



STATE OF NEW JERSEY

In the Matter of James Karins, Police
Sergeant (PM4505C), Atlantic City

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

CSC Docket No. 2022-1107

Administrative Appeal

ISSUED: MARCH 4, 2022 (ABR)

James Karins requests permission to file a late application for the promotional examination for Police Sergeant (PM4505C), Atlantic City.

By way of background, the subject examination was announced on October 1, 2021 with an application filing deadline of October 21, 2021 and all applications had to be received by 4:00 p.m. on that date.

In support of his request, the petitioner, by letter dated November 1, 2021, stated that “days before the deadline a family member of [his] experienced flu like [sic] symptoms and was rushed to the hospital. This family member . . . was diagnosed with Covid. The family memeber [sic] has since been and still is in ICU. She is not expected to make it as of this writing.” The petitioner further submitted that after this family member was hospitalized and diagnosed, “things got pretty hectic and [his] priorities shifted in the moment with helping out the rest of [his] family.” The petitioner did not specify when these events occurred or indicate what his relationship was to the hospitalized family member. He added that he “would be more than happy to provide [the Commission] with the family members [sic] name (or obituary should she pass) so the authenticity of [his] situation checks out.”

In response, staff of the Division of Appeals and Regulatory Affairs (DARA) sent the petitioner a letter advising him that in order to consider his request, he must “submit an affidavit, *i.e.*, a signed, **sworn** statement in the presence of an attorney

or notary public, detailing the **specific** circumstances that rendered [him] unable to submit an application for the subject examination prior to the filing deadline, including the identity of and [his] relationship to the family member in question and the dates of the events referenced in [his] appeal” (emphasis in original).

In reply, the petitioner submitted an unsworn notarized letter in which he stated that his aunt fell ill on or about October 14, 2021, was later diagnosed with COVID-19 and passed away on November 1, 2021. He maintained that because of these events “and other mitigating family matters” during the application period, he was unable to complete an application for the subject examination. Accordingly, he requests to be permitted to file a late application for the subject examination.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)4 provides that applicants for promotional examinations shall submit an application on or before the announced application filing date. This provision is necessary for Agency Services to properly process the voluminous applications it receives for various examinations. *See In the Matter of Andrew Romeo* (MSB, decided September 22, 2004). *N.J.A.C.* 4A:4-2.1(e) states that unless otherwise provided for by the Chairperson or designee, applications for open competitive and promotional examinations shall be submitted to the Civil Service Commission (Commission) no later than 4:00 p.m. on the announced application filing date. Moreover, it is noted that the petitioner has the burden of proof in this matter. *See N.J.A.C.* 4A:2-1.4(c).

In the instant matter, applications for the subject promotional examination were due by the application filing deadline of October 21, 2021. Although the petitioner describes an unfortunate set of circumstances, there does not appear to be a basis to relax the above-noted requirement. In this regard, the Commission observes that the initial request the petitioner sent in was devoid of relevant and important details, including his relationship to the family member who had become ill and when the illness occurred relative to the application period. Given this lack of material information, staff of DARA unambiguously requested that he “submit an affidavit, *i.e.*, a signed, **sworn** statement . . . detailing the **specific** circumstances that rendered [him] unable to submit an application for the subject examination prior to the filing deadline.” In response, the petitioner has submitted only an *unsworn* notarized letter without any supporting documentation. The Commission observes that when a statement is notarized, but not sworn, this simply means that the notary is verifying the identity of the person signing the letter or statement. Further, in this supplemental response, the petitioner also attributes his failure to file an application, in part, to “other mitigating family matters at the time.” The Commission notes that he did not make such a claim in his original November 1, 2021 request and has not provided any other detail about these “other mitigating family matters” in his unsworn notarized statement, despite the request from DARA staff that he “detail[]

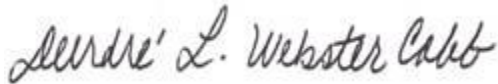
the **specific** circumstances that rendered [him] unable to submit an application for the subject examination prior to the filing deadline” in that response. As such, the petitioner has not supported his burden of proof in this matter.

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 2ND DAY OF MARCH, 2022



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