



STATE OF NEW JERSEY

In the Matter of Tareema Redd,
Human Services Specialist 3
(PC0039N), Camden County Board of
Social Services

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

List Revival

CSC Docket No. 2016-2030

ISSUED: OCT 24 2016 (JET)

The Division of Agency Services (Agency Services), on behalf of the Camden County Board of Social Services, petitions the Civil Service Commission (Commission) for revival of the Human Services Specialist 3 (PC0039N) eligible list, in order to effectuate Tareema Redd's retroactive permanent appointment.

By way of background, Redd's name appeared on the Human Services Specialist 3 (PC0039N) eligible list which promulgated on June 23, 2011 and expired on June 22, 2015.¹ Six certifications were issued and 30 appointments were made. Redd's name tied for 4th position on the December 8, 2014 (PL141498) certification. However, the appointing authority erroneously listed Redd's name as "Retained, interested others appointed."

In the instant petition, the appointing authority requests the revival of the Human Services Specialist 3 (PC0039N) eligible list in order to effectuate Redd's permanent appointment. The appointing authority asserts that, as a result of an administrative error, it listed Redd's name as "Retained, interested others appointed." The appointing authority states that it retroactively appointed Redd as a provisional Human Services Specialist 3, effective January 2, 2015 but that she should have been permanently appointed on that date. Moreover, the appointing authority contends that revival of the eligible list is necessary to permanently appoint Redd to the vacant position that is available for the subject title.

¹ The list originally expired on June 22, 2014. However, it was extended for one year.

It is noted that Agency Services supports the appointing authority's request. Further, Agency Services states that there are currently no active eligible lists or pending promotional announcements available for the subject title. Moreover, Agency Services contends that Redd was not reachable for appointment to the subject title until January 2, 2015.

Official personnel records indicate that Redd has been serving as a provisional Human Services Specialist 3 since January 2, 2015.

CONCLUSION

N.J.A.C. 4A:4-3.4 provides that an eligible list may be revived under the following circumstances:

1. To implement a court order, in a suit filed prior to the expiration of the list;
2. To implement an order of the [Commission] in an appeal or proceeding instituted during the life of the list;
3. To correct an administrative error;
4. To effect the appointment of an eligible whose working test period was terminated by a layoff; or
5. For other good cause.

N.J.A.C. 4A:4-1.10(c) provides that, when a regular appointment has been made, the Commission may order a retroactive appointment date due to administrative error, administrative delay or other good cause. Generally, this unique remedy has been reserved for two particular situations. First, the Commission has granted retroactive permanent appointment dates in circumstances in which an employee was actually serving in and performing the duties of a title, but due to some error or other good cause, his attainment of permanent status was delayed or hindered. The second situation in which an employee may be awarded a retroactive date of permanent appointment is where the name of an employee, whose appointment would have otherwise been mandated, was improperly removed from or bypassed on an eligible list, thereby preventing their appointment. When the Commission subsequently corrects the improper list removal or bypass, the Commission also orders the employee's appointment and a retroactive permanent appointment commensurate with the date on which others were appointed from the certification of the eligible list.

In this matter, the appointing authority requests that the subject eligible list be revived in order to effectuate Redd's permanent appointment to the subject title as it did not properly record her appointment as a result of an administrative error on January 2, 2015. The appointing authority confirms that Redd has been serving in the subject title since January 2, 2015. Agency Services is in support of the

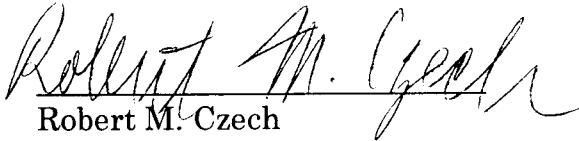
appointing authority's request. Agency Services explains that records demonstrate that Redd would have been reachable for appointment on January 2, 2015. Based on the foregoing, good cause has been shown to revive the Human Services Specialist 3 (PC0039N) eligible list to permanently appoint Redd effective January 2, 2015 contingent upon her successful completion of a current working test period.

ORDER

Therefore, it is ordered that this request be granted, the eligible list for Human Services Specialist 3 (PC0039N), Camden County Board of Social Services, be revived, and that Tareema Redd be permanently appointed as a Human Services Specialist 3 effective January 2, 2015, contingent upon successful completion of a current working test period.

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 19th DAY OF OCTOBER, 2016



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