



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE  
ACTION OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Patrick Hall,  
Senior Security Officer (PS2774J),  
Rowan University

CSC Docket No. 2017-589

Examination Appeal

ISSUED: OCT 25 2016 (RE)

Patrick Hall appeals his rank and score for the promotional examination for Senior Security Officer (PS2774J), Rowan University. The appellant received an unassembled examination (UE) score of 73.670, a seniority score of 4.472, 3 PAR points, a final average of 81.150 and ranks seventh of eight on the resultant eligible list.

The subject examination had a closing date of May 23, 2016, and the requirements were graduation from high school or vocational school or possession of an approved high school equivalency certificate, and two years of full time paid experience in work involving the safeguarding of property and persons. This examination was processed as an unassembled examination, i.e., candidates were ranked on the eligible list based on an evaluation of their education and experience as listed on their applications. The unassembled examination standard conferred a base score of 70.000 for all eligible applicants. Additional credit was awarded for up to ten years of experience in work involving the safeguarding of property and persons. It is noted that no credit was given for experience gained more than ten years prior to the examination closing date, in this case, June 2006.

Mr. Hall listed five positions on his application, and he was credited with two years, nine months of applicable experience in the first position, Police Captain, from June 2006 to February 2009. The remaining four positions could not be considered as they were held prior to June 2006. There was no experience on the appellant's application after February 2009.

On appeal, Mr. Hall states that he should have a higher rank and score, and he appeals the test administration, validity and scoring of the examination. As to test administration, he states that he was treated differently because he is a veteran, the only veteran on the list, and that his extensive military service and experience in law enforcement should have resulted in a higher standing. As to test content, the appellant contends that he was given the impression there would be a written examination. He states that his application was not scored appropriately, and he lists the duties he has performed at Rowan University since 2011.<sup>1</sup> He provides letters of Commendation and Appreciation in support.

*N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date for filing applications.

### CONCLUSION

Any appeal of test administration is misplaced, as this was an unassembled examination (UE), not a written examination. As such, there can be no challenge of the manner in which the examination was administered. The appellant states that he appeals the validity of the examination, and his argument is that he thought this would be a written examination. Validity is the extent to which a test measures what it claims to measure. The appellant's argument has no relation to validity, but instead reflects an appeal of test mode. In that respect, according to *N.J.A.C.* 4A:4-2.2, the Civil Service Commission (Commission) has the authority to determine the most appropriate selection instrument to use in assessing candidates in a given competitive title. In the subject announcement, a decision was made to select individuals for appointment using an unassembled examination, *i.e.*, an "E&E." This decision is not made arbitrarily. The Commission can consider appointing authority requests to hold unassembled examinations, but in all cases, the Commission has the authority to determine the most appropriate, valid and cost efficient method of testing. The appellant has not provided any substantive arguments as to why an unassembled examination is inappropriate in this instance, and dissatisfaction with the individual ranking of candidates is not a reason to re-administer the examination with a differing test mode.

It is noted that the UE standard on which the scoring process for this examination was based gave full credit for up to ten years of experience. As noted in the Candidate Review Form - Unassembled Examination (UE) Scoring System, which the appellant should have received at his examination review, credit could not be awarded for experience gained ten years prior to the announced closing date. Only relevant experience obtained within the last 10 years immediately preceding the announced closing date is awarded credit for ranking purposes. *See In the Matter of Debra Cavallo* (Commissioner of Personnel, decided August 11, 1997),

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<sup>1</sup> It is noted that the appellant is a Security Officer in the non-competitive division.

citing *In the Matter of Peter A. Smith* (Civil Service Commission, decided April 17, 1984).

The appellant's score indicates a base score of 70.000 and full credit for two years, nine months of experience in the first position listed on your application. His experience was scored properly based on the information he provided on his application. The on-line application system provides clear instructions to candidates. The application states, "You may be declared ineligible or you may not receive proper credit for scoring purposes if you do not properly complete your application. If you held different positions with the same employer, list each position separately. Make sure you give full dates of employment (month/year), indicate whether the job was full or part time, and the number of hours worked per week. If you are currently employed in this position, enter the current month and year in the Employed To section. Since your application may be your only test paper, be sure it is complete and accurate. Failure to complete your application properly may cause you to be declared ineligible, lower your score, or possibly cause you to fail." This information is repeated on page 18 of the New Jersey Civil Service Commission Announcement and On-Line Application User Guide. Next, on the announcement under "Important Information," point 2 stated, "ONLY ONLINE APPLICATIONS WILL BE ACCTEPTED. 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." As such, the appellant was on notice of the possibility that this could be an unassembled examination.

It is clear that the appellant is changing his employment record after receipt of his score by adding the current position of Security Officer, which he did not list on his application. This is a formal examination and the candidates were instructed to properly complete their applications. Since the application for the subject announcement is the test paper, it is no more subject to later amendment than a multiple choice test answer sheet. See *In the Matter of Alex Westner* (Commissioner of Personnel, decided August 11, 1997). Based on the original dates and duties provided for each position, the appellant was appropriately not credited for experience from December 2011 to the closing date. The appellant's application will not be amended after the closing date to include the changes he submitted on appeal.

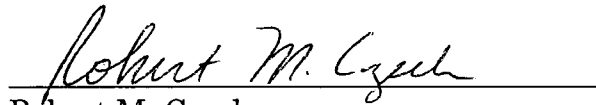
A thorough review of the record indicates that the decision of the Division of Agency Services is amply supported by the record, and appellant provides no basis to disturb that decision. Appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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 19<sup>th</sup> DAY OF OCTOBER, 2016



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