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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matters of Jeanine Ciringione,
Data Entry Operator 2 (PS0521P),
Department of Law and Public Safety

Administrative Appeal

CSC Docket Nos. 2015-1616

ISSUED: FEB - 9 2015 (LDH)

The Department of Law and Public Safety requests that the eligible list for Data Entry Operator 2 (PS0521P) be revived to allow for the retroactive permanent appointment of Jeanine Ciringione, effective May 18, 2013.

By way of background, the subject eligible list, which contained six names, promulgated on April 21, 2011 and expired on April 20, 2014. Ciringione was tied for first with another eligible. One eligible ranked fourth was appointed effective April 25, 2011. The appointing authority requested that the subject list be revived to effectuate the appointment of Ciringione, effective May 18, 2013 based on a classification review of her position completed by the Division of Classification and Personnel Management (CPM) on July 22, 2014 which determined that she had been performing the duties of a Data Entry Operator 2, effective May 18, 2013.

CPM recommends that the subject list be revived to effectuate Ciringione's permanent appointment.

CONCLUSION

N.J.S.A. 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be revived in order to implement a court order or decision of the Civil Service Commission in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause. Additionally, *N.J.A.C.* 4A:4-1.10(c) states that an individual may receive a retroactive date of appointment

to correct an administrative error, for an administrative delay or for other good cause.

In the instant matter, the record establishes that Ciringione was tied for first on the eligible list for Data Entry Operator 2 (PS0521P). Pursuant to CPM's July 22, 2014 decision, Ciringione's position was reclassified to Data Entry Operator 2, effective May 18, 2013. This effective date fell within the life of the eligibility list and as the first ranked eligible Ciringione would have been reachable for appointment. See *N.J.A.C. 4A:4-4.8(a)3*. Therefore, good cause has been established to revive the subject eligible list so that Ciringione may be appointed to the title of Data Entry Operator 2. Moreover, Ciringione shall also be given a retroactive date of appointment to May 18, 2013, upon successful completion of a current working test period, for salary step placement and seniority-based purposes only.

ORDER

Therefore, it is ordered that this request be granted and the eligible list for Data Entry Operator 2 (PS0521P), Department of Law and Public Safety, be revived to effectuate the appointment of Jeannie Ciringione. It is also ordered that upon successful completion of a current working test period, Ciringione be given a retroactive date of appointment of May 18, 2013, for salary step placement and seniority-based purposes only.

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 4TH DAY OF FEBRUARY, 2015

Robert M. Czech

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