

In the Matter of Jerry Charles-Reid, Executive Secretarial Assistant (PS2566N), Department of Labor and

Workforce Development

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

:

Administrative Appeal

:

CORRECTED

CSC Docket No. 2022-1884

**ISSUED: MARCH 25, 2022 (VJ)** 

The Department of Labor and Workforce Development requests a retroactive date of appointment for Jerry Charles-Reid to the title of Executive Secretarial Assistant, effective July 18, 2020.

By way of background, Charles-Reid was provisionally appointed pending promotional examination procedures, to the title of Executive Secretarial Assistant, effective August 3, 2019. The examination for Executive Secretarial Assistant (PS2566N) was announced with a closing date of February 21, 2020. On March 17, 2020, all State and local appointing authorities were notified, in relevant part, by the Division of Agency Services that due to the Covid-19 pandemic no certifications would be issued, effective March 18, 2020. The resulting eligible list of one name promulgated on July 2, 2020 and due to the suspension of certification activity, a certification was not issued until October 16, 2020. In disposing of the certification, the appointing authority appointed Charles-Reid, effective January 16, 2021.

In its request, the appointing authority explains that had the suspension of certification activity not occurred in March of 2020, that it would have appointed Charles-Reid effective July 18, 2020. Therefore, the appointing authority requests that Charles-Reid receive a retroactive permanent appointment to July 18, 2020.

The Division of Agency Services indicates its agreement with the appointing authority's request.

## CONCLUSION

*N.J.A.C.* 4A:4-1.10(c) states that an individual may receive a retroactive date of appointment to correct an administrative error, for an administrative delay or for other good cause. Generally, the award of a retroactive appointment date is for seniority purposes only and is limited to situations in which an individual could have been appointed on the requested retroactive date but as a result of an error on the part of the either the appointing authority or this agency, he or she received a later appointment date. The record reveals that, but for the delay of certification activity, Charles-Reid would have received a July 18, 2020 regular appointment date. Therefore, based on the foregoing, ample cause exists to grant Charles-Reid a retroactive date of permanent appointment to the title of Executive Secretarial Assistant 2. It is noted that as Charles-Reid had received a regular appointment to the subject title, effective January 16, 2021, he will have completed his working test period. Accordingly, Charles-Reid's permanent appointment should be recorded as July 18, 2020.

## **ORDER**

Therefore, it is ordered that this request be granted and the permanent appointment of Jerry Charles-Reid to the title of Executive Secretarial Assistant 2, be recorded as July 18, 2020.

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 23<sup>RD</sup> DAY OF MARCH, 2022

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