



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Wilfredo Alicea,
Printing Machine Operator 2
(PS4834J), New Jersey City
University

Administrative Appeal

CSC Docket No. 2018-2369

ISSUED: APRIL 2, 2018 (ABR)

New Jersey City University requests that the eligible list for Printing Machine Operator 2 (PS4834J), New Jersey City University,¹ be revived to allow for the retroactive permanent appointment of Wilfredo Alicea, effective June 2, 1998.

By way of background, Alicea received a provisional appointment, pending promotional examination procedures, to the title of Printing Machine Operator 2, effective February 15, 1997. Subsequently, Alicea appeared as the only eligible on the Printing Machine Operator 2 (PS4834J) eligible list, which promulgated on April 23, 1998 and expired on April 22, 2001. No certifications were issued during the life of the subject eligible list.

In its request to revive the list and retroactively appoint Alicea, the appointing authority asserts that although Alicea had been serving in the subject title, due to an administrative error it failed to ask that his name be certified from the subject eligible list. Therefore, it is requesting that the list be revived so that Alicea can be retroactively appointed, effective June 2, 1998. In support of its request it submits a Conversion of Appointment Type Request Form (DPF-529) dated June 2, 1998, which states that the appellant’s provisional appointment to the subject title was being converted to a regular appointment, effective June 2, 1998, with a working test period commencing as of that date. The appointing authority

¹ At the time the subject eligible list promulgated, the institution was known as Jersey City State College. The institution’s university status and corresponding name change were approved by the Commission on Higher Education, effective May 29, 1998.

confirms that Alicea successfully completed his working test period for the subject title.

The Division of Agency Services (Agency Services) supports the appointing authority's request.

Agency records indicate there is currently no eligible list for the subject title for the appointing authority.

CONCLUSION

N.J.S.A. 11A:4-6 and *N.J.A.C.* 4A:4-3.3(b)1 provide that no list shall have a duration of more than four years. *N.J.S.A.* 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be revived in order to implement a court order or decision of the Civil Service Commission (Commission) in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause.

In the instant matter, Agency Services recommends the approval of this request, as the appointing authority indicated that Alicea had been serving provisionally in the subject title and, due to an administrative error, the appointing authority failed to request that his name be certified prior to the expiration of the subject eligible list. The appointing authority submits a Conversion of Appointment Type Request Form on which it indicated that the appellant's provisional appointment to the subject title was being converted to a regular appointment, effective June 2, 1998. It is noted that since Alicea is the only eligible on the subject eligible list and there is not currently an eligible list for the subject title, there would be no negative impact on any other eligibles. Accordingly, the Commission finds that good cause exists to revive the Printing Machine Operator 2 (PS4834J), New Jersey City University, eligible list and effectuate Alicea's regular appointment, effective June 2, 1998. Furthermore, since the appointing authority verifies that Alicea has completed his working test period, the appointment is to be considered permanent.

ORDER

Therefore, it is ordered that this request be granted. It is further ordered that the Printing Machine Operator 2 (PS4834J), New Jersey City University, eligible list be revived and Wilfredo Alicea be certified and appointed with an effective date of June 2, 1998.

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 27TH DAY OF MARCH, 2018

Deirdre L. Webster Cobb

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