

B-21



STATE OF NEW JERSEY

In the Matter of Amina Wilson-Donkor, Correction Officer Recruit (S9988T), Department of Corrections

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

CSC Docket No. 2016-4378

List Removal Appeal

ISSUED: DEC 22 2016 (SLK)

Amina Wilson-Donkor appeals the Department of Corrections' decision to remove her name from the Correction Officer Recruit (S9988T), Department of Corrections, eligible list on the basis of her failure to complete pre-employment processing.

The appellant took the open competitive examination for Correction Officer Recruit (S9988T), achieved a passing score, and was ranked on the subsequent eligible list. The appointing authority indicated that the appellant failed to complete Phase 3 of the hiring process. Specifically, it represented that the appellant failed to respond to its emails, phone calls and voicemails to schedule a home interview. Therefore, in disposing of the certification, the appointing authority removed the appellant's name, contending that she did not complete pre-employment processing.

On appeal, Ms. Wilson-Donkor submits a notarized sworn statement indicating that she received a voice mail message from an Officer in March 2016 asking her if she was still interested in a position and she returned the call based on the phone number that was given. She states that the phone number was for a different Officer and she left five messages in total. She also represents that she never received an email scheduling her for Phase 3 processing. Additionally, she indicates that she was advised that her file was with the Officer assigned and she should wait for a return phone call, but she never received it.

The appointing authority states that Ms. Wilson-Donkor provided her phone number and indicated on her contact information sheet that she had two email addresses. It represents that the Officer attempted to contact her via the phone number that she provided and one of the email addresses provided. It acknowledged that the appellant also provided a second email address on her contact information sheet and that was the email address that she had been using for communicating with it. Therefore, it acknowledged that she may not have received the email for Phase 3 processing.

CONCLUSION

N.J.A.C. 4A:4-6.3(b) in conjunction with *N.J.A.C.* 4A:4-4.7(d) provides that the appellant has the burden of proof to show by a preponderance of the evidence that the appointing authority's decision to remove the appellant's name from the eligible list was in error. *N.J.A.C.* 4A:4-4.7(a)6 provides that the name of an eligible may be removed from an eligible list for non-compliance with the instructions listed on the notice of certification.

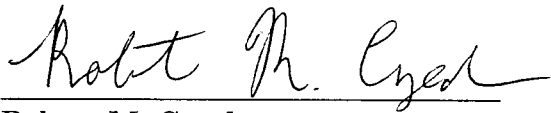
In the instant matter, the appellant submitted a notarized sworn statement indicating that she never received the email scheduling her for Phase 3 pre-employment processing and she returned the phone message that the Officer had provided, but never received a return phone call. Additionally, the appointing authority acknowledged that its Officer did not use the email address that the appellant had been using to communicate with it and that was an email address she indicated on her contact information sheet. Accordingly, it acknowledged that she may not have received the email scheduling Phase 3 processing. Therefore, under these circumstances, the appellant's name should be restored to the subject eligible list for Correction Officer Recruit.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's name restored to the list for Correction Officer Recruit (S9988T), Department of Corrections, for prospective employment opportunities 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 21st DAY OF DECEMBER, 2016



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Attachment

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