



STATE OF NEW JERSEY

In the Matter of T.L., Clerk 3
(M0970E), Newark School District

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

CSC Docket No. 2026-1212

Administrative Appeal

ISSUED: September 2, 2026 (SLK)

T.L. appeals the decision to remove her name from the Clerk 3 (M0970E), Newark School District eligible list and other relief.

By way of background, agency records indicate that the appellant began employment with the Newark School District, effective March 12, 1991. The appellant, who was then a permanent Data Entry Operator 1 with the appointing authority, was laid off, effective August 15, 2014. Thereafter, the appellant was provisionally appointed by the appointing authority, subject to an open competitive examination, as a Clerk 3, effective August 18, 2014. Subsequently, the appellant applied for the Clerk 3 (PM2673B), Newark School District promotional examination, which had an August 21, 2020 examination closing date. However, she was determined ineligible because she lacked permanent status.¹ Additionally, the appellant applied for the Clerk 3 (M0569B), Newark School District promotional examination, which had a September 21, 2020 examination closing date. The appellant was admitted to the examination, but she did not pass the written test. She appealed, which this agency closed via letter on April 10, 2023.

In the present matter, the appellant applied for the Clerk 3 (M0970E), Newark School District open competitive examination, which had a September 21, 2023

¹ The appellant appealed her ineligibility. In *In the Matter of T.L.* (CSC, decided August 4, 2021) and *In the Matter of T.L.* (CSC, decided October 6, 2021), the Civil Service Commission (Commission) denied her appeal and her request for reconsideration.

examination closing date. On her application, she listed that she lived at a certain address in Newark. The appellant was one of 102 candidates who were admitted to the subject examination. The test was initially administered on October 22, 2024, but the appellant did not sit for the test on that date.² The list promulgated on December 12, 2024 with 73 eligibles and expires on December 11, 2026. As the appellant was serving provisionally in the subject title, a certification (OL241478), containing 68 names was issued to the appointing authority on December 16, 2024. Fifty-two eligibles received regular appointments from this certification, effective February 24, 2025.³ On March 21, 2025, the appointing authority sent the appellant a letter, to a different address than the one she listed on her application, advising her that due to the implementation of certification OL24178, her provisional position as a Clerk 3 was discontinued. The appellant did not file an appeal with this agency at that time. Further, on April 17, 2025, a second certification (OL250484) containing eight names was issued. In returning the certification (OL250484), three eligibles received regular appointments, effective May 5, 2025. On June 2, 2025, a third certification (OL250664) was issued and cancelled on the same date. From the June 5, 2025, certification (OL250709) one eligible received a regular appointment, effective July 1, 2025.

On June 6, 2025, this agency sent the appellant a letter to the address listed on her application, advising her that she passed the make-up test for the subject examination that was administered on April 30, 2025. Thereafter, on August 4, 2025, the subject certification (OL250983) was issued containing only the appellant's name. A certification notice, dated August 11, 2025, was sent to the address the appellant listed on her application.

Subsequently, agency records indicate that on September 9, 2026, the appellant phoned this agency stating that she was homeless and she had not received her examination results for the subject examination, which this agency then emailed her. Thereafter, in a September 12, 2025 letter to the appointing authority, which was unsigned, the appellant expressed her interest in the subject position. However, in a disposition recorded by this agency on October 27, 2025, the appellant's name was removed from the subject eligible list on the basis that her response to the OL250983 certification was late. On November 13, 2025, the appellant appealed her removal from the subject eligible list. Also, on November 13, 2025, the appellant informed this agency to change her address to a third address in Newark.

On appeal, the appellant states that she is homeless and did not receive original results in the mail. She asserts that her name should have never been removed from the subject eligible list as the district knew that she "was on the

² The appellant indicates on appeal that she was given a make-up examination because she was on Family and Medical Leave Act (FMLA) leave at the time of the test administration. The make-up examination was administered on April 30, 2025.

³ One eligible was appointed, effective April 21, 2025.

makeup roster.” The appellant states that once she learned that her name had been removed from the subject eligible list, she contacted this agency explaining that she was homeless and did not receive the certification notice and test results. She reiterates that she never received any mail in this regard and instead this agency emailed the test results to her. The appellant presents that after speaking with this agency about the situation, she was advised to contact the appointing authority, which she did. However, the appointing authority never responded. Thereafter, once she learned that her name had been removed due to a late response to the subject certification, she again contacted this agency explaining that the appointing authority “would intentionally do that to me.”

Additionally, the appellant explains that the appointing authority “terminated” her. Further, she indicates that she was on Family and Medical Leave Act (FMLA) leave, which is why she had to take a makeup for the subject examination. The appellant presents that because she was homeless, she was using her work email as her contact email address. The appellant provides that the appointing authority had her address that was different than the one on her application so she questions why the appointing authority would send information to the address listed on her application. Further, she states that she sent the appointing authority an email with the current third address. She indicates that she has lost everything, including her pension, even though she has been with the appointing authority for 35 years. Further, the appellant states that the appointing authority is claiming that she started in 2014, even though she was hired in 1991. Therefore, she asserts that the appointing authority needs to stop manipulating the system as all her titles have been wiped out even though she claims that she had no break in service. She reiterates that she submitted her letter of interest indicating that she wished that her name be retained on the subject eligible list and her address was the third current address.

The appellant reiterates her claim that she worked 35 years without a break in service until now. Therefore, she claims that she has never been laid off. The appellant states that the appointing authority “put me as a Clerk 3 for eleven years without me knowing” so she questions how she could have applied for any Civil Service examinations in 2014 for Clerk 3 when she was serving in the title, Coordinator of Security, as listed on her pay stub.

The appellant submits payroll records which demonstrate that she was employed by the appointing authority through 2014. Her address is listed as the same as on her application. Further, she presents a November 5, 2025 statement from the Division of Pensions and Benefits which indicates that she has 32 years and 10 months of service. Also, the appellant submits her unsigned September 12, 2025 letter, which indicates that her address is the different address, that she sent to the appointing authority expressing her interest in the Clerk 3 (M0970E) position.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)6 provides that an eligible may be removed from an eligible 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 or her name from an eligible list was in error.

In this matter, the record indicates that the appointing authority had a valid basis to remove the appellant's name from the subject M0970E eligible list. Specifically, on the appellant's application for the subject M0970E examination, she listed her address as being located at a certain address in Newark. Accordingly, this agency initially sent the appellant a June 6, 2025 letter to her address listed on her application indicating that she passed the test for the subject M0970E examination, and her name was being added to the subject M0970E list. Similarly, on or around August 11, 2025, this agency sent the appellant the subject certification notice for certification OL250983 to her address listed on her application. Further, the OL250983 certification notice advised that she had five business days to respond to the appointing authority expressing her interest and failure to timely respond would be grounds for removal from the subject eligible list. However, the appellant's unsigned letter of interest that she sent to the appointing authority is dated September 12, 2025, which is after the five-business day period. Therefore, it was within the appointing authority's discretion to remove the appellant from the subject OL250983 certification for failing to timely respond. Further, the fact that the appellant may have advised the appointing authority that she had a different address than the address listed on her application for the subject M0970E examination is not relevant as she needed, as instructed in the Online Application System (OAS) User Guide, to keep her mailing and email addresses current with this agency. However, the record indicates that the appellant did not contact this agency until September 9, 2025, and she did not request that this agency change her address until November 13, 2025.

Concerning the appellant's comments that the appointing authority allegedly "manipulated" her personnel record and there was never any break in her service, the record indicates that on August 1, 2014, the appellant was advised that she was being laid off from position as Keyboarding Clerk 1, effective August 15, 2014. Further, the record indicates that she was provisionally appointed as a Clerk 3, effective August 18, 2014, subject to open competitive examination procedures. Moreover, the record indicates that she knew she was not permanently appointed as a Clerk 3 as she applied to the subject Clerk 3 open competitive examination with a September 21, 2023 closing date as well as other Clerk 3 and other open competitive examinations. As such, there is no basis to find that the appointing authority improperly "manipulated" her personnel records. Further, a review of agency records

does not indicate that her employment history has been “wiped out” as this agency records reflect that the appellant began her employment in 1991, she was laid off in 2014 from her permanent position, and then shortly thereafter she was rehired as a provisionally appointed Clerk 3 subject to open competitive examination procedures.

Finally, regarding the appellant’s comments about her pension, the Commission does not have jurisdiction over pension issues and any concerns regarding her pension need to be addressed in the appropriate forum.

ORDER

Therefore, it is ordered that this appeal be denied.

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 2ND DAY OF SEPTEMBER, 2026



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