

B-10



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Michael Riker,
Investigator Secured Facilities
(PC0560T), Monmouth County

Examination Appeal

CSC Docket No. 2015-3264

ISSUED: **SEP 17 2015** (SLK)

Michael Riker appeals the determination of the Division of Agency Services (Agency Services) that he was below the minimum requirements in experience for the promotional examination for Investigator Secured Facilities (PC0560T), Monmouth County.

The examination at issue was announced with specific requirements that had to be met as of the April 21, 2015 closing date (see attached). A total of 35 individuals applied for the subject examination that resulted in a list of 14 eligibles. The test has not yet been scheduled.

On his application, Mr. Riker indicated that he was a County Correction Officer from February 2004 to the April 21, 2015 closing date. He also indicated that he had 83 college credits. Agency Services credited the appellant with two years and nine months of experience based on his college credits, but determined that he lacked two years and three months of experience.

On appeal, Mr. Riker maintains that as a County Correction Officer since 2004, he is investigating disturbances, ensuring that the inmates are acting in accordance to the institution's rules and regulations, and writing misconduct incident reports and institutional charges among other duties.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date.

Initially, Agency Services correctly determined that the appellant did not meet the requirements for the subject examination as he did not clearly describe in his application that he was investigating violations of rules, regulations, standards and laws within a secured facility. However, in accordance with *N.J.A.C.* 4A:4-2.1(g), the Civil Service Commission (Commission) can accept clarifying information in eligibility appeals. For example, information submitted on appeal pertaining to duties performed in a given position that expands or enlarges on information previously submitted is considered clarifying. Mr. Riker clarifies that as a County Correction Officer he investigates violations of the institution's rules and regulations. Under these circumstances, good cause exists to accept the clarification of Mr. Riker's experience and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted and Michael Riker be notified as to when the examination is scheduled. If the appellant achieves a passing score, his name should be added to the eligible list for prospective employment opportunities only.

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 16th DAY OF SEPTEMBER, 2015



Richard Williams
Member
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
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P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: Michael Riker
Michelle Karngbaye
Kelly Glenn
Joseph Gambino

NEW JERSEY CIVIL SERVICE COMMISSION
COUNTY AND MUNICIPAL GOVERNMENT SERVICES
PROMOTIONAL ANNOUNCEMENT



\$25.00 PROCESSING FEE REQUIRED
Make Check/Money Order Payable to NJCSC

SYMBOL: PC0560T	WEIGHT CODE: *
TITLE: INVESTIGATOR SECURED FACILITIES	SALARY: \$105,000.00 - \$125,000.00
ISSUE DATE: April 01, 2015	CLOSING DATE: April 21, 2015
TITLE CODE: 32647/ PGRNR2	JURISDICTION CODE: T13000059
JURISDICTION: MONMOUTH COUNTY	
DEPARTMENT: CORRECTIONS AND YOUTH SERVICES	

Visit www.state.nj.us/csc
And select "Job Announcements"
to view this announcement and to file an application

Open to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and meet the requirements listed below:

Education: Graduation from an accredited college or university with a Bachelor's degree. You must indicate either possession of a degree or total number of credits completed to date on your application. (Foreign degrees/transcripts must be evaluated by a recognized evaluation service.) Failure to do so will result in rejection from the examination process.

Experience: One (1) year of experience in the custodial field which shall have included investigations of violations of rules, regulations, standards and laws by adult inmates, juveniles and/or employees working within a secured facility.

Note: Applicants who do not possess the required education may substitute, in addition to the required experience indicated below, applicable experience on a year for year basis, with thirty (30) semester hour credits being equal to one (1) year of experience.

SPECIAL REQUIREMENT: In accordance with N.J.A.C. 13:97-2.11, training in the proper methods and techniques using force and in the legal aspect of using force shall be provided as part of the Police Training Commission's approved Basic Course for Investigators or an equivalent course substituted in accordance with N.J.A.C. 13:97-2.1(a)1.

In accordance with NJSA 2A: 154-4, Investigators working in secured facilities are empowered to act as peace officers. As such, they must have completed basic Police training conducted by the Police Training Commission.

Note: Appointments to this title may only be made by promotion from the ranks of qualified, custodial law enforcement personnel possessing the requisite police powers.

Note: Appointees to this position shall be required to qualify in the use of firearms on an annual basis.

License: Appointees must possess a driver's license valid in New Jersey. Proof of the license must be submitted to the employing agency prior to appointment. The responsibility for ensuring that employees possess the required motor vehicle license, commensurate with the class and type of vehicles operated, rests with the Appointing Authority.

IMPORTANT INFORMATION

1. NJAC 4A:4-2.6 states that all requirements listed must be met as of the closing date, including assignment to jurisdiction/department, and satisfying the permanent status requirement.
2. **YOU MUST COMPLETE YOUR APPLICATION IN DETAIL.** Your score may be based on a comparison of your credentials with the job requirements. Failure to complete your application properly may lower your score or cause you to fail.
3. This examination is open to full-time and part-time permanent employees. If an employment list results from this announcement, it may be certified to fill both full-time and part-time positions. If 35- and 40-hour positions are used within the department, the resulting list may be used to fill either work week position.
4. NJAC 4A:4-1.5 states that any employee who is serving on a provisional basis and who fails to file for and take an examination which has been announced for his/her title **SHALL BE SEPARATED FROM THE PROVISIONAL TITLE.**
5. In accordance with Public Law 2010 c.26, **Veterans pay a reduced application fee of \$15.00** if they have previously established Veterans Preference with the DMAVA (as defined by N.J.S.A. 11A:5-1 et seq.) or your claim is approved by DMAVA at least 8 days prior to the issuance of this eligibility list. **PLEASE NOTE THIS REDUCED FEE DOES NOT APPLY TO PUBLIC SAFETY TITLES (i.e. Police, Fire, Corrections and Sheriff).**
6. **If you are having difficulty submitting your application online, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday - Friday, excluding holidays and emergency closings. Please Email: OAS.support@csc.state.nj.us or call (609) 292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so PLEASE FILE EARLY.**

DPF-256A * Revised 03/09