



**STATE OF NEW JERSEY**

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

In the Matter of Sean Cirianni-Jones,  
Senior Repairer (S0139W), Central  
Reception and Assignment Facility,  
Department of Corrections

List Removal Appeal

CSC Docket No. 2020-65

**ISSUED: DECEMBER 23, 2019 (HS)**

Sean Cirianni-Jones appeals the removal of his name from the eligible list for Senior Repairer (S0139W), Central Reception and Assignment Facility (CRAF), Department of Corrections on the basis that he did not appear for or complete preemployment processing.

The appellant, a non-veteran, took and passed the open-competitive examination for Senior Repairer (S0139W), which had a closing date of February 21, 2018. The resulting eligible list promulgated on January 31, 2019 and expires on January 30, 2022. The appellant's name was certified to the appointing authority on February 26, 2019 for a position located in Mercer County. In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis that he did not appear for or complete preemployment processing. Specifically, the appointing authority asserted that the appellant stated over the phone that he was no longer interested in the position. A voicemail was subsequently left for the appellant to follow up in writing and to provide an e-mail, but he failed to do so.

On appeal to the Civil Service Commission (Commission), the appellant states that he notified the appointing authority that he wished to decline the position offered because he did not wish to work at the particular facility involved. However, he did not realize that his action meant complete removal of his name from the eligible list. Rather, the appellant thought that he was being offered the choice to decline the particular position at the particular location and that his name would remain on the list for future consideration.

## CONCLUSION

*N.J.A.C.* 4A:4-4.1(a) provides, in pertinent part, that when a vacancy is to be filled in the competitive division of the career service from an eligible list, the appointing authority shall request a certification of names for regular appointment. *N.J.A.C.* 4A:4-4.2(a) provides that upon determining that there is a need for a certification as provided in *N.J.A.C.* 4A:4-4.1, this agency shall issue, or authorize the issuance of, a certification to the appointing authority containing the names and addresses of the eligibles with the highest rankings on the appropriate list.

*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.

The appellant indicates that while he did decline the position offered, he was only declining the position at the particular facility involved, *i.e.*, the CRAF. The appellant wished to otherwise remain on the eligible list for future consideration. Under these circumstances, it is appropriate to restore his name to the subject eligible list. However, since the appellant indicates that he is not interested in a position at the CRAF, which is located in Mercer County, and certifications from open-competitive eligible lists are drawn based, in relevant part, on county preference, the appellant's name shall be removed from future certifications from the subject eligible list for the CRAF job location, Mercer County.

## ORDER

Therefore, it is ordered that Sean Cirianni-Jones's name be restored to the eligible list for prospective employment opportunities. However, his name is to be removed from future certifications for Mercer County.

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 18<sup>TH</sup> DAY OF DECEMBER, 2019



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