

STATE OF NEW JERSEY

In the Matter of John Matusewicz, Division of State Police, (PS4908P)

CSC Docket No. 2021-861

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Request for List Revival

ISSUED: MAY 3, 2021 (VJ)

The Division of State Police requests that the eligible list for Master Mechanic (PS4908P) be revived and a certification issued.

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By way of background, the subject promotional list was announced with a closing date of May 21, 2014. The resultant eligible list of two names promulgated July 6, 2017 and expired on July 5, 2020. One certification (PS141240) was issued and one eligible was appointed. The remaining eligible on the eligible list was John Matusewicz. It is noted that no promotional announcement exists for the appointing authority for the title of Master Mechanic.

On February 26, 2020, the Division of Agency Services (Agency Services) received a position review request to determine the appropriate title for the position encumbered by Matusewicz. By letter dated October 1, 2020, Agency Services determined that the appropriate title for Matusewicz is that of Master Mechanic. John Matusewicz was provisionally appointed, pending promotional examination procedures, to the title of Master Mechanic, effective March 14, 2020. As a result of Agency Service's classification decision, the appointing authority requests that the list be revived, and a certification issued so that it may appoint Matusewicz.

The Division of Agency Services indicates its agreement with the appointing authority's request to revive and extend the subject eligible list, to allow for the regular appointment of Matusewicz due to the reclassification of his position that preceded the expiration date of the eligible list.

CONCLUSION

N.J.S.A. 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be revived in order to implement a court order or decision of the Civil Service Commission in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause.

In the present matter, Matusewicz was provisionally appointed to the title of Master Mechanic with an effective date of March 14, 2020. However, the PS4908P eligible list for Master Mechanic expired on July 5, 2020 and no promotional announcement currently exists for the appointing authority. Moreover, Matusewicz provisional appointment, predates the expiration of the subject eligible list. The filing of vacancies through permanent appointment from an active eligible list is preferable and more expedient than announcing a new examination. Accordingly, good cause has been presented to revive and extend the Master Mechanic (PS4908P) eligible list so that a certification may be issued to allow for Matusewicz's regular appointment to the title of Master Mechanic.

ORDER

Therefore, it is ordered that this request be granted and the eligible list for Master Mechanic (PS4908P), Division of State Police be revived and a certification issued to allow John Matusewicz to receive a regular appointment.

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 28th DAY OF APRIL, 2021

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