



STATE OF NEW JERSEY

In the Matter of Francheska De
Jesus, Entry Level Law Enforcement
Examination (S9999U), Statewide

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

CSC Docket No. 2019-3404

Examination Appeal

ISSUED: December 18, 2019 (JH)

Francheska De Jesus requests that she be permitted to amend her residency on her application after the closing date for the Entry Level Law Enforcement Examination (S9999U). It is noted that appellant passed the subject examination with a final average of 92.960 and a rank of 7,630.

By way of background, the announcement for the subject examination was issued on July 1, 2016 with closing date of August 31, 2016. A review of the record indicates that on July 13, 2016, the appellant filed an application on which she listed a Linden address and indicated a Union Township residency.¹ It is noted that the subject eligible list issued on March 23, 2017 and is set to expire on March 30, 2020.² It is noted that a certification for Police Officer, Union Township was issued on September 28, 2018 (Certification No. OL181020) on which De Jesus' name appeared at position 19. In disposing of the certification, which was returned on

¹ In this regard, it is noted that in the section of the application entitled, "Contact Information," candidates were required to submit their e-mail address, mailing address and residence. Specifically, under "Residence," candidates are advised, "This section is used to determine your residency code. First, find the county, and then the specific town, borough, city, or township in which you reside." Candidates select their county from a pull-down menu and then select their municipality from a pull-down menu which is populated only with jurisdictions located within their selected county.

² It is noted that a new Entry Level Law Enforcement Examination (S9999A) announcement issued on July 1, 2019 and closed on August 31, 2019. De Jesus filed an application for the S9999A test on August 30, 2019 on which she listed a different Linden address from the one listed on the S9999U application and selected Linden as the jurisdiction in which she resides.

March 4, 2019, Union Township removed her name since she was outside of the residency scope, *i.e.*, she was not a resident of the Township.³

In an appeal filed May 17, 2019, De Jesus explains that when she received a notice of certification, dated October 5, 2018, for Police Officer, Union Township, she “was unsure what to think but went ahead and answered the letter stating I was interested in the position.”⁴ She presents that she subsequently asked Linden Mayor, Derek Armstead, “why I had received my certification for Union TWP instead of Linden as I have been a Linden resident for many years. The Mayor looked into the issue further and stated I had not [*sic*] checked off the incorrect box upon signing up for the test, I was told I checked off that I lived in ‘the city [*sic*] of Union’ not the ‘county of Union.’ I do not see how this is possible if the certification was sent to my previous Linden address and I also have filled out this test to be a State Correction[al Police] Officer and received my certification properly.”

CONCLUSION

N.J.A.C. 4A:4-2.1(f) permits an applicant to amend a previously submitted application prior to the filing closing date. As noted previously, the announcement indicated that the closing date was August 31, 2016.

In the present matter, the appellant is essentially requesting to have her residency code agree with the mailing address she indicated on her application. It is noted that her prior and subsequent applications all indicate Linden addresses and Linden residency.⁵ Accordingly, based on the foregoing, good cause has been established to permit the appellant to amend her application to indicate Linden residency.

It is noted that the appellant does not provide any documentation to demonstrate her residency as of the August 31, 2016 closing date. Accordingly, the Commission emphasizes that it is not making a determination of the appellant’s residency but rather that the appellant made a request to change the residency on her application. In this regard, the appointing authority may, at its discretion,

³ In a Certification Disposition Notice dated March 22, 2019, the appellant was informed that her name had been removed from OL181020 “because you reside outside the residency scope established for this position.”

⁴ The appellant does not explain why she did not contact the Civil Service Commission at this point.

⁵ A review of the record finds that De Jesus filed applications for the Entry Level Law Enforcement Examination (S9999R) on June 10, 2013, and the Correction Officer Recruit (S9988T) on January 7, 2015, in which she listed a different Linden address from the ones listed on the S9999U and S9999A applications.

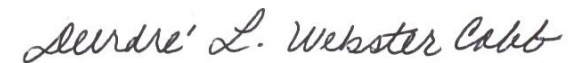
investigate the appellant's residency as part of a background check conducted prior to making any appointment.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be amended to indicate a Linden residency and the appellant be considered prospectively for future appointment opportunities.

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 18TH DAY OF DECEMBER, 2019



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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