

CSC
B-22



STATE OF NEW JERSEY

In the Matter of Adam Blohm, Fire
Fighter (M2537M), Hoboken

CSC Docket No. 2015-1642

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Administrative Appeal

ISSUED: **MAY 08 2015** (EG)

Hoboken requests that Adam Blohm receive a retroactive date of appointment as a Fire Fighter.

The appointing authority states that in disposing of the November 15, 2012 certification of the subject eligible list, it requested the removal of Blohm's name from the list for not meeting its residency requirement. Upon further investigation at the request of this agency, the appointing authority discovered that Blohm did meet the residency requirement. However, by the time appointing authority came to this conclusion, it was too late to appoint Blohm from that certification. Blohm was listed as interested and reachable, but not appointed. Official records indicate that Blohm was permanently appointed as a Fire Fighter with an effective date of November 18, 2013, from the July 9, 2013 certification of the subject eligible list.

In the present matter, the appointing authority contends that had it not mistakenly attempted to remove Blohm from the November 15, 2012 certification for residency concerns, he would have been appointed from that certification and received an appointment date of April 15, 2013. Thus, it requests a retroactive appointment date of April 15, 2013, for Blohm to correct its error regarding his non-appointment from the November 15, 2012 certification.

CONCLUSION

N.J.A.C. 4A:4-1.10(c) states that an individual may receive a retroactive date of appointment to correct an administrative error, for an administrative delay or for other good cause.

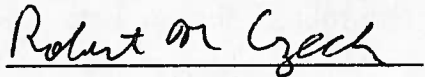
In the instant matter, Blohm should receive a retroactive date of appointment. The appointing authority's error regarding his residency status on the November 15, 2012 certification led to Blohm being appointed from a later certification. A review of the Fire Fighter (M2537M) eligible list reveals that Blohm's name would have been reachable for appointment on April 15, 2013, had the error not occurred. See *N.J.A.C. 4A:4-4.8(b)3*. Accordingly, under these circumstances, Blohm should receive a retroactive date of appointment of April 15, 2013, for salary step placement and seniority-based purposes only. In light of Blohm's service as a Fire Fighter since November 18, 2013, a current working test period is not required.

ORDER

Therefore, it is ordered that the Fire Fighter (M2537M), Hoboken eligible list be revived and that personnel records be amended to indicate Adam Blohm's permanent appointment to Fire Fighter with an effective date of April 15, 2013, for salary step placement and seniority-based purposes only. The Civil Service Commission does not grant any other relief, such as back pay.

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 6TH DAY OF MAY, 2015



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