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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of German Liranzo,
County Correction Officer (S9999R),
Morris County Sheriff

List Removal

CSC Docket No. 2015-813

ISSUED: **AUG 03 2015** (SLK)

German Liranzo appeals the Morris County Sheriff's Office's request for the removal of his name from the eligible list for County Correction Officer (S9999R), Morris County Sheriff, due to his failure to meet the residency requirement.

By way of background, the appellant appeared on certification OL140529 that was issued to the appointing authority on May 2, 2014. The certification contained 200 names, including Mr. Liranzo's, and 24 applicants were appointed. The list expires on May 1, 2016. In disposing of the certification, the appointing authority requested the removal of the appellant's name, contending that he failed to maintain continuous residency in Morris County between the examination closing date of September 4, 2013 through the date that he was considered for appointment. The matter was appealed directly to the Civil Service Commission (Commission).

On appeal, Mr. Liranzo states that he has continuously lived in Morris County for the last 13 years. The appellant acknowledges that after he took the test for the subject examination, he moved to Sussex County for three months since he was having family problems and had to move out. Mr. Liranzo explains that he had nowhere else to go and his only option was to move in with a friend until he got back on his feet. Mr. Liranzo provides that after three months passed, he moved back to Morris County and updated his address on this Agency's website.

In response, the appointing authority indicates that it does not object to restoring Mr. Liranzo's name to the eligible list.

CONCLUSION

N.J.A.C. 4A:4-2.11(e)1 provides that when an appointing authority requires residency as of the date of appointment, residency must be continuously maintained from the closing date up to and including the date of appointment.

N.J.A.C. 4A:4-4.7(a)7 provides that the name of an eligible may be removed from an eligible list for discontinuance of an eligible's in the jurisdiction to which the examination was limited.

N.J.A.C. 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, the appointing authority had sufficient reason to request to remove the appellant's name from the eligible list as candidates needed to maintain continuous residency in Morris County from September 4, 2013 through the date that they were considered for appointment, and the appellant has acknowledged that he moved out of Morris County during this timeframe. However, on appeal, Mr. Liranzo has explained that he had continuously lived in Morris County for the last 13 years, except that he needed to move out of Morris County for three months due to personal reasons. The appellant further indicates that he has now moved back into Morris County. Additionally, the appointing authority has indicated that it does not object to restoring Mr. Liranzo's name to the eligible list. Therefore, for equitable reasons, the Commission finds good cause to restore the appellant's name to the subject eligible list.

It is noted that this remedy is limited to the particular circumstances of this matter and does not set a precedent in any other matter.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's name restored to the list for County Correction Officer (S9999R), Morris County Sheriff, for prospective employment opportunities only.

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 29th DAY OF JULY, 2015



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