



STATE OF NEW JERSEY

In the Matter of John Thomas,
Supervising Account Clerk (M0629B),
Newark School District

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

CSC Docket No. 2025-76

List Removal Appeal

ISSUED: May 21, 2025 (SDW)

John Thomas appeals the removal of his name from the eligible list for Supervising Account Clerk (M0629B), Newark School District on the basis that he failed to respond to the certification notice.

The appellant, a non-veteran, took and passed the open-competitive examination for Supervising Account Clerk (M0629B), which had a closing date of October 21, 2020. The resulting eligible list promulgated June 10, 2021 and expired on June 9, 2024. The appellant's name was certified to the appointing authority on April 1, 2024 with a notice date of April 8, 2024. In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis that he failed to respond to the certification notice. Certification notices instruct individuals to write to the appointing authority within five business days of the notice date to let it know whether or not the individual was interested in the position.

On appeal to the Civil Service Commission (Commission), the appellant maintains that he timely responded to the certification notice via regular, certified and priority mail through the United States Postal Service (USPS). In support, he submits an April 5, 2024 certified mail receipt, an April 10, 2024 priority mail receipt, and the tracking numbers for both the certified and priority mail.¹

¹ USPS tracking indicates both were delivered.

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.

The appointing authority requested the removal of the appellant's name from the eligible list for Supervising Account Clerk (M0629B) on the basis of his failure to respond to the April 1, 2024 certification notice. However, the appellant has submitted proof that he timely responded to the certification notice. Specifically, he has provided receipts and tracking numbers that establish that he responded to the certification notice within the required time frame. 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 Supervising Account Clerk (M0629B), Newark School District, be revived in order for appellant to be considered for appointment at the time of the next certification for prospective employment opportunities only.

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 21ST DAY OF MAY, 2025



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