



*N.J.A.C.* 4A:4-3.7 states that when there is more than one current eligible list for a title, the priority of the lists shall be as follows:

1. Special reemployment, when the available position/title is in the department or autonomous agency from which the eligible was laid off, laterally displaced or demoted in lieu of layoff;
2. Promotional;
3. Special reemployment, when the available position/title is located in a department or autonomous agency other than that from which the eligible was laid off, laterally displaced or demoted in lieu of layoff;
4. Regular reemployment, police or fire reemployment; and
5. Open competitive.

### CONCLUSION

In the matter at hand, there is a basis to grant the appellant an earlier effective date to December 3, 2012. Pursuant to *N.J.A.C.* 4A:4-3.7, special reemployment lists have priority over all other lists. The appointing authority has provided evidence of Mr. Guarnieri's appointment on December 3, 2012 as a Building Inspector, and indicated that it neglected to ask for certification of the special reemployment list in existence and which contained Mr. Guarnieri's name. Mr. Guarnieri's official record does not currently reflect his appointment as a Building Inspector on that date and, as such, the appointing authority's administrative error should be corrected. The special reemployment list for Building Inspector should be considered certified on December 3, 2012 and disposed reflecting Mr. Guarnieri's appointment to the title on that date.

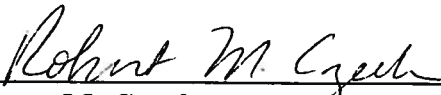
Accordingly, a thorough review of the entire record establishes that the appropriate effective date of Mr. Guarnieri's regular appointment from the special reemployment list to the title Building Inspector is December 3, 2012.

### ORDER

Therefore, it is ordered that this appeal be granted, and the special reemployment list for Building Inspector should be considered certified on December 3, 2012 and disposed. In so doing, CPM should update Henry Guarnieri's employment record to reflect an appointment to the title Building Inspector on December 3, 2012.

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  
THE 16<sup>th</sup> DAY OF JULY, 2014



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