



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
October 22, 2008**

**Hope L. Cooper, Acting Chairperson
Flavella Branham
John Currie
Margaret E. L. Howard**

October 22, 2008

A regular meeting of the Civil Service Commission was held on Wednesday, October 22, 2008, in Trenton, New Jersey.

PRESENT: Hope L. Cooper, Acting Chairperson, Members Flavella Branham, John Currie and Margaret E. L. Howard; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Hope L. Cooper, Acting Chairperson, opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 21, 2007, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

STATE

The Civil Service Commission recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.



MEMORANDUM

DATE: October 2, 2008

TO: Hope L. Cooper, Acting Commissioner
Department of Personnel *HLC*

FROM: Elizabeth Van Marter, Director
Division of Classification and Compensation *EVM*

SUBJECT: Change in the Classification Plan

COMMON TITLE

Burlington County requests use of a State title for the proper classification of a position.

The results of a Job Analysis Questionnaire indicate that the incumbent's position is most appropriately classified by the State title of Senior Environmental Specialist, Waste Management.

A retroactive appointment date is requested to coincide with the date on which the incumbent assumed these duties.

The title will continue to be restricted to the Department of Environmental Protection for State Government use.

ESTABLISHMENT OF COMMON TITLE:

Effective: 10/12/96

FROM:

Senior Environmental Specialist, Waste Management
P22-15853M Career State M NE/12

TO:

Senior Environmental Specialist, Waste Management
P22-15853M Career Common M NE/12

EVM/JJM/BP

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of James Battle
Essex County
Department of Public Safety and Corrections
Suspension

In the Matter of John Batiuk
Woodbridge Township
Police Department
Suspension

In the Matter of Mario Cueva
William Paterson University
Release at the end of the working test period

In the Matter of Robert J. Inman
Burlington County
County Jail
Demotion

In the Matter of Bazelais Jean-Pierre
Bergen County
Health Department
Removal

In the Matter of Desiree A. May
Atlantic County
Department of Human Services
Resignation not in good standing

In the Matter of Debra M. Sherman
Department of Health and Senior Services
Suspension and Removal

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 TYISHA BELL

Tyisha Bell, Institutional Attendant, Salem County Nursing and Convalescent Home, removal effective January 23, 2007, on charges of incompetency, inefficiency, or failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 ELVIS BERNAL

Elvis Bernal, Executive Assistant, City of Newark, Administration Department, release at the end of the working test period effective November 3, 2006.

Recommendation of the Administrative Law Judge – Reverse the release at the end of the working test period, grant a new working test period and award back pay and counsel fees.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to grant a new working test period but deny back pay and counsel fees.

A-4 TERRENCE CROWDER

Terrence Crowder, Deputy Fire Chief, City of Camden, Fire Department, seven calendar-day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal for lack of jurisdiction.

ACTION: The Civil Service Commission remanded the matter to the Office of Administrative Law.

A-5 JOSE DANOYS

Jose Danoys, Police Officer, City of Newark, Police Department, 10-day suspension on charges of violation of Police Department rules regarding insubordination demonstration of respect, conduct unbecoming a public employee and indecent language.

Recommendation of the Administrative Law Judge – Uphold the 10-day suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-6 TROY MUSE

Troy Muse, Senior Correction Officer, Central Reception and Assignment Facility, Department of Corrections, 30-working day suspension on charges of conduct unbecoming a public employee, and violation of the Department policy prohibiting harassment, discrimination or hostile environments in the workplace.

Recommendation of the Administrative Law Judge – Reverse the 30-working day suspension.

ACTION: The Civil Service Commission remanded the matter to the Office of Administrative Law.

A-7 NICHOLAS GIORDANO

Nicholas Giordano, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective February 7, 2007, on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission directed that this matter be held over.

A-8 JOHN LA PIERRE

John La Pierre, Correction Sergeant, Albert C. Wagner Youth Correctional Facility, Department of Corrections, three removals, effective December 6, 2007, on charges of conduct unbecoming a public employee, neglect of duty, and falsification, other sufficient cause, and violation of a rule, regulation, policy procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the removals to a six-month suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the first removal, modify the second removal to a six-month suspension, and modify the third removal to a six-month suspension.

A-9 JAMES MARSALA

James Marsala, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal effective March 21, 2007 on charges of insubordination, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

ACTION: The Civil Service Commission directed that this matter be held over.

A-10 KEVIN MITCHELL

Kevin Mitchell, Senior Correction Officer, Northern State Prison, Department of Corrections, two removals effective July 2, 2007, on charges of unsatisfactory attendance and being absent from work as scheduled without permission and/or without giving proper notice of intended absence and abandonment of job as a result of absence from work as scheduled, without permission, for five consecutive work days.

Recommendation of the Administrative Law Judge – Uphold the removals.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-11 JAMES STEPHENS

James Stephens, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective February 7, 2007, on charges of conduct unbecoming a public employee, incompetency, inefficiency or failure to perform duties, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission directed that this matter be held over.

A-12 ALI ELMAGHRABI

Ali Elmaghrabi, Institutional Trade Instructor 2, Northern State Prison, Department of Corrections, removal effective January 24, 2008, on charges of falsification, conduct unbecoming a public employee and engaging in financial transactions between employees, patients, residents or inmates. This matter was held over from the October 8, 2008 Civil Services Commission meeting for receipt of cross exceptions.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-13 SETTLEMENTS

In the Matter of Sonia Giron
City of Jersey City
Removal

In the Matter of Robin Hawkins
City of Atlantic City
Removal

In the Matter of Gessie Theodore
City of Newark
Removal

ACTION: The Civil Service Commission acknowledged the settlements.

SECTION B – MISCELLANEOUS MATTERS**B-1 GEORGE A. LEWIS**

George A. Lewis, represented by John A. Young, Jr., Esq., appeals the removal of his name from the (S9999H) eligible list for the title of County Correction Officer, County of Hudson on the basis of psychological unfitness.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-2 MARYBEL MEJIAS

Marybel Mejias appeals the removal of her name from the (S9999H) eligible list for the title of Correction Officer Recruit, Juvenile Justice Commission on the basis of psychological unfitness.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-3 HERIBERTO SOTO, JR.

Heriberto Sotro, Jr. appeals the removal of his name from the (S9999H) eligible list for the title of Sheriff's Officer, County of Essex on the basis of psychological unfitness.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-4 MICHAEL CANAVAN

Michael Canavan, a Senior Correction Officer with Mountainview Youth Correctional Facility, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission directed that this appeal be granted.

VOTE:	Hope L. Cooper	(Yes)
	Flavella Branham	(Abstained)
	John Currie	(Yes)
	Margaret E.L. Howard	(Yes)

B-5 PASQUALE GIOVANNONE

Pasquale Giovannone, a Senior Correction Officer with Mountainview Youth Correctional Facility, Department of Corrections appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-6 DARRYL FULLMAN

Darryl Fullman, a Program Coordinator, Mental Health (Deaf Language Specialist) with Greystone Park Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-7 RITA HEIST

Rita Heist, a Social Worker 2 (Corrections) at Albert C. Wagner Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission directed that this appeal be granted in part.

B-8 JEAN-PAUL GOODEN

Jean-Paul Gooden appeals the determination of the Division of State Human Resource Management (SHRM) which found that the appointing authority had presented a sufficient basis to remove his name from the open competitive list for Correction Officer Recruit (S9999H), Department of Corrections, based on his unsatisfactory criminal record.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-9 JAMAAL F. HALL

Jamaal F. Hall, represented by Jennifer Webb-McRae, Esq., appeals the decision of the Division of State Human Resource Management (SHRM) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9999H), Department of Corrections, on the basis of falsification of his employment application.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-10 ALDRIN LOPEZ

Aldrin Lopez appeals the removal of his name from the open competitive list for Correction Officer Recruit (S9999F), Department of Corrections on the basis that he did not complete preemployment processing.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-11 KEVIN PRYOR

Kevin Prior appeals the determination of the Division of State Human Resource Management (SHRM) which found that the appointing authority had presented a sufficient basis to remove his name from the open competitive list for Correction Officer Recruit (S9999H0, Department of Corrections, based on his unsatisfactory criminal record.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-12 ROBB SCHAFFER

Robb Schaffer, represented by Daniel Zirrith, Esq., appeals the decision of the Division of Local Human Resource Management (LHRM), which upheld the bypass of his name on the Fire Lieutenant (PM2564J), New Brunswick eligible list.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-13 BUSINESS REPRESENTATIVE 3 (S6942J), STATEWIDE

The Department of Labor and Workforce Development requests permission not to make an appointment from the January 14, 2008 certification for Business Representative 3, (S6942J), Statewide.

ACTION: The Civil Service Commission directed that this request for an appointment waiver be granted and no selection costs presently be assessed.

B-14 CODE ENFORCEMENT OFFICER (M6146J), MOUNT HOLLY

Mount Holly requests permission not to make an appointment from the October 9, 2007 certification for Code Enforcement Officer (M6146J).

ACTION: The Civil Service Commission directed that this request for an appointment waiver be granted and selection costs in the amount of \$2,048 be assessed.

B-15 PERSONNEL DIRECTOR (M6519H), NEWARK

Newark requests permission not to make an appointment from the August 13, 2007 certification for Personnel Director (M6519H).

ACTION: The Civil Service Commission directed that this request for an appointment waiver be granted and selection costs in the amount of \$2,048 be assessed.

B-16 POLICE AIDE (M6668J), HILLSIDE TOWNSHIP

Hillside Township requests permission not to make an appointment from the November 26, 2007 certification for Police Aide (M6668J).

ACTION: The Civil Service Commission directed that this request for an appointment waiver be granted and selection costs in the amount of \$2,048 and a fine for non compliance in the amount of \$500.00 be assessed.

B-17 SECURITY GUARD (M1053H) JERSEY CITY

Jersey City requests permission not to make an appointment from the March 16, 2006 certification for Security Guard (M1053H).

ACTION: The Civil Service Commission directed that this request for an appointment waiver be granted and selection costs in the amount of \$2,048 be assessed.

B-18 PAMELA L. GASTON

Pamela L. Gaston, an Executive Assistant 3 with the Commission for the Blind and Visually Impaired (CBVI), Department of Human Services (DHS), appeals the determination of the Acting Chief of Staff which found that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION: The Civil Service Commission directed that this appeal be denied.

B-19 GRACE GREENBERG

Grace Greenberg, a Visiting Professor at The Richard Stockton College of New Jersey (College), appeals the determination of the President of the College, which found that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION: The Civil Service Commission directed that this appeal be denied.

B-20 CATHERINE M. MADDALONI

Catherine M. Maddaloni, a Supervising Investigator, Law and Public safety, with the Department of Law and Public Safety, appeals the determination of the Chief of Staff, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION: The Civil Service Commission directed that this appeal be denied.

B-21 LOUIS GENTILE

The City of Passaic, on behalf of Louis Gentile, requests that he be assigned a retroactive appointment date for record purposes and seeks his eligibility for the promotional examination for Police Captain (PM3549K), City of Passaic.

ACTION: The Civil Service Commission directed that this request be granted.

B-22 JASON HANES

Carteret Borough requests that the eligible list for Police Officer (S9999F) be revived in order to effectuate the permanent appointment of Jason Hanes, effective January 20, 2006.

ACTION: The Civil Service Commission directed that this request be granted.

B-23 STEPHEN JONES

The Division of Local Human Resource Management (LHRM), on behalf of the Town of Boonton, requests that Stephen Jones be assigned a retroactive appointment date for record purposes and seeks his eligibility for the promotional examination for Police Lieutenant (PM2509K), Town of Boonton.

ACTION: The Civil Service Commission directed that this request be granted.

B-24 WILMA LEBRON

The Newark School District requests a retroactive appointment date for Wilma Lebron to the title of Receptionist, Typing.

ACTION: The Civil Service Commission directed that this request be denied.

B-25 ANTHONY PEREZ

The New Jersey State Parole Board, on behalf of Anthony Perez, a Senior Parole Officer, requests a waiver of repayment of a salary overpayment, pursuant to N.J.S.A. 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

ACTION: The Civil Service Commission directed that this request be denied.

B-26 STEVEN SUTKIN

Steven Sutkin, a Director, Division of Property Management and Construction with the Department of the Treasury, requests restoration of prior State service in order for his personnel record to reflect continuous service for vacation leave entitlement purposes.

ACTION: The Civil Service Commission directed that this request be granted in part.

B-27 SHEILA BOGDA

The Department of Children and Families (DCF) seeks administrative relief with regard to the determination of the division of State Human Resource Management (SHRM) to reclassify the position of Sheila Bogda from Secretarial Assistant 2 (Non-Stenographic) to Secretarial Assistant 3 (Non-Stenographic).

ACTION: The Civil Service Commission directed that this request be denied and Ms. Bogda's position be reclassified to Secretarial Assistant 3 (Non-Stenographic) and her current salary "red-circled" or Ms. Bogda be reassigned to the proper level of supervisor who is entitled to a Secretarial Assistant 2 (Non-Stenographic).

B-28 MICHELE JOHNSON

The Newark Public Schools appeals the decision of the Division of Local Human Resource Management (LHRM) that the proper classification of Michele Johnson's position is Senior Data Processing Systems Programmer. It seeks a Secretarial Assistant, Typing classification. Michele Johnson, represented by Wilbert Kelly, AFL-CIO Local 32, seeks enforcement of the decision of LHRM.

ACTION: The Civil Service Commission directed that this appeal be granted and the request for enforcement be rendered moot.

B-29 LARRY JOHNSON

Larry Johnson, a Senior Correction Officer with Northern State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., petitions for reconsideration of the decision, *In the Matter of Larry Johnson* (MSB, decided April 9, 2008), which denied his request for sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission directed that this request for reconsideration be denied.

B-30 ROBERT RYAN

Robert Ryan requests reconsideration of the final administrative determination in *In the Matter of Brian Ahearn, et al., Correction Captain* (MSB, decided May 23, 2007).

ACTION: The Civil Service Commission directed that this request for reconsideration be denied.

B-31 JOSEPH BALDWIN, ET AL.

Joseph Baldwin, Nick Caldarola, Edward Hauler, Margaret McKinney and Willie Thompson appeal the determinations of the Division of Selection Services which found that they did not meet the minimum experience requirements per the substitution clause for education, and Jason Storcella appeals the determination of the Division of Selection Services which found that he did not meet the minimum experience requirements for the promotional examination for Field Monitor 2 Division of Motor Vehicles (PS8383T), Motor Vehicle Commission.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-32 SCOTT BURD

Scott Burd appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Assistant Executive Director, Office on Aging (PC1067J), Warren County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-33 KATHLEEN A. CODY AND KATIE E. QUAY

Kathleen A. Cody and Katie E. Quay appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Supervising Family Service Specialist 2 (PS6051K), Department of Children and Families.

ACTION: The Civil Service Commission directed that these appeals be granted.

B-34 EVA COSTELLO

Eva Costello appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Management and Operations Analyst 2 (PS7430P), Department of Law and Public Safety.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-35 ANNETTE DEBLOIS, ET AL.

Annette DeBlois, Bonnie Myslinski and Anita Veal appeal the determinations of the Division of Selection Services which found that Ms. Veal did not meet the experience requirements, and Mss. DeBlois and Myslinski did not meet the experience requirements, per the substitution clause for education, for the promotional examination for Administrative Analyst 3 Data Processing (PS6100G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-36 BRIAN DEY

Brian Dey appeals the determinations of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for General Supervisor Public Works (PM1100J) and (PM0346K), Ewing Township.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-37 KATHLEEN DILLON

Kathleen Dillon appeals the determination of the Division of Selection Services which determined that she did not meet the experience requirements for the promotional examination for Principal Data Control Clerk (PC1705J), Mercer County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-38 ROBERT J. FARBER

The Department of the Treasury appeals the determination of the Division of Selection Services which found that Robert J. Farber was below the minimum requirements in education for the promotional examination for Manager 2, Fiscal Resources (PS7767U), Department of the Treasury.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-39 MILDRED FRINK

Mildred Frink appeals the determination of the Division of Selection Services which found that she did not meet the minimum experience requirements for the promotional examination for Assistant Buyer (PS7434S), Department of State.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-40 CORINNE GESNER

Corinne Gesner appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Behavior Modification Program Technician (PS6282K), Woodbine Developmental Center.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-41 SEAN HENNESSY

Sean Hennessy appeals the decision of the Division of Selection Services which found that he did not meet the experience requirement for the promotional examination for Assistant Manager, Golf Facilities (PC0174K), Ocean County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-42 MICHELE JACKSON

Michele Jackson appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Supervising Administrative Analyst (PS6761K), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-43 SAUNDRA JACKSON

Saundra Jackson appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Executive Secretarial Assistant (PS5203K), Department of Children and Families.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-44 NANCY KOCH

Nancy Koch appeals the determination of the Division of Selection Services which found that she did not meet the minimum experience requirements for the promotional examination for Quality Assurance Specialist Health Services (PS7688K), Senator Garrett W. Hagedorn Center for Geriatrics.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-45 ROSALI LABOY AND MIGUEL ROMAN

Rosali Laboy and Miguel Roman appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Supervisor of Motor Pool (M0069K), Camden. They also appeal the determination that Cheryl Pine met the experience requirements for this examination.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-46 HARISH PANJABI

Harish Panjabi appeals the determination of the Division of Selection Services that found that he did not meet the experience requirements for the promotional examination for Supervising Program Development Specialist Management and Finance (PS5560K), Department of Human Services.

ACITON: The Civil Service Commission directed that this appeal be granted.

B-47 LINDA RIZZO

Linda Rizzo appeals the determination for the Division of selection Services which found that she did not meet the experience requirements for the promotional examination for Supervising Community Program Specialist (PS5714K), Division of Developmental Disabilities.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-48 PATRICIA SCHNEIDER

Patricia Schneider appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education for the open competitive examination for Staff Clinical Psychologist 3 (S0039K), Statewide.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-49 GEETA SHAH

Geeta Shah appeals the determination of the Division of Selection Services that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Administrative Analyst 3, Fiscal Management (PS5548K), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-50 LEA TAYLOR

Lea Taylor appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the Administrative Analyst 1 (PS7226K), Department of Human Services promotional examination.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-51 DEANA VALIANTE

Monmouth County, on behalf of Deana Valiante, appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Management Assistant (PC1417J), Monmouth County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-52 MARVIN BLEVINS

Marvin Blevins appeals his score on the essay portion of the promotional examination for Director of Custody Operations 1 (PS4781I), Department of Corrections.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-53 MARVIN BLEVINS, ET AL.

Marvin Blevins, James Collins and John Swayne appeal the multiple-choice portion of the promotional examination for Director of Custody Operations (PS4781I), Department of Corrections.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-54 JAMES COLLINS

James Collins appeals his score on the essay portion of the promotional examination for Director of Custody Operations 1 (PS4781I), Department of Corrections.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-55 JOSEPH HURLEY

Joseph Hurley appeals his oral scores of the promotional examination for Fire Chief (PM3611J), Bayonne.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-56 JOHN SWANYNE

John Swayne appeals his score on the essay portion of the promotional examination for Director of Custody Operations 1 (PS4781I), Department of Corrections.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-57 CHARLES BRADY

The Division of Local Human Resource Management, on behalf of Marlboro Township, requests that Charles Brady's out-of-title work experience be accepted to qualify him for future promotional examinations for Network Administrator 2.

ACTION: The Civil Service Commission directed that this request be granted.

B-58 RAMON IRIZARRY

Ramon Irizarry appeals the denial of his request for a make-up examination for Fire Captain (PM3568J), Newark.

ACTION: The Civil Service Commission directed that this request be granted.

B-59 JOHN LUCARIO, ET AL.

John Lucario and James Keefe, Jr., request make-up examinations for Fire Lieutenant (PM2564J), New Brunswick and Lee Park requests a make-up examination for Fire Lieutenant (PM2636J), Cinnaminson.

ACTION: The Civil Service Commission directed that these appeals be granted.

B-60 ROBERT PAGANO

Robert Pagano appeals the denial of his request for a make-up examination for Fire Lieutenant (PM2566J), Plainfield.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-61 ANNE HYDOCK

Anne Hydock appeals the validity of the promotional examination for Assistant Data Processing Coordinator (PC0801H), Union County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-62 CHRISTIAN OSTROWSKI

The Township of Scotch Plains requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Christian Ostrowski from the title of Sheriff's Officer, Union County Sheriff's Office, to the title of Police Officer, Scotch Plains.

ACTION: The Civil Service Commission directed that this request be granted.

B-63 ALVIN WILLIAMS

The Office of Information Technology, on behalf of Alvin Williams, requests the relaxation of the provisions of N .J.A.C. 4A:6-1.22 so as to permit him to donate more than 10 leave days to Patricia Smith, who is participating the in the donated leave program.

ACTION: The Civil Service Commission directed that this request be granted.

B-64 CIVIL SERVICE COMMISSION MINUTES

The Minutes of the Civil Service Commission meeting of October 8, 2008 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of October 8, 2008 with corrections.

B-65 KAREN WELLS

Karen Wells petitions for reconsideration of the decision, *In the Matter of Karen Wells* (MSB, decided June 11, 2008), which granted in part the Department of Corrections' request for relaxation of N.J.A.C. 4A:3-4.10(c) in order to address pay inequities as a result of the misclassification of her position.

ACTION: The Civil Service Commission directed that this request be granted and Karen Wells' record be reconstructed to reflect continuous permanent service in the title Supervisor, Standards and Procedures.

B-66 JEFFREY DARE

The appeal of Jeffrey Dare, a Building Service Worker with Salem County, of his removal effective December 26, 2007, on charges was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on July 21, 2008. At its meeting on October 8, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission ordered that the matter be remanded to the Office of Administrative Law for further proceedings. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-67 KYLE LEACH AND NICHOLAS ANDRIJANOFF

The appeals of Kyle Leach and Nicholas Andrijanoff, Sheriff's Officers with Cumberland County, of their removals effective August 24, 2006, on charges, were heard by Administrative Law Judge Edgar R. Holmes (ALJ), who rendered his initial decision on July 29, 2008. At its meeting on October 8, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to five-day suspensions. Rather, the Commission imposed 30 working day suspensions. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-68 MICHAEL MEROLA

The appeal of Michael Merola, a Sanitation Driver with Brick Township, of his 30-day suspension on charges, was heard by Administrative Law Judge Joseph F. Martone (ALJ), who rendered his initial decision on August 29, 2008. At its meeting on October 8, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 30-day suspension to a 10-day suspension. Rather, the Commission upheld the 30-day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-69 JENNIFER MCCRARY

The appeal of Jennifer McCrary, a Cottage Training Technician with New Lisbon Developmental Center, Department of Human Services, of her 15-day suspension on charges, was heard by Chief Administrative Law Judge Laura Sanders (ALJ), who rendered her initial decision on July 30, 2008. At its meeting on October 8, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 15-day suspension to a three-day suspension. Rather, the Commission modified the form of the penalty to a fine equivalent to three days' pay. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-70 DANIEL MURRAY

The appeal of Daniel Murray, a Correction Lieutenant with East Jersey state Prison, Department of Corrections, of his 30-day suspension, on charges, was heard by Administrative Law Judge James A. Geraghty (ALJ), who rendered his initial decision on July 18, 2008. At its meeting on October 8, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to dismiss the charges. Rather, the Commission ordered that the matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-71 THOMAS ZIAH

The appeal of Thomas Ziah, a Cottage Training Technician with Hunterdon Developmental Center, Department of Human Services, of his removal effective September 27, 2007, on charges, was heard by Administrative Law Judge John Schuster III (ALJ), who rendered his initial decision on June 25, 2008. At its meeting on October 8, 2008, the Civil Service commission adopted the ALJ's recommendation to reverse the removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

VOTE:	Hope L. Cooper	(Yes)
	Flavella Branham	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Abstained)

B-72 DOUGLAS KRAKER

The Office of Human Resources request that Douglas Kraker's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Administrative Analyst 2 (Data Processing), Civil Service Commission.

ACTION: The Civil Service Commission directed that this request be granted.

VOTE:	Hope L. Cooper	(Abstained)
	Flavella Branham	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Yes)

B-73 EARLY SETTLEMENTS

Dana Adkinson
Albert C. Wagner Youth Correctional Facility
Department of Corrections

Stephanie Kaufman
Judiciary – Middlesex Vicinage
Release at the end of the working test period

Roderick Shearburn
Bayside State Prison
Department of Corrections
Suspension

ACTION:

There being no further business before the Merit System Board, the meeting was adjourned to convene on Thursday, November 6, 2008, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Acting Chairperson
Civil Service Commission