



STATE OF NEW JERSEY

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

In the Matter of Darryl Jackson Jr.,
Police Sergeant (PM4563C),
Holmdel

CSC Docket No. 2022-2367

Examination Appeal

ISSUED: MAY 23, 2022 (RE)

Darryl Jackson Jr. appeals the determination of the Division of Agency Services (Agency Services) denying his request for a make-up examination for Police Sergeant (PM4563C), Holmdel.

The appellant was scheduled to take the subject examination on February 26, 2022. On February 13, 2022, the appellant sent a request to take a make-up examination stating that his brother was going to be married in Mexico on February 25, 2022, and he was the best man. He submitted flight and wedding itineraries. Agency Services denied this request as it did not meet the criteria listed in *N.J.A.C. 4A:4-2.9*. On appeal, the appellant indicates that he could not take the examination as he was attending his brother’s wedding. It is noted that this examination was competitive with 17 other eligible candidates.

CONCLUSION

N.J.A.C. 4A:4-2.9(b) provides, in pertinent part, that for professional level engineering, police, fire, correction officer, sheriff’s officer, juvenile detention officer and other public safety promotional examinations, make-ups may be authorized only in cases of:

1. Debilitating injury or illness requiring an extended convalescent period, provided the candidate submits a doctor’s certification containing a diagnosis and a statement clearly showing that the candidate’s physical condition precluded his or her participation in the examination;

2. Death in the candidate's immediate family as evidenced by a copy of the death certificate;
3. A candidate's wedding which cannot be reasonably changed as evidenced by relevant documentation;
4. When required for certain persons returning from military service (see *N.J.A.C. 4A:4-4.6A*); or
5. Error by the Civil Service Commission or appointing authority.

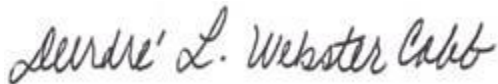
The record establishes that the appellant was scheduled to take the oral portion of the examination on February 26, 2022, and did not do so. Since it was the appellant's brother's wedding, the appellant could not have reasonably had the date changed. While the circumstances presented by the appellant do not technically meet the stringent criteria for public safety make-up exams, it is appropriate to relax the governing provision on equitable grounds. Thus, the appellant should be provided with a make-up examination.

ORDER

Therefore, it is ordered that this appeal be granted.

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 MAY, 2022



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

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and
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c: Darryl Jackson Jr.
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