



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Various Lists, Essex
County

CSC Docket Nos. 2017-3475, *et al.*

Requests for Enforcement

ISSUED: JUL 19 2017 (RE)

The Division of Division of Agency Services (DAS) requests that Essex County (Essex) be ordered to return the following certifications for proper disposition: Supervising Accountant (OL140953), issued July 15, 2014; Coordinator Monitoring and Evaluation (OL141372), issued October 21, 2014; Social Service Technician (OL150796), issued June 29, 2015; Technician, MIS (OL151159), issued September 22, 2015. Additionally, DAS referred Essex's failure to dispose of the certifications for Research Assistant (OL151432), issued, November 19, 2015, and Boiler Operator/Maintenance Repairer (OL161214), issued February 16, 2016 while a provisional is serving in the title. Essex subsequently appointed the provisionals to different titles and did not properly dispose of any certifications. These matters have been consolidated due to common issues.

By way of background, each of the certifications are complete lists with 8, 6, 30, 8, 5 and 5 names, respectively. DAS notified Essex that the first four certifications were overdue, and requested that Essex return them. For the last two certifications, DAS issued Notices of Violation and Salary Disapproval Orders that advised Essex of the required disposition dates and afforded opportunities to appeal. The first four certifications had been returned indicating that the provisional no longer was serving in the title. For the last two, the provisionals were appointed to different titles from other lists.¹ In all six cases, Essex did not

¹ The former provisional for Boiler Operator/Maintenance Repairer, Fadil Sahatqiu, was appointed from the certification (OL161214) for Stationary Engineer, although his record indicates an appointment to Boiler Operator/Maintenance Repairer. As such, DAS should correct this record to reflect his actual title.

request appointment waivers. Essex was advised that any failure on its part to properly dispose of the certifications could subject it to the assessment of costs, charges and fines pursuant to *N.J.A.C. 4A:10-2.2(b)*.

Despite additional opportunities to do so, Essex has not properly returned the certifications, nor has it submitted any additional information.

CONCLUSION

N.J.A.C. 4A:4-4.8(b) requires an appointing authority to notify DAS of the disposition of a certification by the disposition due date in the manner prescribed by this agency. Clearly, Essex has violated this vital regulation. The Commission is specifically given the power to assess compliance costs and fines against an appointing authority, including all administrative costs and charges, as well as fines of not more than \$10,000, for noncompliance or violation of Civil Service law or rules or any order of the Commission. *N.J.S.A. 11A:10-3; N.J.A.C. 4A:10-2.1(a)2. See In the Matter of Fiscal Analyst (M1351H), Newark, Docket No. A-4347-87T3 (App. Div. February 2, 1989)*. Therefore, Essex is ordered to return the six certifications within 10 days of receipt of this decision. If, at any time, Essex does not adhere to the timeframes for the proper certification disposition without an approved extension of time, it shall be assessed fines of \$100 per day for each day of continued violation up to a maximum of \$10,000 per list.

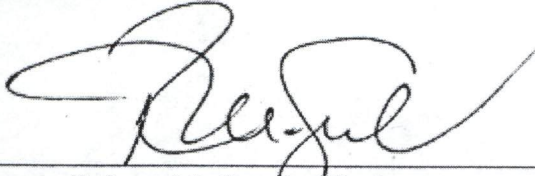
ORDER

Therefore, it is ordered that Essex properly dispose of the following certification within 10 days: Supervising Accountant (OL140953), issued July 15, 2014; Coordinator Monitoring and Evaluation (OL141372), issued October 21, 2014; Social Service Technician (OL150796), issued June 29, 2015; Technician, MIS (OL151159), issued September 22, 2015; Research Assistant (OL151432), issued, November 19, 2015, and Boiler Operator/Maintenance Repairer (OL161214), issued February 16, 2016. Moreover, the Commission orders that the costs incurred by this agency in the compliance process be assessed against Essex in the amount of \$1,000 per certification, pursuant to *N.J.S.A. 11A:10-3* and *N.J.A.C. 4A:10-3.2(a)5*, for a total of \$6,000, to be remitted within 30 days of the issuance of this order.

If, at any time, Essex does not adhere to the timeframes for the proper certification dispositions without an approved extension of time, it shall be assessed fines of \$100 per day for each day of continued violation up to a maximum of \$10,000 for each of the certifications.

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
THE 13th DAY OF JULY, 2017



Robert M. Czech, Chairperson
Civil Service Commission

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and
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- c: Robert Jackson
Kelly Glenn
Beth Wood
Supervising Accountant 2017-3475
Coordinator Monitoring and Evaluation 2017-3476
Social Service Technician 2017-3477
Technician, MIS 2017-3478
Research Assistant 2017-3472
Boiler Operator/Maintenance Repairer 2017-3473

RECEIVED BY THE
STATE BOARD OF COMMISSIONERS
ON THE DAY OF JULY 2011



State Board of Commissioners

Division of Administration
P.O. Box 213
Trenton, New Jersey 08646-0213

Robert Jackson
Lally, Ohio
John Wood
Outstanding Account # 2011-2475
Commissioner, Montgomery and Fulton 2011-2475
Bosch, Ohio 2011-2475
Trenton, NJ 08646-0213
Robert Jackson 2011-2475
Robert Jackson 2011-2475