



**STATE OF NEW JERSEY**

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

In the Matter of Megan Watts, Police  
Officer (S9999U), Pennsauken  
Township

Administrative Appeal

CSC Docket No. 2019-1301

**ISSUED: April 22, 2019** (SLD)

Megan Watts requests that her name be restored to the S9999U Entry Level Law Enforcement Examination (LEE) for all police titles, and that her name be added to the October 9, 2018 certification (OL181073) for Police Officer (S9999U), Pennsauken Township.

By way of background, the appellant applied for the LEE which had a closing date of August 31, 2016. The LEE included the following titles and some bilingual variants: Municipal Police Officer; Campus Police Officer Recruit; County Police Officer; Park Police Officer; Police Officer Recruit, Human Services; Police Officer, Palisades Interstate Park; Sheriff's Officer; County Correction Officer; and State Correction Officer Recruit, Juvenile Justice. The resulting eligible pool list of 26,283 eligibles promulgated on March 29, 2017 and expires on March 30, 2020.

The appellant was certified on April 10, 2017 (OL170441) to Camden County for the title of County Police Officer. Camden County returned the certification, indicating that the appellant received a regular appointment to the title of County Police Officer, effective August 10, 2017. As a result of this appointment, the appellant's name was removed from the pool of eligibles for all police officer titles as they were considered a single title area. *See N.J.A.C. 4A:4-4.7(h)*.

In her October 23, 2018 appeal, the appellant maintains that although she is employed as a County Police Officer in Camden County, it was always her goal to become a Police Officer in Pennsauken Township. She asserts that she had recently been made aware that Pennsauken had received a certification for the title of Police

Officer and her name did not appear on the certification. The appellant contends that she contacted the Pennsauken Police Chief, who indicated that it was his opinion that her appointment by Camden County should have no impact on her status with regard to Pennsauken. However, she maintains that it was subsequently discovered that her name was removed from the eligible list for Pennsauken without any notice. The appellant argues that if she had been aware that her name would have been removed, she would have not accepted the position with Camden County. Therefore, she requests that her name be restored to the subject eligible list and her name added to the October 9, 2018 certification (OL181073) for Police Officer (S9999U), Pennsauken.

In support, Pennsauken Police Chief, John Nettleton, Jr., notes that the appellant is a fully trained police officer who is employed by another jurisdiction. He maintains that after she contacted him about her name not being on the Pennsauken certification, he was informed that this agency made a decision to change the title area for Police Officer, to include all police titles. Therefore, previous to the S9999U list, candidates who were hired as County Police Officers remained on the eligible list for Municipal Police Officers. He maintains that this change was made with no notice to candidates or appointing authorities and as a result, he had given advice to several candidates, including the appellant, based on the previous policy which resulted in their names being removed from the Police Officer eligible list. Therefore, he requests that the appellant's name be restored and added to the October 9, 2018 certification (OL181073) for Police Officer (S9999U), Pennsauken.

## CONCLUSION

Civil Service regulations provide that in announcing open-competitive examinations, this agency may provide a single application for several announcements and/or title areas (such as police, sheriff, corrections, and bilingual). *See N.J.A.C. 4A:4-2.3(c)*. Further, when an eligible has received a regular appointment from a certification of a pool of eligibles, the eligible shall be removed from the pool of eligibles for that title area only. *See N.J.A.C. 4A:4-4.7(h)*. Prior to the promulgation of the 2016 LEE (S9999U), it was determined that the six police officer titles, including Municipal Police Officer, constituted a single, police officer title area. Thus, eligibles who were appointed to any police title had their names removed from the pool of eligibles for the police officer title area after their regular appointments were recorded by this agency. Therefore, as the appellant received a regular appointment to the title of County Police Officer, effective August 10, 2017, her name was properly removed from the police title area of the subject eligible list. With regard to the appellant's argument that she received incorrect information regarding the impact her accepting the appointment with Camden County would have on her eligibility for Pennsauken, the Civil Service Commission (Commission)

notes that no vested or other rights are accorded by an administrative error. See *Cipriano v. Department of Civil Service*, 151 N.J. Super. 86 (App. Div. 1977); *O'Malley v. Department of Energy*, 109 N.J. 309 (1987); *HIP of New Jersey v. New Jersey Department of Banking and Insurance*, 309 N.J. Super. 538 (App. Div. 1998). Consequently, the appellant's removal from the pool of eligibles for the police title area was appropriate. Further, the Commission notes that there is nothing prohibiting the appellant or Pennsauken from exploring an intergovernmental transfer pursuant to N.J.A.C. 4A:4-7.1A.<sup>1</sup> Finally, assuming she meets the eligibility requirements at the time of the announcement, there is nothing preventing the appellant from applying for the next LEE.

### ORDER

Therefore, it is ordered that these requests 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 17TH DAY OF APRIL, 2019



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Chairperson  
Civil Service Commission

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c: Megan Watts  
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Kelly Glenn

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<sup>1</sup> It is noted that an intergovernmental transfer also requires the consent of the sending jurisdiction.