

CONCLUSION

The appellant has not presented a persuasive argument for a retest. Each Center Supervisor makes notes of non-routine occurrences in the testing center. In this case, the Center Supervisor notes indicate that the appellant was asked what had happened, and he responded by saying that his shoe came off and he went back to put it on. All candidates had access to the physical performance test, physical fitness manual which provides a description of the darkened maze crawl. They are also told to be prepared. The appellant's crawl through the maze precipitated his shoe to fall off, and he made the decision to stop to fix his shoe issue rather than continue. All candidates knew of the time constraints, and the appellant was not treated any differently than any other candidate. A retest is not warranted under these circumstances.

A thorough review of the record indicates that the determination of the Division of Test Development and Analytics was proper and consistent with Civil Service Commission regulations, and that the appellant has not met 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 DAY OF 2019

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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