



**STATE OF NEW JERSEY**

**DECISION OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Selwyn Corley,  
Camden County, Department of  
Corrections

CSC Docket No. 2019-2475

Administrative Appeal

**ISSUED: AUGUST 14, 2019** (BW)

Selwyn Corley, a County Correction Officer with Camden County, Department of Corrections, represented by Frank C. Cioffi, Esq., requests to reinstate the appeal of his six working day suspension, which was dismissed on the basis of his failure to appear at the July 9, 2019 settlement conference at the Office of Administrative Law (OAL).

The appellant timely appealed his suspension to this agency which transmitted the matter to OAL as a contested case. The OAL scheduled the matter for a settlement conference on July 9, 2019, and sent a notice dated May 21, 2019 to this effect to the appellant’s attorney. On the scheduled date, the appellant and his attorney failed to appear. The OAL issued a “Failure to Appear” notice which indicated that the appellant and his attorney failed to appear at the scheduled proceedings. On July 11, 2019, the matter was returned to the Civil Service Commission (Commission) for a final decision, with a notice giving the parties 13 days to present any excuse for failure to appear to this agency.

In support of the appellant’s request for reinstatement of his appeal, the appellant’s attorney states that he did not appear since, as a result of him being on vacation and the office being short staffed, the notice was filed before he had a chance to review and calendar the matter, resulting in him not informing his client of the date of the hearing. Moreover, the appellant’s attorney asserts that the appellant should not be denied a fair hearing because of his error.

The appointing authority, despite being provided the opportunity, did not present any arguments for the Commission to review.

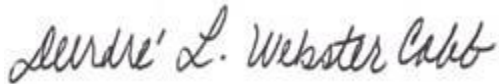
## CONCLUSION

It is noted that when an appellant is represented by an attorney, notice of the proceedings are **only** sent to the attorney. Given that the appellant's attorney was on vacation and the matter did not get calendared, the appellant was not notified of the hearing date. In this regard, it would be unfair not to permit the petitioner to pursue his statutory right to challenge his six working day suspension. Accordingly, the Commission finds that under the circumstances presented in this matter, to deny the appellant a hearing on the merits of his disciplinary action would be unjust.

## ORDER

Therefore, it is ordered that appellant's request to reinstate his appeal be granted and the matter be transmitted to the OAL for further proceedings.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 14<sup>TH</sup> DAY OF AUGUST, 2019



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries and Correspondence	Christopher S. Myers Director Division of Appeals and Regulatory Affairs Civil Service Commission P.O. Box 312 Trenton, New Jersey 08625-0312
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c: Selwyn Corley  
Frank C. Cioffi, Esq.  
Antonieta P. Rinaldi, Esq.  
Beth Wood (w/file)