



**STATE OF NEW JERSEY**

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

In the Matter of Taisha Shockley,  
Human Services Specialist 1  
(C0779T), Burlington County Board  
of Social Services

List Removal Appeal

CSC Docket No. 2017-3924

**ISSUED: APRIL 10, 2018** (ABR)

Taisha Shockley appeals her removal from the Human Services Specialist 1 (C0779T), Burlington County Board of Social Services (BCBSS) eligible list on the basis of her late response to the Notice of Certification (Notice).

The appellant, a non-veteran, applied for the subject examination, which had a closing date of October 22, 2015, was admitted and achieved a passing score. The subject eligible list promulgated on March 4, 2016 and expires on March 3, 2019. The appellant’s name was certified to the appointing authority on March 24, 2017 and a Notice dated March 31, 2017 was mailed to the appellant’s address of record. In disposing of the certification, the appointing authority requested the removal of the appellant’s name due to her late response to the Notice. Specifically, it asserted that it did not receive her response until April 20, 2017. In support, it submitted a copy of the appellant’s response wherein she stated that she did not receive the Notice until April 13, 2017.<sup>1</sup>

On appeal to the Civil Service Commission (Commission), the appellant states that she did not receive the notice in the mail until Friday, April 7, 2017. She acknowledges that she “did not check the mail earlier [during that] week.” The appellant explains that her delay in checking her mail and responding to the Notice was because she was “consumed” with being the primary caregiver to her father, who was suffering from serious medical issues. She adds that her father was repeatedly in and out of hospital care between January 2015 and May 2015.

<sup>1</sup> The response was stamped “received” on April 20, 2017.

The appointing authority opposes the appellant's restoration to the subject eligible list. The appointing authority states that it did not receive the appellant's response until April 20, 2017, nearly two weeks after the April 7, 2017 due date. It maintains that while the appellant's situation is unfortunate, it does not excuse her late response to the Notice, particularly in light of her contradictory explanations for the delay. In that regard, it notes that the appellant indicated in her response to it that she did not receive the Notice until April 13, 2017. However, on appeal, she states that she received the Notice on April 7, 2017. Moreover, it notes that the appellant acknowledged that the notice may have been in her mailbox prior to retrieving it on April 7, 2017. Accordingly, the appointing authority argues that the instant appeal should be denied.

### 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 the appellant from an eligible list was in error.

In the instant matter, the appellant's name was removed from the subject eligible list due to her failure to contact the appointing authority within five business days from the March 31, 2017 date on the Notice. Although on appeal, the appellant states that she did not receive the subject Notice until the response due date of April 7, 2017, in her response letter to the appointing authority she indicates that she received the Notice on April 13, 2017. The appellant also claims on appeal that she did not check her mail for at least several days prior to April 7, 2017 due to being her father's caregiver. While sympathetic to the appellant's personal situation as a caregiver to her father, she has presented no evidence which establishes that she did not timely receive her Notice. Even assuming that she received the Notice on April 7, 2017, she has presented no arguments to explain her delay in responding to the Notice. Accordingly, the appellant has not met her burden of proof in this matter and the appointing authority has presented sufficient justification for removing her name from the Human Services Specialist 1 (C0779T), Burlington County Board of Social Services eligible list.

### 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 4<sup>TH</sup> DAY OF APRIL, 2018

*Deirdre L. Webster Cobb*

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Deirdre L. Webster Cobb  
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