

B-71



STATE OF NEW JERSEY

In the Matter of Jerry Plum, Police  
Lieutenant (PM0996S), Plainfield

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-424

Examination Appeal

ISSUED: APR - 2 2015 (JH)

Jerry Plum requests that he be permitted to file an application after the closing date for the promotional examination for Police Lieutenant (PM0996S), Plainfield.

By way of background, the subject examination was announced with an application filing deadline of July 29, 2014 and all applications had to have been received by that date. Agency records indicate that 17 individuals filed timely applications for this examination.

On appeal, Mr. Plum contends that during the application filing period, he was going through divorce proceedings, legal proceedings and finalizing the sale of his privately owned business. He also indicates that he "was on vacation out of state from July 3<sup>rd</sup> through the 12<sup>th</sup>. I returned for two days of work and then was out for another six days of scheduled days off and training. When I returned to work, we were extremely busy and there was no time to linger around the police department." He asserts that "on August 3<sup>rd</sup> I was driving to a training course with another [S]ergeant and I asked him when he thought they [would] post the application. He advised me of the cut off date and that it had been posted on the 'back board.' The back board is an informal process of information sharing usually used for extra duty jobs and wanted posters. I do not work extra duty jobs and I am primarily training so it is not my practice to read the notices. I also work the busiest shift on the police division and spend most of my time out of hqts [sic]." He maintains that "for many years, it has been the policy of our police division to have the administrative bureau contact each person eligible for the exam and have us

sign for an application. We would be notified both by a letter in our mailbox and a phone call. I received neither.” He maintains that the individual in the Police Division who was to notify eligible candidates “had only contacted three persons before he was advised that the process was now handled online. Capt. Santiago found the sign-in list with the remaining envelopes (one with my name on it in the officer’s desk drawer . . . I will be mailing copies of the list and envelopes shortly after this letter.”<sup>1</sup>

## CONCLUSION

*N.J.A.C.* 4A:4-2.1(b) provides that notices of promotional examinations and applications shall be provided to eligible employees. *N.J.A.C.* 4A:4-2.1(e) provides, in part, that applications for promotional examinations shall be filed no later than the announced filing date and that, when mailed, the postmark date will be considered the date on which the application is filed. As such, the rules clearly indicate that in order to establish eligibility for a promotional examination, an applicant must file a timely application. This provision is necessary for the Division of Agency Services to properly process the voluminous applications for various examinations. Applications for the promotional examination for Police Lieutenant (PM0996S), Plainfield, were due by the application filing deadline, July 29, 2014.

It is noted that Plainfield was contacted regarding this matter and indicated that “the City’s standard process for posting promotional announcements is to forward a memorandum via interoffice mail to all eligible employees. In addition, the announcement is forwarded to the all City Departments/Divisions for posting on their respective bulletin board(s) . . . In addition, the announcement was posted for the duration of the announcement on the City’s official (Personnel) bulletin board.” Plainfield submits additional documentation including a copy of an interoffice memorandum dated July 9, 2014 to “All Eligible Police Sergeants” regarding the subject announcement with an attached page containing the names of the individuals to whom the memorandum was sent which includes Mr. Plum’s name; and an email dated March 19, 2015 from the Police Division in which it indicates that the subject announcement was posted on the “main bulletin board located at the rear entrance into headquarters where every officer in the Division checks for what’s going on within the Division. In addition, to the posting was a notice advising all candidates to respond to the Administrative Bureau to pick up a packet, which advised them to apply online.” The Police Division also indicated that it posted notification “on the landing bulletin board as you ascend to the second floor of Headquarters. This method was done as a matter of redundancy as the main board is the one everyone checks, however, if by chance you missed it, there was a secondary viewing point.”

---

<sup>1</sup> It is noted that to date, the Division of Appeals and Regulatory Affairs has not received any further information from the appellant.

While the appellant indicates that he was on vacation, had scheduled days off and training during the application filing period, he has not provided any evidence that he was not at headquarters at any time from July 8, 2014, the date the subject announcement was posted, through July 29, 2014, the application filing deadline. In this regard, the appellant notes that he "returned for two days of work" during this period. In addition, the Plainfield Police Division indicates that the announcement was posted in two locations within headquarters, and a memorandum was sent to all eligible employees, including the appellant. As indicated above, part of the process of selection and appointment requires that a candidate establish eligibility by filing a timely application.

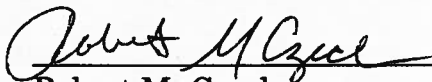
Moreover, the Commission notes that promotional examinations for law enforcement titles are announced and given according to established schedules for each title group. In this regard, the Examination Information Alert Police Promotional Schedule (2014) (EIA) was issued by the Division of Selection Services in January 2014 and available on the Commission website. The EIA indicated that announcements for Police Lieutenant were to be issued on July 1, 2014 and the application filing deadline was July 21, 2014.<sup>2</sup> Thus, the appellant has not presented a sufficient basis to accept his application after the application filing deadline.

#### 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 1ST DAY OF APRIL, 2015

  
Robert M. Czech  
Chairperson  
Civil Service Commission

---

<sup>2</sup> As noted previously, the subject announcement was posted on July 8, 2014 and thus, the July 29, 2014 application filing deadline provided candidates with an equivalent filing period.

**Inquiries  
and  
Correspondence**

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

**c: Jerry Plum  
Kelly Glenn  
Joseph Gambino**