



STATE OF NEW JERSEY

In the Matter of Forensic Scientist 3
(PS3634P), Department of Law and
Public Safety

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

CSC Docket No. 2020-134

Request for List Revival

ISSUED: September 12, 2019 (VJ)

The Department of Law and Public Safety requests that the eligible list for Forensic Scientist 3 (PS3634P) be revived to make a regular appointment for a vacancy for which it recently received approval to fill.

By way of background, the subject promotional list was announced with a closing date of October 21, 2016. The resultant eligible list of 23 names promulgated June 15, 2017 and expired on June 14, 2019. During the life of the list, eight certifications were issued, and 13 appointments were made. Initially, the appointing authority had submitted a request to extend the subject eligible list on June 11, 2019. However, at that time, it had not yet received authorization to fill a vacancy in the title of Forensic Scientist 3. Thereafter, on June 21, 2019, the appointing authority received authorization to submit a request for an exemption from the hiring/promotional freeze to make one appointment from the nine names remaining on the list. The Division of Agency Services approved the request on June 26, 2019. Now that approval has been obtained, the Division of Agency Services recommends revival of the subject eligible list.

CONCLUSION

N.J.S.A. 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be revived in order to implement a court order or decision of the Civil Service Commission in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause. *N.J.S.A.* 11A:4-6 and *N.J.A.C.* 4A:4-3.3(b)1 provide that no list shall have a duration of more than four years.

In the present matter, the record establishes that the appointing authority requested and received a freeze exemption to fill a promotional position in the title of Forensic Scientist 3. However, the subject eligible list had already expired on June 14, 2019 when the freeze exemption was finally received. Therefore, the subject eligible list could not be certified to effectuate any appointments. The filling of a vacancy from an active list is preferable to, and more expedient than, announcing a new examination. Under these circumstances, good cause has been presented to revive the subject eligible list to allow for a one-time certification from the list.

ORDER

Therefore, it is ordered that this request be granted, and the eligible list for Forensic Scientist 3 (PS3634P), Department of Law and Public Safety, be revived and a certification be issued.

This is the final administrative determination in this matter. Any further review should be pursued in the judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 10TH DAY OF September, 2019



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