

A-9



STATE OF NEW JERSEY

In the Matter of Trenita Betterson
Vineland Developmental Center,
Department of Human Services

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

CSC DKT. NO. 2014-2980
OAL DKT. NO. 6787-14

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ISSUED: SEPTEMBER 3, 2014 BW

The Civil Service Commission, at its meeting of September 3, 2014, acknowledged the attached settlement in the above matter.

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
SEPTEMBER 3, 2014**

A handwritten signature in blue ink that reads "Robert M. Czech".

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Unit H
P. O. Box 312
Trenton, New Jersey 08625-0312

attachments



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

EARLY SETTLEMENT PROGRAM

OAL DKT. NO. CSV 6787-14

AGENCY DKT. NO. 2014-2980

**IN THE MATTER OF TRENITA BETTERSON,
DEPARTMENT OF HUMAN SERVICES,
VINELAND DEVELOPMENTAL CENTER.**

Robert Little, Representative, AFSCME, for appellant pursuant to N.J.A.C.
1:1-5.4(a)(6)

Anita Pinkas, Director of Employee Relations, for respondent pursuant to
N.J.A.C. 1:1-5.4(a)(2)

Record Closed: July 22, 2014

Decided: July 24, 2014

BEFORE BEATRICE S. TYLUTKI, ALJ t/a:

This matter concerns the appeal of Trenita Betterson, from the action of the appointing authority. Upon receipt of appellant's hearing request, the matter was transmitted to the Office of Administrative Law for determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

As a result of a settlement conference, the parties agreed to a settlement of all issues in dispute and have prepared a settlement agreement which is attached and fully incorporated herein.

I have reviewed the record and the terms of settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures.
2. The settlement fully disposes of all issues in controversy.

I **CONCLUDE** that this matter is no longer a contested case before the Office of Administrative Law. It is **ORDERED** that the parties comply with the settlement terms and that these proceedings be **CONCLUDED**.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

July 24, 2014
DATE

Beatrice S. Tylutki
BEATRICE S. TYLUTKI, ALJ t/a

Date Received at Agency:

Date Mailed to Parties:

July 28, 2014

/cad

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DISCIPLINARY ACTION APPEAL SETTLEMENT AGREEMENT LOG #

1. Institution/Agency: Vineland Developmental Center	Name/Title Representative: Beverly Marrit, ASPRS, Section 2
2. Name/Title Employee: Trenita Betterson, CTT, Landis	
3. Name/Title Representative of Employee: Mattie Harrell, AFSCME Local #2215 President	
4. Disciplinary Action Appealed: a. () Removal b. (X) Suspension of <u>20</u> working days c. () Official Reprimand d. Demotion () e. () Fine of _____ f. () Resignation Not In Good Standing	
5. a. Offense(s) <u>C-5, D-74A:2-2.3(a)6, 4A:2-2.3(a)11</u> b. Number of Infraction(s) <u>1st, 1st</u> c. Offense Date(s) <u>12/31/13</u> d. Date Disciplinary Action Appealed <u>DNA</u>	
6. The institution/agency agrees to amend the appealed disciplinary action to: a. (X) Suspension of <u>5</u> working day(s) b. () Official Reprimand c. () Demotion d. () Fine of _____ e. () Counseling f. () Oral Warning g. () Written Warning h. () Other:	
7. a. (X) Not-Applicable b. () Applicable - The institution/agency agrees to reimburse the employee _____ days of backpay.	
8. The employee agrees to withdraw his/her appeal and agrees not to initiate and/or pursue other appeals.	
9. The employee waives all claims against the State of New Jersey including, but not limited to, counsel fees, other monetary relief, or any award of backpay except as may be noted in 7.b. above.	
10. The parties to this <u>Settlement Agreement</u> agree that its terms do not establish any precedents and will not be referred to in any forum or manner except for the assessment of the employee's disciplinary record in any subsequent disciplinary proceedings.	
11. The parties voluntarily enter into this <u>Settlement Agreement</u> which fully disposes of all issues and controversies related to the disciplinary action appealed.	
<u>Trenita Betterson</u> Employee	<u>5-23-14</u> Date
Employee - My signature certifies that I have reviewed this settlement agreement & fully understand its meaning and terms. My signature acknowledges that my representative questioned my understanding & verified my acceptance of its terms. I am satisfied with my representation & I sign this agreement completely voluntarily.	
<u>Landy Ocasio</u> Representative of Employee	<u>6/12/14</u> Date
<u>Mattie Harrell</u> Institution/Agency Representative	<u>7/15/14</u> Date

OFFICE OF EMPLOYEE RELATIONS:

Suspension Days have been satisfied on: 5/16/14, 5/17/14, 5/18/14, 5/19/14, and 5/20/14.
Employee is to return to work on 5/23/14.