



**STATE OF NEW JERSEY**

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

In the Matter of Program Analyst  
(M0689V), City of Jersey City

Request for Enforcement

CSC Docket No. 2019-853

**ISSUED: JANUARY 18, 2019** (ABR)

The Division of Agency Services (Agency Services) requests that the City of Jersey City (Jersey City) be ordered to return the February 12, 2018 certification (OL180150) of the eligible list for Program Analyst (M0689V) for proper disposition.

By way of background, on February 12, 2018, a certification (OL180150) of five names was issued to Jersey City with a disposition due date of May 14, 2018. Agency Services notified Jersey City that the certification was overdue on June 18, 2018 and July 24, 2018. However, Jersey City failed to return the certification. Subsequently, Agency Services referred the matter to the Civil Service Commission (Commission) for enforcement.

Jersey City was notified that the matter had been referred to the Commission for enforcement and it was advised that any failure on its part to return the certification could subject it to the assessment of costs, charges and fines pursuant to *N.J.A.C. 4A:10-2.2(b)*.

Despite additional opportunities to do so, Jersey City has not returned the certification as requested nor has it submitted any additional information.

**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 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.

### ORDER

Therefore, it is ordered that Jersey City properly dispose of the February 12, 2018 certification (OL180150) of the eligible list for Program Analyst (M0689V) within 20 days of the issuance of 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 16<sup>TH</sup> DAY OF JANUARY, 2019




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