

STATE OF NEW JERSEY

ISSUED: January 31, 2020

In the Matter of Deputy Chief Investigator (PS5694I), Department of Corrections	•	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
CSC Docket No. 2020-1775	• • • •	Request for List Revival
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The Department of Corrections requests that the eligible list for Deputy Chief Investigator (PS5694I) be revived and extended.

By way of background, the subject promotional list was announced with a closing date of August 21, 2017. The resultant eligible list of seven names promulgated November 9, 2017 and expired on November 9, 2019. One certification (PS172005) was issued and three eligibles were appointed, one retired and three eligibles remain on the list. It is noted that there are no current open-competitive, promotional or special reemployment lists for the title Deputy Chief Investigator for the appointing authority, and no current announcement exists.

In a letter dated November 18, 2019, the Department of Corrections stated that there was a need to fill an additional vacancy from this eligible list. Due to an administrative error, the Department of Corrections failed to request an extension of the eligible list prior to its expiration. The revival of the list would allow for a permanent appointment rather than making a provisional appointment as this position is critical to the daily operation of the unit and the safety and security of the Department.

The Division of Agency Services (Agency Services) indicates its agreement with the appointing authority's request to revive the list and recommends that it be extended with a new expiration date of November 8, 2020.

(VJ)

CONCLUSION

N.J.S.A. 11A:4-6 and *N.J.A.C.* 4A:4-3.3(b)1 provide that an eligible list may, for good cause, be extended prior to its expiration date, except no list shall have a duration of more than four years. In addition, *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.

In the instant matter, the Department of Corrections seeks the revival of the Deputy Chief Investigator (PS5694I) eligible list so that it may make a permanent appointment from the remaining eligibles on the list so that it may avoid a critical vacancy affecting the daily operation of the unit and for the safety and security of the Department. The filling of vacancies through permanent appointments from an active eligible list is preferable to making provisional appointments. Accordingly, good cause has been presented to revive and extend the eligible list for Deputy Chief Investigator (PS5694I) and issue a certification from the names of the remaining eligibles. The list shall be considered expired as of the disposition date of the certification.

ORDER

Therefore, it is ordered that this request be granted. It is further ordered that the Deputy Chief Investigator (PS5694I), Department of Corrections eligible list be revived and extended in order to make a permanent appointment.

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 29TH DAY OF JANUARY, 2020

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Deirdre L. Webster Cobb Chairperson Civil Service Commission

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