



STATE OF NEW JERSEY

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

In the Matter of Community
Relations Specialist, Law
Enforcement (Special), Newark

Request for Enforcement

CSC Docket No. 2019-761

ISSUED: JANUARY 31, 2020 (WR)

The Division of Agency Services (Agency Services) requests that the Civil Service Commission (Commission) order Newark to return the February 13, 2017 certification of the eligible list for Community Relations Specialist, Law Enforcement (Special) for proper disposition.

By way of background, the appointing authority provisionally appointed Michael Bramhall to the subject title, effective October 17, 2016. This agency disproved the appointment in the County and Municipal Personnel System (CAMPS) as there was a special reemployment list for the subject title, and issued a certification (OL170171) of three names from the special reemployment list on February 13, 2017 against Bramhall’s appointment. To date, Newark has failed to return the certification. It is noted that this agency sent a Notice of Violation and a Salary Disapproval on June 19, 2017 and July 25, 2017, respectively. Accordingly, Agency Services referred the matter to the Commission for enforcement.

Newark 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)*. However, despite the opportunity to do so, Newark has not returned the certification as requested nor has it submitted any additional information.

Agency records indicate that Bramhall's provisional service in the subject title was terminated on May 31, 2017.¹

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, Newark 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, Newark is ordered to return the certification within 20 days of the issuance of this decision, for proper disposition. If, at any time, Newark 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 Newark properly dispose of the February 13, 2017 certification of the eligible list for Community Relations Specialist, Law Enforcement (Special) 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 Newark 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, Newark 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.

¹ The appointing authority entered this information into CAMPS on August 15, 2017.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 29TH DAY OF JANUARY, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Eric Pennington, Esq.
Kelly Glenn
Record Center
Beth Wood