



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Tiarra Palmer,
Judiciary Clerk 2 (S0942S), Judiciary

List Removal Appeal

CSC Docket No. 2017-2608

ISSUED: OCT 06 2017 (HS)

Tiarra Palmer appeals the removal of her name from the eligible list for Judiciary Clerk 2 (S0942S), Judiciary on the basis that she failed to respond to the certification notice.

The appellant, a non-veteran, took and passed the open competitive examination for Judiciary Clerk 2 (S0942S), which had a closing date of December 23, 2014. The resulting eligible list promulgated on May 7, 2015 and expires on May 6, 2018. The appellant's name was certified to the appointing authority on September 6, 2016 (OS160615). In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis that she failed to respond to the certification notice.

On appeal to the Civil Service Commission (Commission), the appellant states, among other things, that she would like her name restored to the eligible list and that she forgot to respond to the certification notice and apologizes.

Agency records indicate that the appellant's name was also removed from the subject eligible list on the basis of her failure to respond to the April 26, 2016 certification notice (OS160314). The appellant was sent a certification disposition notice on October 24, 2016 informing her of this action. Agency records reflect that the appellant did not file an appeal concerning certification notice OS160314.

CONCLUSION

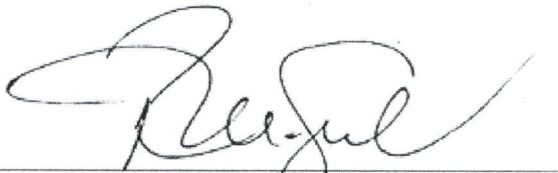
N.J.A.C. 4A:4-4.7(a)6 provides that an eligible's name may be removed from a list for "non-compliance with the instructions listed on the notice of certification." *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove her name from an eligible list was in error. The appellant's failure to respond to certification notice OS160314 was a separate valid basis to remove her name from the subject eligible list per *N.J.A.C.* 4A:4-4.7(a)6. Therefore, since the appellant never appealed her removal from the subject eligible list on the basis of her failure to respond to certification notice OS160314, the Commission need not address the merits of the instant appeal concerning certification OS160615. Under these circumstances, the appellant has not met her burden of proof.

ORDER

Therefore, it is ordered that this appeal be denied.

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 4TH DAY OF OCTOBER, 2017



Robert M. Czede, Chairperson
Civil Service Commission

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