

CSC
B-57



STATE OF NEW JERSEY

In the Matter of Vicki Skill, Range
Master (C0743S), Cape May County

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-1873

Examination Appeal

ISSUED: **MAR 06 2015** (EG)

Vicki Skill appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Range Master (C0743S), Cape May County.

The open competitive examination was announced with specific requirements which had to be met as of the announced closing date of October 3, 2014. The required experience was two years in the training and qualification of law enforcement officers in the safe and proficient use of various firearms. Applicants also needed to possess a valid certification as a Range Master issued by the New Jersey Police Training Commission. It is noted that the subject eligible list promulgated on December 25, 2014 with one eligible on the list. The list was certified once on December 31, 2014 and this certification has not yet been returned for disposition.

A review of official records, in conjunction with the appellant's application, indicate that she has served provisionally in the subject title from July 2014 through the present, as a Prosecutors Agent with Cape May County from April 2011 to July 2014, and as a Police Lieutenant, Police Sergeant, Police Officer and a Police Radio Dispatcher from February 1986 to February 2011 with North Wildwood. In reviewing the appellant's application, the Division of Selection Services found that the appellant possessed the proper certification and determined that her three months of experience as a provisional appointee in the title under test was applicable for the subject examination. However, as the appellant failed to list any other work experience or attach a resume, none of her other work experience was

reviewed. Thus, the appellant was found to be lacking one year and nine months of experience.

On appeal, the appellant argues that since 1999 she has over 2700 hours of training and qualifying law enforcement officers in the safe and proficient use of firearms. The appellant explains that she has acted as a Range Master since 1999 and has assisted in the training of over 750 trainees in basic police officer classes and over 1500 trainees in special law enforcement officer classes. In support of these contentions, the appellant submits a letter from the Director of the Cape May County Police Academy confirming that the appellant has over 2700 hours of training and qualifying law enforcement officers in the safe and proficient use of firearms. Additionally, the appellant submits a letter from the Chief of Police from North Wildwood which indicates that the appellant acted as Range Master from 1999 until her retirement from the Police Department in 2011.

CONCLUSION

N.J.A.C. 4A:4-2.3(b) provides that applicants shall meet all requirements specified in the open competitive examination announcement by the closing date. Additionally, *N.J.A.C.* 4A:4-2.1(f) states that an applicant may amend an application prior to the announced closing date. *N.J.A.C.* 4A:4-6.3(b) provides that appellants have the burden of proof in examination and selection disqualification appeals. Further, *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax a rule for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, the Division of Selection Services correctly determined that the appellant did not demonstrate two years of relevant experience on her original application in part due to her failure to properly indicate her applicable experience on the application. On appeal, the appellant has provided corroborated information that she possessed over 2700 hours of applicable experience. This would provide the appellant with an additional one year and four months of applicable experience. Such a significant addition to the application after the closing date is considered amended information, which is not permitted under *N.J.A.C.* 4A:4-2.1(f). However, the record indicates that the appellant has been serving provisionally in the title under test for an additional six months since the closing date of the examination and, when considering her prior experience, now possesses the required experience for the examination in question. Accordingly, since the subject eligible list is incomplete pursuant to *N.J.A.C.* 4A:4-4.2(c)2 and admitting the appellant to the examination would enable the appointing authority to effect a permanent appointment, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.3(b) and *N.J.A.C.* 4A:4-2.1(f), and accept the appellant's amended information on appeal and her provisional experience beyond the closing date, for eligibility purposes only, and

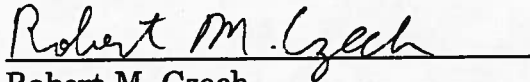
admit her to the subject examination. Moreover, since the outstanding certification is incomplete, it is appropriate to add the appellant's name to that certification.

ORDER

Therefore, it is ordered that this appeal be granted, Vicki Skill's application be processed and her name be added to the December 31, 2014 certification of the eligible list.

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 4TH DAY OF MARCH, 2015



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