

STATE OF NEW JERSEY

In the Matter of Patrick Bartole, Associate Supervisor 2, Facilities, New Jersey City University

CSC Docket No. 2019-1296

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Administrative Appeal

ISSUED: December 10, 2018 (RE)

The Division of Agency Services (Agency Services), on behalf of New Jersey City University, requests a retroactive regular appointment to the title of Associate Supervisor 2, Facilities, effective October 13, 2008, for Patrick Bartole.

By way of background, Patrick Bartole was an Assistant Supervisor 2, Facilities for the New Jersey City University when he was regularly appointed on October 13, 2008 to the non-competitive title of Associate Supervisor 2, Facilities. However, the appointing authority failed to record this appointment in the Personnel Management Information System (PMIS). The New Jersey City University personnel office notified Agency Services in October 2018 of this error. In so doing, it stated that he completed his working test period and has served as an Associate Supervisor 2, Facilities with no break in service. In its request, Agency Services explains that a Special Reemployment List (SRL) for Associate Supervisor 2, Facilities exists with one eligible who was demoted in a layoff at Kean University on April 30, 2015. However, Agency Services states that no SRL was in existence for this title in October 2008. It recommends approval of granting a retroactive appointment for Mr. Bartole in the title Associate Supervisor 2, Facilities.

CONCLUSION

N.J.A.C. 4A:4-1.10(c) provides that, when a regular appointment has been made, the Civil Service Commission may order a retroactive appointment date due to administrative error, administrative delay, or other good cause, on notice to affected parties.

In the instant matter, there is no basic factual dispute but, rather, the central issue involves the failure of the appointing authority to properly record an appointment to Associate Supervisor 2, Facilities, a title in the non-competitive division, on October 13, 2008 for Mr. Bartole. Mr. Bartole has been performing the duties of Associate Supervisor 2, Facilities since October 13, 2008 and there was no SRL for this title at that time. Under these circumstances, good cause exists to give Patrick Bartole a regular appointment retroactive to October 13, 2008, and he shall be considered to have served his working test period starting on this date.

ORDER

Therefore, it is ordered that the request be granted, and Patrick Bartole be provided with a regular appointment as Associate Supervisor 2, Facilities, effective October 13, 2008. Mr. Bartole's personnel record should be amended in accordance with this decision.

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 5th DAY OF DECEMBER, 2018

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Chairperson

Civil Service Commission

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