



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Robert Sabol,  
Mechanic Diesel (PM0441V),  
Woodbridge

CSC Docket No. 2022-746

Administrative Appeal

ISSUED: OCTOBER 12, 2021 (RE)

The Civil Service Commission (Commission), *sua sponte*, orders the processing of the application of Robert Sabol and revival of the eligible list for Mechanic Diesel (PM0441V), Woodbridge in order to appoint him.

By way of background, the eligible list for Mechanic Diesel (PM0441V), Woodbridge, was issued on February 21, 2018 and expired on February 28, 2021. Sabol filed an application, but did not list his experience as a provisional in the subject title and in the Laborer 1 title on his application. He filed an appeal of his ineligibility, the appeal was granted, and it was ordered that the appellant's application be processed for prospective appointment only. *See In the Matter of Robert Sabol* (CSC, decided May 23, 2018). In an administrative oversight, the appellant's application was not processed. The appointing authority was contacted and agreed to appoint him should his name appear on the eligible list. The original list had four eligibles, one who resigned/retired, and three who were appointed on March 19, 2018. As such, the list is exhausted.

CONCLUSION

*N.J.A.C.* 4A:4-3.4(a) provides that the Commission may revive an expired eligible list to implement a court order in a suit filed prior to the expiration of the list; to implement an order of the Civil Service Commission in an appeal or proceeding instituted during the life of the list; to correct an administrative error; to effect the appointment of an eligible whose working test period was terminated by a layoff; or other good cause.

*N.J.A.C.* 4A:4-3.3 states, in pertinent part, that promotional lists shall be promulgated for three years from the date of their establishment. *N.J.A.C.* 4A:4-3.3(b)1 states that an eligible list may, for good cause, be extended by the Chairperson or designee prior to its expiration date, except that no list shall have a duration of more than four years.

In the instant matter, there is no basic factual dispute but, rather, the central issue involves an administrative error and Sabol did not receive the opportunity to be considered for appointment. Sabol remains provisional in the subject title, and the appointing authority is willing to give him a permanent appointment. Due to these unique circumstances, Sabol's application should be processed, and the eligible list for Mechanic Diesel (PM0441V), Woodbridge should be revived to effectuate his appointment, effective May 23, 2018, the date of the Commission's decision.

### ORDER

Therefore, it is ordered that the appellant's application be processed, and the eligible list for Mechanic Diesel (PM0441V), Woodbridge be revived for a one-time appointment of Robert Sabol, effective May 23, 2018.

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 6<sup>TH</sup> DAY OF OCTOBER, 2021

*Deirdre' L. Webster Cobb*

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Deirdre L. Webster Cobb  
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