



**STATE OF NEW JERSEY**

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

In the Matter of Kim Van  
Valkenburg, Human Services  
Specialist 1 (C0778T), Ocean County  
Board of Social Services

List Removal Appeal

CSC Docket No. 2017-3427

**ISSUED: APRIL 10, 2018**

**(ABR)**

Kim Van Valkenburg appeals her removal from the Human Services Specialist 1 (C0778T), Ocean County Board of Social Services (OCBSS) eligible list on the basis of her failure to respond to the 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, containing the names of 147 eligibles, promulgated on March 4, 2016 and expires on March 3, 2019. The appellant was ranked 10<sup>th</sup> on the subject eligible list and her name was listed in the second position on a November 22, 2016 certification (OL161356) to the appointing authority. In disposing of the certification, the appointing authority requested the removal of the appellant's name due to her failure to respond to the certification notice.

On appeal to the Civil Service Commission (Commission), the appellant maintains that she never received the subject certification notice. She states that she had previously moved to a new residence and notified the appointing authority of her relocation in her August 2016 response to a prior certification notice (OL160933). Specifically, the appellant asserted that she responded to an August 5, 2016 certification (OL160933) notice by letter dated August 17, 2016 and noted "(NEW HOME ADDRESS)" next to her return address. She submits that she was unaware that she also had to notify this agency of her address change.

In response, the appointing authority declines to take a position with respect to the appellant's request to have her name restored to the subject eligible list. It

acknowledges that the appellant wrote “(NEW HOME ADDRESS)” to the right of her return address in response to the earlier (OL160933) certification notice. However, it observes that the Commission’s website clearly advises eligibles that it is their responsibility to keep a current address on file with the Commission.<sup>1</sup> Moreover, it maintains that an OCBSS employee advised the appellant of her obligation to notify the Commission of any change in address.

In reply, the appellant states that she updated her address of record with the Commission in April 2017 after OCBSS staff advised her of the requirement that she do so.

### CONCLUSION

*N.J.A.C.* 4A:4-3.2(e) states that it shall be the responsibility of an eligible to keep a current address on file with the Commission. *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:4-4.7(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 his or her name from an eligible list was in error. In this matter, the appellant acknowledges that she failed to timely update her address with the Commission. As noted above, it is an applicant’s responsibility to timely notify this agency of any change to his or her address. Consequently, the appellant was properly removed from the subject 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.

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<sup>1</sup> Additionally, the Commission notes that the certification notice instructions advise eligibles that “it is [their] responsibility to notify the Civil Service Commission regarding changes in [their] status” and that “[a]ll changes, including any changes in [their] name, address or geographic preferences, must be in writing.”

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  
Acting Chairperson  
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