

B-12



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Cynthia Stubbs,
Senior Clerk Typist (PS1738P),
Department of Law and Public Safety

Request for List Revival

CSC Docket No. 2016-780

ISSUED: **SEP 08 2015** (HS)

The Department of Law and Public Safety requests that the eligible list for Senior Clerk Typist (PS1738P), Department of Law and Public Safety be revived to allow for the retroactive permanent appointment of Cynthia Stubbs, effective May 17, 2014.

By way of background, the subject eligible list of 17 names promulgated July 21, 2011 and expired on July 20, 2014. Stubbs was ranked fourth on the list. The second ranked eligible was appointed effective October 8, 2011. The appointing authority requested that the subject eligible list be revived to effectuate the appointment of Stubbs, effective May 17, 2014, based on a classification review of her position completed by the Division of Agency Services (Agency Services) on March 25, 2015 that determined that she had been performing the duties of a Senior Clerk Typist, effective May 17, 2014.

Agency Services recommends that the subject eligible list be revived to effectuate Stubbs' permanent appointment, effective May 17, 2014.

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.

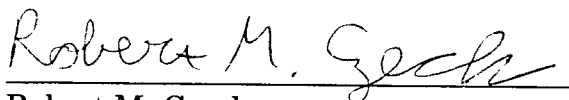
In the instant matter, the record establishes that Stubbs was ranked fourth on the eligible list for Senior Clerk Typist (PS1738P). Pursuant to Agency Services' March 25, 2015 determination, Stubbs' position was reclassified to Senior Clerk Typist, effective May 17, 2014. This effective date fell within the life of the eligible list. In addition, as the second ranked eligible had been appointed effective October 8, 2011, Stubbs would have been reachable for appointment on May 17, 2014. 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 Stubbs may be regularly appointed to the title of Senior Clerk Typist. Moreover, Stubbs shall also be given a retroactive date of permanent appointment to May 17, 2014, 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~~
Senior Clerk Typist (PS1738P), Department of Law and Public Safety, be revived to effectuate the regular appointment of Cynthia Stubbs. It is also ordered that upon successful completion of a current working test period, Stubbs be given a retroactive date of permanent appointment to May 17, 2014, 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 2ND DAY OF SEPTEMBER, 2015



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