



It is noted that a review of the appellant's imaged personnel record on file with this agency reveals that he received a temporary appointment to the title of Graduate Nurse effective September 8, 2003. Subsequently, a CAMPS "Static Job Information Change Form" (Change Form) signed by the appointing authority on June 14, 2004, indicates that the appointing authority was "making employee permanent" effective March 3, 2004. In Change Forms dated August 28, 2005 and May 21, 2006, the appointing authority increased the appellant's work hours as a Graduate Nurse from 20 hours per week to 24 hours per week and then from 24 hours per week to 40 hours per week. It is further noted that the Graduate Nurse title is allocated to the non-competitive division of the career service. As a non-competitive title, appointees must meet the minimum requirements for the title and veterans preference applies, but applicants are not required to take a competitive examination or be appointed through certification procedures administered by this agency.

### CONCLUSION

*N.J.S.A.* 11A:2-6(a) and *N.J.A.C.* 4A:2-2.1(a) provide the right to appeal and a hearing to permanent career service employees in the matter of their removal.

*N.J.S.A.* 11A:4-13(c) and *N.J.A.C.* 4A:4-1.7(a) provide, in pertinent part, that a temporary appointment may be made for a period of not more than six months in a 12-month period and positions established as a result of a short-term grant may be established for a maximum of 12 months. *N.J.A.C.* 4A:4-1.7(d) states that consecutive temporary appointments in excess of the periods set forth in *N.J.A.C.* 4A:4-1.7(a) are prohibited.

In the present matter, the appellant is entitled to a hearing concerning his removal. As noted above, the appellant's title, Graduate Nurse, is allocated to the non-competitive division of the career service. Thus, there would be no record of his having taken a competitive examination or being permanently appointed from an eligible list through certification procedures. However, a review of the appellant's imaged personnel record on file with this agency contains a Change Form signed by the appointing authority indicating that it permanently appointed him to the non-competitive title of Graduate Nurse effective March 8, 2004. Although the last entry in the appellant's CAMPS record reflects a temporary appointment effective May 21, 2006, this is clearly incorrect as the accompanying Change Form of that same date indicates that his hours of work increased from 24 to 40 hours per week. Moreover, at its maximum duration, a temporary appointment could only last 12 months as consecutive temporary appointments are not permitted. Therefore, it would have been impossible for the appellant to be serving a temporary appointment for almost 10 years. Therefore, given that the appointing authority has not rebutted the appellant's assertions, the record indicates that he was appointed to the non-competitive title of Graduate Nurse effective March 8, 2004.

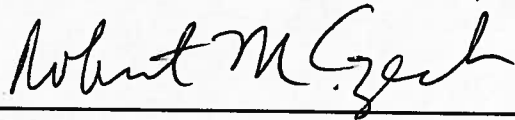
Accordingly, the appellant's CAMPS record is to be corrected consistent with this decision and he is entitled to a hearing regarding the matter of his removal.

Therefore, the Commission refers this matter to the Office of Administrative Law for a hearing concerning the appellant's removal effective June 13, 2013.

**ORDER**

The Civil Service Commission orders that this matter be referred to the Office of Administrative Law for a hearing as set forth above. It is also ordered that the appellant's CAMPS record be corrected to reflect his permanent appointment to the non-competitive title of Graduate Nurse effective March 8, 2004.

DECISION RENDERED BY  
THE CIVIL SERVICE COMMISSION ON  
THE 19<sup>TH</sup> DAY OF NOVEMBER, 2014



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