



**STATE OF NEW JERSEY**

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

In the Matter of Chadrac Viltus,  
Human Service Assistant (Special),  
Department of Human Services

CSC Docket No. 2017-3315

List Removal Appeal

**ISSUED: APRIL 5, 2018 (CSM)**

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Chadrac Viltus appeals the appointing authority’s request to remove his name from the Human Service Assistant (Special) eligible list on the basis that he failed to respond to the notification of certification.

The appellant’s name was certified (OS150030) from the subject special reemployment list on January 13, 2015 to the Department of Military and Veterans Affairs (DMVA). In disposing the certification, DMVA requested the removal of the appellant’s name based on his failure to respond to the notification of certification. It is noted that the subject certification was recorded as disposed on July 15, 2015.

In his letter of appeal to the Civil Service Commission (Commission) postmarked April 7, 2017, the appellant explains that he “moved from his previous address” and never received the certification “due to the change of address.” In a supplemental submission, the appellant states that at the time the certification was issued, he was already living at his new address in Orange, New Jersey. Further, he explains that the only reason he accepted a position at the New Lisbon Developmental Center was because he was told that someday he would be relocated. Given the cost and the time it takes for him to commute to work, the appellant requests that his name be restored to the subject list.

## CONCLUSION

*N.J.A.C.* 4A:2-1.1(b) states that unless a different time period is stated, an appeal must be filed within 20 days after either the appellant has notice or should have reasonably known of the decision, situation or action being appealed.

*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 Civil Service Commission.

*N.J.A.C.* 4A:4-4.7a(6) states that an eligible may be removed from an eligible 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 his or her name from an eligible list was in error.

*N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision in examination and selection appeals was in error.

In this matter, a review of the record indicates that certification OL150030 was issued on January 13, 2015 and recorded as disposed by this agency on July 15, 2015, but the appellant's letter of appeal is postmarked almost two years later, on April 7, 2017. Under these circumstances, the appellant's appeal is untimely and is dismissed on those grounds alone. However, even assuming *arguendo* that the appellant filed a timely appeal, the appointing authority had sufficient reason to remove his name from the subject eligible list. In accordance with *N.J.A.C.* 4A:4-3.2(e), it is the responsibility of each eligible to maintain a current address with the Commission, but the appellant concedes in his appeal that he failed to do so. Consequently, since the appellant did not update his mailing address, the certification was correctly sent to his address of record. Therefore, the appellant's failure to maintain a current address with this agency as required does not provide a basis on which to accept his late appeal or to restore his name to the subject 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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