

waiver. Therefore, since the appointing authority has not properly disposed of the certification, the matter of enforcement is applicable.

CONCLUSION

N.J.A.C. 4A:4-4.8(b) requires an appointing authority to notify Agency Services of the disposition of a certification by the disposition due date in the manner prescribed by this agency. Clearly, Jersey City has violated this vital regulation. The Commission is specifically given the power to assess compliance costs and fines against an appointing authority, including all administrative costs and charges, as well as fines of not more than \$10,000, for noncompliance or violation of Civil Service law or rules or any order of the Commission. *N.J.S.A.* 11A:10-3; *N.J.A.C.* 4A:10-2.1(a)2. See *In the Matter of Fiscal Analyst (M1351H), Newark*, Docket No. A-4347-87T3 (App. Div. February 2, 1989). Therefore, Jersey City is ordered to return the certification within 20 days of the issuance date on this decision. If, at any time, Jersey City does not adhere to the timeframes for the proper certification disposition without an approved extension of time, it shall be assessed fines of \$100 per day for each day of continued violation up to a maximum of \$10,000.

ORDER

Therefore, it is ordered that Jersey City properly dispose of the August 18, 2015 certification (OL151015) of the eligible list for Environmental Specialist (M0275T) within 20 days of the issuance date on this decision.

Moreover, the Commission orders that the costs incurred by this agency in the compliance process be assessed against Jersey City in the amount of \$1,000, pursuant to *N.J.S.A.* 11A:10-3 and *N.J.A.C.* 4A:10-3.2(a)5, to be remitted within 30 days of the issuance of this decision.

If, at any time, Jersey City does not adhere to the timeframes for the proper certification disposition without an approved extension of time, it shall be assessed fines of \$100 per day for each day of continued violation up to a maximum of \$10,000.

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 4th DAY OF APRIL , 2018



Deirdré L. Webster Cobb
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and
Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Jersey City, New Jersey 08625-0312

c: Robert Kakoleski
Kelly Glenn
Beth Wood