

B-23



STATE OF NEW JERSEY

In the Matter of April Roberts,
Judiciary

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-2650

Administrative Appeal

ISSUED: **SEP 05 2014** (JET)

The Judiciary requests approval to place April Roberts, a Judiciary Account Clerk 2, on continuous leaves of absence from her career service title from August 2, 2008 through the present.

By way of background, Ms. Roberts was appointed to the permanent career service title of Judiciary Account Clerk 2 on July 1, 1998. She was assigned to the Trust Fund Unit, Superior Court Clerk's Office. On August 2, 2008, Roberts was reassigned from the Superior Court Clerk's Office to the Office of Management and Administrative Services as an unclassified Judiciary Account Clerk 2. The appointing authority explains that it was necessary to reassign several employees, including Roberts, due to senior management changes and the need to have financial oversight of Trust Fund Functions. However, due to an administrative error, Ms. Roberts was not placed on a leave of absence from her career service title at the time of her reassignment.

In the instant request, the appointing authority requests that Ms. Roberts' PMIS record be changed to reflect a leave of absence from August 2, 2008 to the present. The appointing authority states that as a result of an administrative error, Ms. Roberts was not placed on a leave of absence from her career service title at the time she was reassigned to the unclassified title. The appointing authority represents that it wishes to return Ms. Roberts to her career service title of Judiciary Account Clerk 2 in order to give her the opportunity to compete for career service advancements in her unit scope.

CONCLUSION

The record demonstrates that Ms. Roberts was permanently appointed to the career service title of Judiciary Account Clerk 2 on July 1, 1998, and she accepted an unclassified appointment to Judiciary Account Clerk 2 on August 2, 2008. However, due to an administrative oversight, the appointing authority did not place her on an unpaid leave of absence from her career service position when she accepted the unclassified appointment. The appointing authority requests that Ms. Roberts' record be adjusted to reflect leaves of absence from her permanent title from August 2, 2008 to the present, in order that she can be returned to her permanent title and compete for career service advancements in her unit scope.

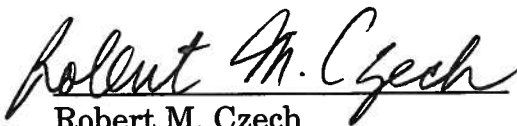
It is settled that the Civil Service Commission (Commission) may adjust an unclassified employee's record. *See e.g., In the Matter of Mary Coyle, Judiciary, Vicinage 5, Essex County* (CSC, decided October 19, 2011). Thus, based on the circumstances of this matter, and since there is no rule which prohibits the appointing authority's adjustment of an unclassified employee's record, Ms. Roberts' record should be adjusted to reflect extensions of her unpaid leave of absence from her career service title from August 2, 2008 through the present. The appointing authority is instructed to promptly notify the Division of Classification and Personnel Management upon Ms. Roberts' return to her permanent title of Judiciary Account Clerk 2.

ORDER

Therefore, it is ordered that this appeal be granted.

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 3rd DAY OF SEPTEMBER, 2014



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