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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Purchasing Agent
(PM1805R) East Orange

DOP Docket No. 2015-1267

Request for Enforcement

ISSUED: APR - 2 2015 (RE)

The Division of Agency Services (DAS) requests that East Orange be ordered to return the March 4, 2014 certification (PL140237) of the eligible list for Purchasing Agent (PM1805R), for proper disposition.

By way of background, on March 4, 2014, a certification (PL140237) of one name was issued to East Orange with the disposition due date of June 20, 2014. East Orange returned the certification indicating that the provisional appointee, Lisa Jackson, was interested but not appointed (code I4). DAS returned the certification stating that Ms. Jackson must be appointed or removed from her provisional position.

East Orange was notified that the matter had been referred to the Commission for enforcement and it was advised that any failure on its part to return the certification could subject it to the assessment of costs, charges and fines pursuant to *N.J.A.C. 4A:1-2.2(b)*.

Nevertheless, East Orange has not returned the certification as requested nor has it submitted any additional information.

CONCLUSION

N.J.A.C. 4A:4-4.8(b) requires an appointing authority to notify DAS of the disposition of a certification by the disposition due date in the manner prescribed by this agency. Clearly, East Orange has violated this vital regulation. The Commission is specifically given the power to assess compliance costs and fines

against an appointing authority, including all administrative costs and charges, as well as fines of not more than \$10,000, for noncompliance or violation of Civil Service law and rules or any order of the Commission. *N.J.S.A. 11A:10-3; N.J.A.C. 4A:10-2.1(a)2. See In the Matter of Fiscal Analyst (M1351H), Newark, Docket No. A-4347-87T3 (App. Div. February 2, 1989).* Therefore, East Orange is ordered to return the certification within 20 days of the issuance of this decision, for proper disposition. If, at any time, East Orange does not adhere to the time frames for the proper certification disposition without an approved extension of time, it shall be assessed fines of \$100 per day for each day of continued violation up to a maximum of \$10,000.

ORDER

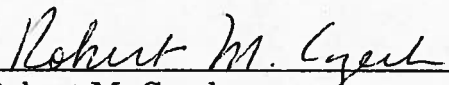
Therefore, it is ordered that East Orange properly dispose of the March 4, 2014 certification of the eligible list for Purchasing Agent (PM1805R) within 20 days of the issuance of this decision.

Moreover, the Commission orders that the costs incurred by this agency and the compliance process be assessed against East Orange in the amount of \$1000, pursuant to *N.J.S.A. 11A:10-3* and *N.J.A.C. 4A:10-3.2(a)5*, to be remitted within 30 days of the issuance of this decision.

If, at any time, East Orange does not adhere to the time frames for the proper certification disposition without an approved extension of time, it shall be assessed fines of \$100 per day for each day of continued violation up to a maximum of \$10,000.

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

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and
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