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STATE OF NEW JERSEY

In the Matter of Clerk 3 (PM1620R),
Elizabeth

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-2701

Administrative Appeal

ISSUED: MAY 22 2015 (JET)

The City of Elizabeth requests permission to add Deborah Zuczek's name to the certification for Clerk 3 (PM1620R).

By way of background, on October 1, 2012, the appointing authority provisionally appointed Zuczek, pending promotional examination procedures, to the subject title. The examination was announced with a closing date of July 22, 2013. Zuczek applied for but was found ineligible for the subject examination. She appealed the matter of her ineligibility to the Civil Service Commission (Commission), which determined that she was eligible and ordered that her application be processed for prospective employment opportunities only. *See In the Matter of Deborah Zuczek, Clerk 3 (PM1620R), Elizabeth* (CSC, decided October 1, 2014). Zuczek's name was added to the subject eligible list on December 5, 2014. Thereafter, on December 9, 2014, certification PL141522 was issued which contained the names of three eligibles but Zuczek's name did not appear on that certification. The appointing authority returned the certification to the Division of Agency Services (Agency Services) indicating that no appointment would be made. Subsequently, certification PL150189 was issued on February 24, 2015 which contained the names of four eligibles, including Zuczek. However, that certification was cancelled on February 25, 2015.

In that regard, by letter dated February 20, 2015, Agency Services notified the appointing authority that the PL141522 certification was improperly disposed of and returned it for proper disposition. Agency Services advised the appointing authority that, pursuant to *N.J.S.A. 11A:4-5*, if a position is left vacant in the face

of a complete list, the Commission may order it to reimburse this agency for the costs of the selection process. Additionally, Agency Services advised the appointing authority that it could request a waiver of the appointment and it could be assessed for the costs of the selection process.

In its petition to the Commission, the appointing authority requests that Zuczek's name be added to the PL141522 certification since her name was added to the eligible list prior to the issuance that certification. In the alternative, the appointing authority requests the cancellation of that certification and that a new certification be issued containing Zuczek's name.

CONCLUSION

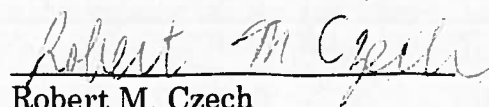
In the instant matter, on October 1, 2014, the Commission ordered that Zuczek's application be processed and her name to be added to the PM1620R eligible list for prospective employment opportunities. However, Zuczek's name was not added to the list until December 5 2014, which is approximately two months after the Commission ordered that her name be added to the list. Further, certification PL141522 was issued on December 9, 2014, four days after her name was added to the list, but Zuczek's name was not listed on that certification. As such, since the Commission ordered that her name be added to the list for prospective employment opportunities in October 2014 and certification PM141522 was issued after her name was added to the list, it would be unfair if Zuczek's name was not on that certification. Accordingly, her name should be added to the PL141522 certification and the appointing authority is directed to properly dispose of the certification within 20 days from its re-issuance.

ORDER

Therefore, it is ordered that Deborah Zuczek's name be added to certification PL141522. It is also ordered that the appointing authority properly dispose of that certification within 20 days of its re-issuance.

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 20th DAY OF MAY, 2015



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