



STATE OF NEW JERSEY

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

Environmental Specialist 4
(PS3581G), Department of
Environmental Protection

CSC Docket No. 2020-562

Request for List Revival

ISSUED: November 20, 2019 (VJ)

The Department of Environmental Protection requests that the Environmental Specialist 4 (PS3581G) eligible list be revived to allow it to make a regular appointment.

By way of background, the subject promotional list was announced with a closing date of October 21, 2016. The resultant eligible list of 10 names promulgated on June 15, 2017 and expired on June 14, 2019. During the life of the list, two certifications were issued, and three appointments were made. Seven eligibles remain on the list.

In its request, the appointing authority notes that it had requested a certification to fill a vacancy in their Division of Compliance & Enforcement on June 5, 2019, prior to the expiration of the eligible list. However, as it did not have the required exemption needed to fill the vacancy and was unable to obtain the exemption prior to the expiration date a certification was not issued. Thereafter, the appointing authority notes that it received authorization for an exemption from the hiring/promotional freeze to make one appointment to that position. The Division of Agency Services indicates it support for the instant request and notes that there are no current promotional lists within the unit scope and special reemployment lists or current or pending announcements for this title.

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 on June 5, 2019, the appointing authority requested a certification to fill a vacancy for the title of Environmental Specialist 4. However, it did not have a freeze exemption and therefore, the subject eligible list could not be certified to effectuate any appointments. Moreover, the subject eligible list had expired prior to the freeze exemption being received. 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 Environmental Specialist 4 (PS3581G), Department of Environmental Protection, be revived and a certification be issued for a prospective appointment.

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 19TH DAY OF NOVEMBER, 2019



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