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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Troy Jones, Human
Services Specialist 1 (C0446S),
Hudson County

List Removal Appeal

CSC Docket No. 2017-2745

ISSUED:

OCT 19 2017

(HS)

Troy Jones appeals the removal of his name from the eligible list for Human Services Specialist 1 (C0446S), Hudson County on the basis of his failure to complete preemployment processing.

The appellant, a non-veteran, took and passed the open competitive examination for Human Services Specialist 1 (C0446S), which had a closing date of June 6, 2014. The resulting eligible list promulgated on November 6, 2014 and expires on November 5, 2017. The appellant's name was certified to the appointing authority on September 16, 2016. In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis of his failure to complete preemployment processing. Specifically, the appointing authority indicated that it informed the appellant by certified letter that it was missing information needed to continue the hiring process. In the same letter, it also informed the appellant that he needed to contact the appointing authority by November 23, 2016. However, the appellant did not contact the appointing authority by that date. It is noted that the disposition of the certification was recorded by this agency on January 20, 2017.

In his appeal to the Civil Service Commission (Commission) postmarked March 2, 2017, the appellant presents the following narrative. When he was interviewed, he was asked to provide another copy of his college transcripts. He did not have another copy because he had submitted the originals when he applied for the position. Upon learning that he needed another copy, he went to the college to request it. The new copy was not supplied immediately upon request. The

appellant paid for the copy and had to wait for the college to send him another copy by mail. When he received the copy, he faxed it to the number given by the interviewer. The notice indicating his removal from the subject eligible list is the first correspondence he received since he faxed the transcripts.

In response, the appointing authority maintains that it attempted to have the appellant bring in the necessary information needed to continue the hiring process but that he did not call or contact it by the requested date. In support, it submits a copy of the above-referenced certified letter sent to the appellant, among other documents.

CONCLUSION

N.J.A.C. 4A:4-6.6(a)1 provides, in pertinent part, that an appeal shall be filed within 20 days of notice of the action, decision or situation being appealed.

N.J.A.C. 4A:4-4.7(a)11 allows the Commission to remove an eligible's name from an eligible list for other valid reasons. *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 name from an eligible list was in error.

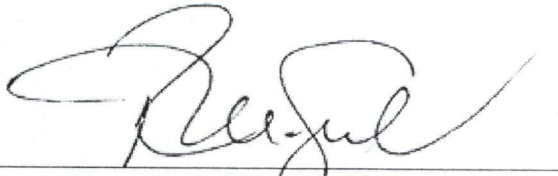
Initially, it is noted that the appellant's appeal appears to be untimely as it was not filed within 20 days of the disposition of the certification. See *N.J.A.C. 4A:4-6.6(a)1*. Nevertheless, even assuming that the appellant filed a timely appeal, his appeal does not present a basis to disturb the appointing authority's request to remove his name from the subject eligible list due to his failure to complete preemployment processing. In this regard, the record reflects that the appointing authority informed the appellant that it was missing information needed to continue the hiring process and that the appellant needed to contact the appointing authority by November 23, 2016. The appointing authority indicates that it did not hear from the appellant by that date, and the appellant's appeal does not present evidence that he complied with the appointing authority's request. The appellant's appeal also does not present evidence to support his assertion that he faxed a copy of his college transcripts to the appointing authority and demonstrate when such action may have occurred. Accordingly, the appellant has not met his burden of proof in this matter.

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 18TH DAY OF OCTOBER, 2017



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