



STATE OF NEW JERSEY

In the Matter of Early Childhood
Specialist (C0068W), Bergen County

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

CSC Docket No. 2022-713

Administrative Appeal

**ISSUED: DECEMBER 20, 2021
(JET)**

The matter of Bergen County’s failure to make an appointment from the OL181021 certification of the Early Childhood Specialist (C0068W) list has been referred to the Civil Service Commission (Commission) for review pursuant to the *In the Matter of Early Childhood Specialist (C0068W), Bergen County* (CSC, decided June 26, 2019).

As background, in the above-cited matter, the Commission determined that there was sufficient justification to grant the appointing authority’s request for an appointment waiver, as there were no longer any provisional employees serving in the subject title. However, the appointing authority indicated in the prior matter that it might utilize the list prior to its September 26, 2021 expiration date. As such, the Commission determined that, while it was not appropriate at the time of that decision to assess costs of the selection process, if the appointing authority failed to make an appointment from the list by the September 26, 2021 expiration date, the matter would again be reviewed to ascertain whether an assessment of costs would be appropriate. *See In the Matter of Early Childhood Specialist (C0068W), Bergen County, supra.*

A review of the record indicates that Bergen County did not make any appointments from the list prior to its September 26, 2021 expiration. Subsequently, Bergen County was afforded the opportunity to submit information as to why the \$2,048 in selection costs should not be assessed. Despite the opportunity, Bergen County did not submit any information or arguments for the Commission to review.

CONCLUSION

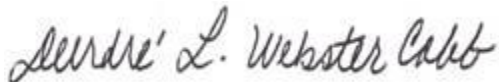
N.J.S.A. 11A:4-5 and *N.J.A.C.* 4A:10-2.2(a)2 state that if an appointing authority receives permission not to make an appointment, it can be ordered to reimburse this agency for the costs of the selection process. While two of the primary activities of this agency include administrating the examination process and providing the names of eligible candidates to the jurisdictions under the Civil Service system, these costly efforts are thwarted when appointing authorities fail to utilize the resulting eligible lists and candidates have needlessly expended their effort and money to take the examination with hopes of being considered for a permanent appointment. Additionally, the appointing authority did not take any action to obviate the need for the examination at the time of the announcement or prior to its processing. Furthermore, the appointing authority did not provide a sufficient basis to waive the costs. Therefore, although the request for a waiver was appropriately granted in the prior decision, it is appropriate that the appointing authority be assessed for the costs of the selection process.

ORDER

Therefore, it is ordered that the appointing authority be assessed for the costs of the selection process in the amount of \$2,048 to be paid within 30 days of the issuance of this order.

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 15TH DAY OF DECEMBER, 2021



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