *N.J.A.C.* 4A:4-1. Engers and Morrell were thus appropriately deemed ineligible for the Police Lieutenant (PM2838G) examination.

Similarly, with respect to the Police Captain (PM2789G) examination, the parties have not demonstrated that any of the criteria set forth in *N.J.A.C.* 4A:4-2.6(g) have been met. In this regard, the appointing authority indicated that it requires five Police Captains, and there were five individuals serving in the title. Since five applicants were admitted to the subject examination and four remain, the conditions of *N.J.A.C.* 4:4-2.6(g)1 have not been met as it does not appear that an incomplete list is likely to occur after the administration of the subject examination.

² This holds even if, as Engers suggests, three of the Police Lieutenants were to be promoted to Police Captain, bringing the number of Police Lieutenants down to eight.

Additionally, with regard to the requirement of *N.J.A.C.* 4A:4-2.6(g)2, the record does not demonstrate that the number of vacancies will exceed the maximum number of eligibles that could result from the subject examination. While the parties express concern over potential retirements in coming years, as noted above, the Commission has consistently held that such speculation and contingencies do not meet the criteria for relaxation of the time-in-grade requirement set forth in *N.J.A.C.* 4A:4-2.6(g). Likewise, the information submitted has not demonstrated that a valid reason exists to reduce the time-in-grade requirement pursuant to *N.J.A.C.* 4A:4-2.6(g)3. Menwer was thus appropriately deemed ineligible for the Police Captain (PM2789G) examination.

Finally, the Commission emphasizes that the appointing authority is responsible for ensuring that personnel changes are entered into CAMPS on a timely basis. In that vein, the appointing authority must ensure that Engers's CAMPS record is accurate.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in these matters. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21st DAY OF JANUARY, 2026



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