



STATE OF NEW JERSEY

In the Matter of Crystal Reed, Police Sergeant (PM2540W), Newark

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

CSC Docket No. 2019-2467

Administrative Appeal

ISSUED: May 2, 2022 (JH)

Crystal Reed requests that she be permitted to submit an application for the promotional examination for Police Sergeant (PM2540W), Newark, after the application deadline provided in *In the Matter of Crystal Reed, Police Sergeant (PM2540W), Newark* (CSC, decided December 15, 2021). A copy of that decision is attached hereto and incorporated herein.

As provided in the original decision, the announcement for the subject examination was issued on October 1, 2018 with an application filing deadline of October 22, 2018 and all applications had to have been received by that date. The subject examination was administered on February 23, 2019.¹ In her appeal, Reed indicated that she was “placed on leave as of June 18, 2018 and have an anticipated return to duty date of March 4, 2019.” She argued that she was not notified of the subject announcement. The Commission noted that Newark was contacted on numerous occasions regarding this matter and in an email sent on November 9, 2021, Captain Tawana Rollins, Chief of Staff, Department of Public Safety, Police Division, City of Newark, confirmed that Reed was on leave during the application filing period and that an “announcement went on May 28, 20[18] in which she was still active full duty.” In this regard, Rollins provided a copy of the May 28, 2018 “announcement,” a Department of Public Safety Memorandum dated May 29, 2018 from Anthony F. Ambrose, Public Safety Director, regarding “Police Promotional Schedule for 2018 Police Sergeant and Lieutenant,” which indicated, in part, that

¹ It is noted that Reed applied for and was admitted to the subsequent examination for Police Sergeant (PM4605C), Newark, which was administered on February 26, 2022.

an announcement for Police Sergeant was scheduled to be issued on October 1, 2018 with an application filing deadline of October 22, 2018. Captain Rollins did not indicate that Reed was contacted while she was out on leave and notified of the subject announcement. The Commission noted that there was no evidence in the record that the appointing authority attempted to contact Reed while she was on leave to ensure that she was aware of the subject announcement. The Commission determined that the memorandum, which was dated four months prior to the issue date of the announcement, did not meet the requirements of *N.J.A.C. 4A:4-2.1(b)*. Moreover, Captain Rollins verified that Reed was on leave during the entire application filing period. Accordingly, the Commission determined, based on equitable grounds, that it was appropriate to relax the provisions of *N.J.A.C. 4A:4-2.1(e)* and permit Reed to file an application for the PM2540W examination. The Commission ordered, in part, that the completed application and processing fee must be postmarked no later than 15 days from the issuance date of the decision and that failure to file the application and processing fee within the time provided would result in rejection from the examination process.

On appeal, Reed indicates that a copy of the original decision was emailed to her work email address.² Reed explains that she was on sick leave during the month of December and did not see the email until she returned to work which was after the deadline indicated in the decision. In support of her request, Reed provides a copy of a diagnostic report dated December 28, 2021; and the completed application for the PM2540W examination and the requisite application processing fee.

CONCLUSION

In the present matter, the original decision was sent via email to the appellant's work email address on December 21, 2021. As indicated by the appellant, she was on leave during this time and she was not able to respond within the timeframe indicated in the original decision.

ORDER

Therefore, it is ordered that this request be granted and the appellant be admitted to the subject examination.

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

²A review of the record finds that the original decision was sent by email to the email address that was available, *i.e.*, the appellant's work email address, on December 21, 2021.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 27TH DAY OF APRIL 2022

Deirdre L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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c: Crystal Reed
Division of Agency Services
Records Center



STATE OF NEW JERSEY

In the Matter of Crystal Reed, Police
Sergeant (PM2540W), Newark

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

CSC Docket No. 2019-2467

Examination Appeal

ISSUED: DECEMBER 20, 2021 (JH)

Crystal Reed requests that she be permitted to submit an application for the promotional examination for Police Sergeant (PM2540W), Newark, after the application filing deadline.

By way of background, the announcement for the subject examination was issued on October 1, 2018 with an application filing deadline of October 22, 2018 and all applications had to have been received by that date. It is noted that the subject examination was administered on February 23, 2019.¹

On appeal, Reed indicates that she was “placed on leave as of June 18, 2018 and have an anticipated return to duty date of March 4, 2019.” She argues that she was not notified of the subject announcement.

Newark was contacted on numerous occasions regarding this matter and in an email sent on November 9, 2021, Captain Tawana Rollins, Chief of Staff, Department of Public Safety, Police Division, City of Newark, indicates that Reed was on leave from June 18, 2018 to March 5, 2019. Captain Rollins further indicates that an “announcement went on May 28, 20[18] in which she was still active full duty.” Rollins provides a copy of the May 28, 2018 “announcement” which is a Department of Public Safety Memorandum dated May 29, 2018 from Anthony F. Ambrose, Public Safety Director, regarding “Police Promotional

¹ It is noted that the next examination for Police Sergeant is tentatively scheduled to be administered in February 2022.

Schedule for 2018 Police Sergeant and Lieutenant.” The memorandum indicates that “the New Jersey Civil Service Commission (NJCSC) has announced the Police Promotional Schedule for 2018 for the rank of Sergeant and Lieutenant. The below listed dates have been provided in advance that will assist potential candidates with their planning needs.” The memorandum further indicates that the announcement for Police Sergeant is scheduled to be issued on October 1, 2018 with an application filing deadline of October 22, 2018.

CONCLUSION

N.J.A.C. 4A:4-2.1(b) provides:

In order to notify all employees of promotional opportunities, promotional examination announcements shall be posted on, and applications shall be made available through, the Civil Service Commission web site and may also be made available through the web sites of affected appointing authorities. If an affected appointing authority does not maintain or utilize a web site, promotional examination announcements shall be conspicuously posted by the affected appointing authority at all geographic locations within the unit scope (in State service) or department (in local service) to which the examination is open. Appointing authorities shall also ensure the notification by electronic or other means of all eligibles of the promotional examination announcement. Appointing authorities shall maintain a record of promotional examination announcement postings and the notification of eligibles of the announcement.

N.J.A.C. 4A:4-2.1(e) provides, in part, that applications for promotional examinations shall be filed no later than 4:00 p.m. on the announced filing date.

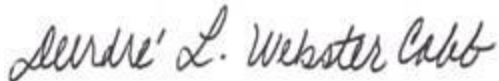
In the present matter, Captain Rollins does not indicate that Reed was contacted while she was out on leave and notified of the subject announcement. Furthermore, there is no evidence in the record that the appointing authority attempted to contact Reed while she was on leave to ensure that she was aware of the subject announcement. *See In the Matter of John Unger* (MSB, decided January 17, 2007) and *In the Matter of Mark Prior* (CSC, decided July 11, 2012). In this regard, the memorandum, as noted above, which was dated four months prior to the issue date of the announcement does not meet the requirements of *N.J.A.C.* 4A:4-2.1(b). Moreover, Captain Rollins verifies that Reed was on leave during the entire application filing period. Accordingly, based on equitable grounds, it is appropriate to relax the provisions of *N.J.A.C.* 4A:4-2.1(e) and permit Reed to file an application, a copy of which is enclosed.

ORDER

Therefore, it is ordered that this appeal be granted. It is further ordered that the completed application and required \$50.00 application processing fee should be forwarded to: New Jersey Civil Service Commission, Division of Agency Services, P.O. Box 322, Trenton, New Jersey 08625-0322. The completed application and processing fee must be postmarked no later than 15 days from the issuance date of this decision. Failure to file the application and processing fee within the time provided will result in rejection from the examination process. Finally, upon determination of eligibility, the appellant be admitted to the subject examination.

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 15TH DAY OF DECEMBER, 2021



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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