



**STATE OF NEW JERSEY**

In the Matter of Violet Bell,  
Family Service Specialist 1  
(PS5386K), Department of Children  
and Families

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

CSC Docket No. 2023-1420

List Removal Appeal

**ISSUED: March 29, 2023 (VJ)**

Violet Bell appeals the removal of her name from the eligible list for Family Service Specialist 1 (PS5386K), Department of Children and Families, on the basis that she failed to respond to the certification notice.

The appellant took and passed the promotional examination for Family Service Specialist 1 (PS5386K), which had a closing date of October 22, 2018. The resulting eligible list promulgated on August 8, 2019 and expired on January 24, 2023. The appellant's name was certified to the appointing authority on September 9, 2022, with a notice date of September 16, 2022. In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis that she failed to respond to the certification notice.

On appeal, the appellant states that she responded to the certification notice. In support, she submits a copy of her response to the appointing authority and a copy of the returned certified mail card from the United States Postal Service indicating receipt.

In response, the appointing authority states that the appellant's name was removed because she did not respond to the certification notice, specifically, it maintains that although the response was time stamped by the Centralized Post Office as received, it never received it. Regardless, the appointing authority indicates that it supports the restoration of the appellant's name to the list.

## 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 the appointing authority's decision to remove her name from an eligible list was in error. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation. 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.

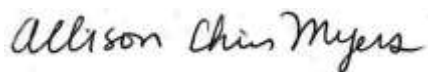
In the instant matter, the appellant claims that she did respond to the certification notice and submits a copy of her response as well as the certified mail receipt card. In its response, the appointing authority has no objection to restoring the appellant's name to the subject eligible list. Therefore, based on the foregoing, ample cause exists to revive the eligible list for Family Service Specialist 1, (PS5386K), in order to restore the appellant's name for prospective employment opportunities only.

## ORDER

Therefore, it is ordered that this appeal be granted and the eligible list for Family Service Specialist 1 (PS5386K), Department of Children and Families, be revived in order for the appellant to be considered at the time of the next certification for prospective employment opportunities.

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 29<sup>TH</sup> DAY OF MARCH, 2023



---

Allison Chris Myers  
Acting 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: Violet Bell  
Linda Dobron  
Records Center  
Division of Human Resource Information Services