



STATE OF NEW JERSEY

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

In the Matter of Principal Engineer
(M0124R), Passaic Valley Water
Commission

Request for Enforcement

CSC Docket No. 2019-1089

ISSUED: JUNE 5, 2020

The Division of Agency Services (Agency Services) requests that the Passaic Valley Water Commission (Passaic) be ordered to return the October 27, 2016 certification (OL161253) of the eligible list for Principal Engineer for proper disposition.

By way of background, Passaic requested that a certification for the subject title be issued to it. As a result, on October 27, 2016, a certification (OL161253) of ten names was issued to Passaic. Agency Services notified Passaic that the certification was overdue on March 6, 2017 and April 24, 2017 and requested that Passaic return the certification. However, Passaic failed to return the certification. Subsequently, Agency Services referred the matter to the Civil Service Commission (Commission) for enforcement.

In the notifications sent to Passaic by Agency Services, it 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)*. The April 24, 2017 notification also indicated that the appointing authority could appeal the matter to the Commission if it believed that there was an error in the process. However, no appeal was filed with the Commission and Passaic has not returned the certification as requested nor has it submitted any additional information.

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, Passaic 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, Passaic is ordered to return the certification to Agency Services within 20 days of the issuance date on this decision. If, at any time, Passaic does not adhere to the timeframes for the proper certification disposition without an approved extension of time from Agency Services, this matter may be referred back to the Commission for consideration of the assessment of fines and compliance costs.

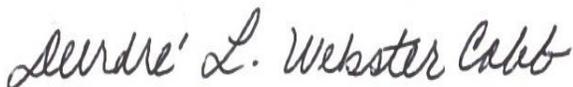
ORDER

Therefore, it is ordered that Passaic properly dispose of the October 27, 2016 certification (OL161253) of the eligible list for Principal Engineer within 20 days of the issuance date noted on the first page of this decision.

If, at any time, Passaic does not adhere to the timeframes for the proper certification disposition without an approved extension of time from Agency Services, this matter may be referred back to the Commission for consideration of the assessment of fines and compliance costs 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.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 3RD DAY OF JUNE, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. 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: James Duprey
Kelly Glenn