



STATE OF NEW JERSEY

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

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

CSC Docket No. 2016-3817

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Salary Disapproval

ISSUED: JANUARY 31, 2020 (WR)

The appointing authority's failure to dispose of the certification for Senior Community Relations Specialist (Special), Newark, while a provisional employee is serving in the title, has been referred to the Civil Service Commission (Commission) for enforcement.

The Commission has reviewed the salary disapproval issued against the salaries of Aondrette Williams¹, Ligia Defretias, Keanu Johnson, Craig Norton and Vereliz Santana and has made the following findings of fact:

1. Defretias, Johnson, Norton and Santana are currently serving provisionally in the title of Senior Community Relations Specialist.
2. There are vacancies for the title of Senior Community Relations Specialist and an outstanding certification was issued on January 30, 2015 from the special reemployment eligible list.
3. The certification has not been properly disposed of and the appointing authority was advised of the required date of disposition.

¹ Williams' provisional appointment was discontinued on February 9, 2018.

4. The Certification Manager issued a Notice of Salary Disapproval to the appointing authority and afforded it an opportunity to appeal such action to the Commission.
5. No such appeal was taken, and no proper disposition of the certification was received; the salary disapproval, therefore, became a final administrative action.
6. By not properly disposing of this certification, the appointing authority is in violation of Civil Service law and rules.

In the instant matter, the appointing authority has refused to properly dispose of the certification issued to fill vacancies occupied by the provisional employees. The appointing authority has not contested or appealed the findings of the Certification Manager. The payment of salaries for which there is a disapproval is illegal and contravenes Civil Service law and rules.

The appointing authority, despite being given the opportunity, did not submit any arguments or documentation for the Commission's review.

ORDER

The Commission orders the appointing authority to immediately dispose of the outstanding certification by making permanent appointments of reachable and interested eligibles. Additionally, the appointing authority is ordered to immediately separate any employee serving provisionally pending open-competitive examination procedures in the subject title who does not receive an appointment from the outstanding certification. Such disposition must be filed with the Certification Manager on or before thirty (30) days from the issuance of this order. If no proper disposition is made within this time period, the Civil Service Commission orders the constructive appointment of the highest ranked interested eligible. *See N.J.A.C. 4A:10-2.1(a)3; In the Matter of Battalion Fire Chief (PM1640E), Deputy Fire Chief (PM1423H), Atlantic City, Docket No. A-229-87T7 (App. Div. December 8, 1988).*

The Commission further orders that the costs incurred in the compliance process be assessed against the appointing authority 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 thirty (30) days of the issuance of this order. In the event the appointing authority fails to make a good faith effort to fully comply with this order within this time frame, it is additionally ordered that fines be assessed in the amount of one hundred dollars (\$100.00) per day, beginning on the thirty-first day following the issuance of this order and continuing each day of continued violation, up to a maximum of ten thousand dollars (\$10,000.00). *See N.J.S.A. 11A:10-3; N.J.A.C.*

4A:10-2.1(a)2; *In the Matter of Fiscal Analyst (M1351H), Jersey City*, Docket No. A-4347-87T3 (App. Div. February 2, 1989).

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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