



STATE OF NEW JERSEY

In the Matter of Fire Protection
Subcode Official (M0160V),
Township of Parsippany-Troy Hills

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

CSC Docket No. 2021-23

Administrative Appeal

ISSUED: SEPTEMBER 18, 2020 (AMR)

In In the Matter of Fire Protection Subcode Official (M0160V), Township of Parsippany-Troy Hills (CSC, decided April 4, 2018), the Civil Service Commission (Commission) granted the request of the Township of Parsippany-Troy Hills for an appointment waiver for the June 26, 2017 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. A copy of that decision is attached hereto and incorporated herein. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

Agency records reveal that one certification was issued from the subject eligible list on June 26, 2017. However, the certification was cancelled, and no appointments were made prior to the June 21, 2020 list expiration. Therefore, the Township of Parsippany-Troy Hills was notified that since the eligible list was not utilized by its expiration date, the matter of the costs for the selection process in the amount of \$2,048 would be forwarded to the Commission for a determination. However, no response was received.

CONCLUSION

N.J.S.A. 11A:4-5 and N.J.A.C. 4A:10-2.2(a)2 state that if an appointing authority receives permission not to make an appointment, it can be ordered to reimburse the costs of the selection process. While administering examinations and providing the names of eligible job candidates to the jurisdictions under the Civil

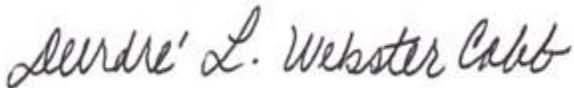
Service system are two of the primary activities of this agency, these costly efforts are thwarted when appointing authorities fail to utilize the resulting eligible lists to make appointments and candidates have needlessly expended their time, effort and money to take these examinations in hopes of being considered for a permanent appointment. The amount of \$2,048 has been determined to be the cost of the selection process for open-competitive examinations for local government positions. In the instant situation, although the appointing authority had shown a valid reason for not making an appointment from the subject eligible list, it has failed to provide a sufficient basis for not being charged for the costs of the selection process which produced the subject eligible list. In this regard, a provisional employee was serving at the time of the certification on June 26, 2017. However, the appointing authority incorrectly recorded the provisional's title as Fire Protection Subcode Official instead of Fire Protection Inspector in the County and Municipal Personnel System. Therefore, the examination was announced incorrectly. The appointing authority indicated that it planned to utilize the subject title within three years; however, agency records indicate that it failed to do so. Thus, it is appropriate that the appointing authority be assessed the costs of the selection process.

ORDER

Therefore, it is ordered that the Township of Parsippany-Troy Hills be assessed the costs of the selection process in the amount of \$2,048 to be paid within 30 days of the issuance of this decision.

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 DAY 16th OF SEPTEMBER, 2020



Deirdre L. Webster Cobb
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and
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Attachment

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Records Center