



**STATE OF NEW JERSEY**

In the Matter of Ayomide T. Adebayo,  
Graphic Artist 1 (C0187A),  
Middlesex County

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

CSC Docket No. 2022-2652

List Removal appeal

**ISSUED:** November 2, 2022 (VJ)

Ayomide T. Adebayo appeals the determination of Middlesex County to remove his name from the eligible list for Graphic Artist 1 (C0187A), on the basis that he failed to complete pre-employment processing.

The appellant, a non-veteran, took and passed the open competitive examination for Graphic Artist 1 (C0187A), which had a closing date of March 7, 2019. The resulting eligible list promulgated on August 22, 2019 and expired on August 21, 2022. The appointing authority indicates that Adebayo was notified by email that he needed to respond to schedule an interview by February 4, 2022.

On appeal, Adebayo claims that he attended the Microsoft Teams meeting on February 10, 2022, for an interview but did not hear anything further from the appointing authority regarding the Graphic Artist (C0187A) position. In support, Adebayo submits various emails with the appointing authority, including an email containing a link for a Microsoft Teams meeting, scheduled for 1:00 p.m. on February 10, 2022.

Despite an opportunity to do so, the appointing authority did not submit a response.

## CONCLUSION

*N.J.A.C.* 4A:4-4.7(a)6 provides that an eligible's name may be removed from a list for "non-compliance with the instructions listed on the notice of certification." *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his name from an eligible list was in error. Additionally, *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.

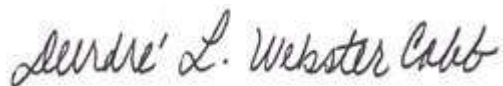
In the instant matter, the appellant submitted all email responses between himself and the appointing authority as to the time and date the interview was scheduled. The appellant maintains that he attended the interview but did not hear anything further from the appointing authority. In support, the appellant submitted proof that the interview was scheduled. Moreover, the appointing authority has not provided any evidence to dispute the appellant's claims. Thus, it is appropriate that his name be restored to the subject eligible list.

## ORDER

Therefore, it is ordered that this appeal be granted and the eligible list for Graphic Artist 1 (C0187A), Middlesex County be revived, Adebayo's name be restored and that his name be certified at the time of the next certification only for prospective employment opportunity.

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 2<sup>ND</sup> DAY OF NOVEMBER, 2022



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Deirdre L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Nicholas F. Angiulo  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Ayomide T. Adebayo  
Patrick Gallagher  
Division of Agency Services  
Records Center