



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

JON S. CORZINE
GOVERNOR

HOPE L. COOPER
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
April 29, 2009**

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

APRIL 29, 2009

A regular meeting of the Civil Service Commission was held on Wednesday, April 29, 2009, in Trenton, New Jersey.

PRESENT: Hope L. Cooper, 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, 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 17, 2008, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Steven Allocco, Laborer, Jackson Township, suspension.

Atlantic City Housing Authority Layoff, effective May 17, 2005, various titles, good faith.

John Anukiewicz, Custodial Worker, Brick Township Board of Education, removal.

Joseph Collier, Senior Correction Officer, Central Reception and Assignment Facility, Department of Corrections, removal.

Damita Davis Molder, Principal Accountant, City of Trenton, indefinite suspension.

Brian Hall, Police Captain, Marlboro Township, list bypass.

Karin Haynes, Police Aide, City of Newark, suspension.

Ramona Jackson, Technical Assistant, Personnel, Trenton Psychiatric Hospital, Department of Human Services, removal.

Matthew Kaminski, Laborer, Town of Kearny, suspension.

Linda Kocur, Senior Clerk Typist, Montclair State University, release at the end of the working test period.

Justin Latini, Laborer, Heavy, Ewing Township, removal.

Scott Lewis, Police Sergeant, Borough of North Arlington, suspension.

Christopher Mayers, Family Service Worker, Essex County, release at the end of the working test period.

Jimmy Palumbo, Senior Correction Officer, Department of Corrections, removal.

Michael Payton, Supervisor, Sanitation, City of Newark, removal.

Anabela Pinto, Police Officer, City of Newark, suspension.

Thomas Sakowski, Boiler Operator, Hudson County, suspension.

Judith Sisti, Director, Professional/Residential Services, Vineland Developmental Center.

Judith Stoddard, Clerk, Borough of Point Pleasant, removal.

Michelle Thomas, Principal Account Clerk, Willingboro Township, removal.

Vancyee Warren, Police Aide, City of Newark, suspension.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Theresa Baczewski, Customer Service Representative, Motor Vehicle Commission, release at the end of the working test period.

Joseph Berhan, Family Service Specialist Trainee, Department of Children and Families, release at the end of the working test period.

Kasper Bonsignore, Electronic Systems Technician 1, Atlantic City Housing Authority, release at the end of the working test period.

James Britt, Cottage Training Technician, Hunterdon Developmental Center, suspension.

Jasmine Buie Lewis, Public Safety Telcommunicator Trainee, City of Pleasantville, removal.

Richard Caporusso, Senior Correction Officer, Juvenile Justice Commission, suspension.

Kevin Haubois, Human Services Assistant, Ancora Psychiatric Hospital, resignation not in good standing.

Akilah Jackson-Bell, Human Services Assistant, Woodbridge Developmental Center, removal.

Rachel Kolu Acquioi, Cottage Training Technician, Woodbridge Developmental Center, suspension.

Kim Leake, Institutional Attendant, Salem County, release at the end of the working test period.

Pamela Morton, Youth Worker, Department of Children and Families, resignation not in good standing.

Tamara Pharo, Human Services Assistant, Woodbridge Developmental Center, resignation not in good standing.

Thomas Pryor, Human Services Assistant, Ancora Psychiatric Hospital, resignation not in good standing.

Jennifer Pusterla, Senior Correction Officer, Mountainview Youth Correctional Center, resignation not in good standing.

Fannie Ross, Institutional Trade Instructor 1, East Jersey State Prison, suspension.

Tara Shafron, Emergency Service Patrol Operator, Department of Transportation, suspension.

Isabel Straight, Clerk Typist, Passaic County Board of Social Services, removal.

Alexis Thomas, County Correction Officer, Hunterdon County, resignation not in good standing.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of John Brown, Sr.
Monmouth County
Department of Corrections & Youth Services
Suspension

In the Matter of Ronald DeMoulin
Atlantic County
Sheriff's Department
Suspension

In the Matter of Kimberly Gerald
Juvenile Justice Commission
Department of Law and Public Safety
Suspension

In the Matter of Louis LaVolpe
Hudson County
Department of Roads and Public Property
Suspension

In the Matter of Eli Rivera
Passaic County
Sheriff's Department
Removal

In the Matter of Tiffany Smith
Greenbrook Regional Center
Department of Human Services
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 MARY LAUFFER

Mary Lauffer, Supervisor 1, Judiciary, Essex Vicinage, demotion to the position of Judiciary Clerk 4, effective February 15, 2008, on the charge of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the demotion to the position of Judiciary Clerk 4.

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

A-3 DESMOND PITTMAN

Desmond Pittman, Security Guard, Newark School District, 20-day suspension, on charges of chronic or excessive absenteeism, neglect of duty, conduct unbecoming a public employee, insubordination and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice for failure to appear.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge, but dismissed the appeal without prejudice.

A-4 GERARD SLACK

Gerard Slack, Police Lieutenant, Township of Voorhees, Department of Public Safety, 30-working day suspension on charges of insubordination, conduct unbecoming a public employee and neglect of duty.

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

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

A-5 ROBIN BRIDGES

Robin Bridges, Secretarial Assistant, Stenographic, City of Newark Housing Authority, Department of Administration, removal effective October 4, 2006, on charges of abandonment of position and neglect of duty.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation not in good standing.

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

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

A-6 MICHAEL SOTTILAR

Michael Sottolare, County Correction Officer, Hudson County, Department of Corrections, 1) 10-day suspension on charges of failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause, 2) 30-day suspension, on charges of insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause, 3) 90-day suspension, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause and 4) removal effective June 12, 2006, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – 1) Uphold the 10-day suspension, 2) reverse the 30-day suspension, 3) reverse the 90-day suspension, and 4) uphold the removal.

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

A-7 JAMES TARVER

James Tarver, Senior Correction Officer, Central Reception Assignment Facility, Department of Corrections, removal effective April 9, 2008, on charges of conduct unbecoming a public employee and violation of Department rules and regulations regarding falsification, safety and security precautions, and loss or careless control of firearms.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 RAIJONA BOYD

Raijona Boyd, a Senior Identification Officer with Northern State Prison, Department of Corrections, represented by Jessica Shaw, Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

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

B-2 DORNICE CANNON

Dornice Cannon, a Communications Operator, Secured Facilities, at Albert C. Wagner Youth Correctional Facility, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission referred the matter to the Medical Examiners Panel.

B-3 MADELIN CASTELLANOS

Madelin Castellanos, a Head Clerk with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

B-4 ANNA DELUCCIA

Anna DeLuccia, a Senior Correction Officer with the Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Paul J. Bender, Esq., appeals the denial of two requests for sick leave injury (SLI) benefits.

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

B-5 GIOSUE DIGIOVANNI

Giosue DiGiovanni, a Supply Support Technician 2 at the Department of the Treasury, appeals the denial of sick leave injury (SLI) benefits.

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

B-6 KATHERINE GADDIS

Katherine Gaddis, a Senior Human Services Technician at Ancora 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 DEAN GERNAY

Dean Gernay, a Senior Youth Worker with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Civil Service Commission referred the matter to the Medical Examiners Panel.

B-8 DAWN HORTON

Dawn Horton, a former Senior Correction Officer with Northern State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-9 CURTISS LOGAN

Curtiss Logan, a Senior Correction Officer with Northern State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-10 JESUS ORTIZ

Jesus Ortiz, a Senior Correction Officer with the New Jersey State Prison, Department of Corrections, represented by Frank M. Crivelli, Esq., appeals the denial of additional sick leave injury (SLI) benefits.

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

B-11 DONNA VITIELLO

Donna Vitiello, a Principal Data Entry Machine Operator at 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-12 MICHELLE ANKRAH

Michelle Ankrah 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 the appellant's name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list on the basis that she did not appear for or complete pre-employment processing.

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

B-13 ANTHONY BACCOLA

The Department of Corrections appeals the decision of the Division of State Human Resource Management (SHRM), which found that there was insufficient reason to remove Anthony Baccola's name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list on the basis of an unsatisfactory criminal record.

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

B-14 LOUIS R. BELL, JR.

Louis R. Bell, Jr., 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 the appellant's name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list on the basis of an unsatisfactory criminal record.

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

B-15 BENNY CARDONA

Benny Cardona appeals the removal of his name from the eligible list for Police Officer (S9999F), Newark, and County Correction Officer (S9999F), Essex County, on the basis of an unsatisfactory background report and unsatisfactory criminal record, respectively.

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

B-16 IESHA DURANT-EL

Iesha Durant-El, represented by Charles M. Grossman, Esq., appeals the decision of the Division of Local Human Resource Management, which found that she met her burden of proof but declined to restore her name to the Police Officer (S9999H), Newark, eligible list.

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

B-17 LILLIAN FOSTER

Lillian Foster appeals the decision of the Division of State Human Resource Management (SHRM), which upheld the bypass of her name for appointment on the eligible list for Probation Officer (S0300F), Judiciary, Vicinage 8, Middlesex County.

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

B-18 ANGEL JIMENEZ

Angel Jimenez appeals the decision of the Division of Local Human Resource Management, which upheld his non-appointment on the Data Control Clerk (M1812J), North Bergen, eligible list.

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

B-19 KANCHAN KUMAR BAUL

Kanchan Kumar Baul appeals the determination of the Division of Selection Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Human Services Specialist 1 (C0103K), Atlantic County.

ACTION: The Civil Service Commission granted a hearing.

B-20 STEPHEN LEVITT

Stephen Levitt, represented by Richard E. Shapiro, Esq., appeals the bypass of his name on a certification of the Family Service Supervisor (PC0997H), Essex County eligible list.

ACTION: The Civil Service Commission granted a hearing.

B-21 BERNARD MADGEY

Bernard Madgey, represented by Daniel J. Zirrith, Esq., appeals the decision of the Division of Local Human Resource Management, which upheld the bypass of his name on a certification of the Police Lieutenant (PM2565H) and (PM2559J), Voorhees Township, eligible lists.

ACTION: The Civil Service Commission granted a hearing.

B-22 RAFAEL MARINHO

Rafael Marinho appeals the removal of his name from the Law Enforcement Examination (LEE) (S9999K) pool of eligibles based on his failure to meet the United States citizenship requirement as of the March 31, 2008 closing date.

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

B-23 FITZROY SIMPSON

Fitzroy Simpson, represented by Howard J. Heald, Esq., appeals the removal of his name from the Police Officer (S9999F), Atlantic City, eligible list on the basis that he did not maintain a residence in Atlantic City.

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

B-24 ACCOUNT CLERK (M1810J) WILLINGBORO TOWNSHIP

Willingboro Township requests permission not to make an appointment from the February 26, 2008 certification for Account Clerk (M1810J).

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

B-25 ADMINISTRATIVE ANALYST 1, DATA PROCESSING (PS5021I), DEPARTMENT OF CORRECTIONS

The Department of Corrections requests permission not to make an appointment from the April 7, 2008 certification for Administrative Analyst 1, Data Processing (PS5021I).

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed no selection costs at this time.

B-26 ASSISTANT COUNTY ENGINEER (C1770J), MONMOUTH COUNTY

Monmouth County requests permission not to make an appointment from the October 30, 2007 certification for Assistant County Engineer (C1770J).

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

B-27 BUDGET EXAMINER (M16256K), TOWNSHIP OF MILLBURN

The Township of Millburn requests permission not to make an appointment from the March 2, 2008 certification for Budget Examiner (M6256K).

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

B-28 COMMUNITY RELATIONS MANAGER (S6871G), STATEWIDE

The Department of Human Services requests permission not to make an appointment from the November 27, 2006 certification for Community Relations Manager (S6871G), Statewide.

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed selection costs in the amount of \$8,285.

B-29 MANAGEMENT ASSISTANT (M6594H), NEWARK

The appointing authority's failure to dispose of the certification for Management Assistant (M6594H), Newark, while provisionals are serving in the title has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointees, make an appointment from the certification and pay compliance costs.

B-30 OMNIBUS OPERATOR (M9925J), GLOUCESTER TOWNSHIP

Gloucester Township requests permission not to make an appointment from the March 6, 2007 certification for Omnibus Operator (M9925J).

ACTION: The Civil Service Commission denied the request for an appointment waiver, and ordered the appointing authority to properly dispose of the certification and pay \$1000 in compliance costs.

B-31 SENIOR CLERK TYPIST (M1200H) AND (M1576J), BOROUGH OF SOUTH PLAINFIELD

The Borough of South Plainfield requests permission not to make an appointment from the April 2, 2008 certification for Senior Clerk Typist (M1200H) & (M1576J).

ACTION: The Civil Service Commission denied the request for an appointment waiver, and ordered the appointing authority to properly dispose of the certification and pay \$500 in compliance costs.

B-32 MICHAEL DRUZ

Michael Druz, an Administrative Analyst 1 with the Department of Labor and Workforce Development (DOL), appeals the determination of the Commissioner of the DOL which found that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-33 DAWN HORTON

Dawn Horton, a former Senior Correction Officer with Northern State Prison, Department of Corrections (DOC), appeals the determination of the DOC's Equal Employment Division Acting Director, stating that the appellant failed to 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.

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

B-34 PAUL CARIFI

Paul Carifi requests that he be assigned a retroactive appointment date for Sheriff's Officer Sergeant (PC2633E), Morris County.

ACTION: The Civil Service Commission denied the request.

B-35 DAVID GOLDEN

David Golden, represented by Adam Liebttag, Lead Staff Representative, CWA Local 1034, appeals the decision of the Division of State Human Resource Management that the effective date of reclassification of his position from Senior Zoologist, Non-Game, to Principal Zoologist, Non-Game, was September 15, 2007.

ACTION: The Civil Service Commission directed that this appeal be denied and the personnel record of David Golden be corrected to reflect his provisional appointment to Principal Zoologist, Non-Game, effective September 29, 2007.

B-36 DONALD WILKINSON

Donald Wilkinson, represented by Adam Liebttag, Lead Staff Representative, CWA Local 1034, appeals the decision of the Division of State Human Resource Management that the effective date of reclassification of his position from Principal Biologist, Wildlife Management, to Supervising Biologist, Wildlife Management was September 29, 2007.

ACTION: The Civil Service Commission directed that this appeal be denied, but the Divisions of Classification and Compensation and State Human Resource Management take specified corrective actions.

B-37 DAWN ESPOSITO BAULO

Dawn Esposito Baulo appeals the decision of the Division of State Human Resource Management (SHRM) that her position is properly classified as Senior Audit Account Clerk. The appellant seeks a Principal Audit Account Clerk classification in this proceeding.

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

B-38 SUSAN FLOOD

Susan Flood appeals the decision of the Division of Local Human Resource Management (LHRM) that her position is properly classified as Senior Clerk Typist. The appellant seeks a Principal Clerk Typist classification in this proceeding.

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

B-39 GARY GERSTENACKER

Gary Gerstenacker appeals the decision of the Division of State Human Resource Management (SHRM), which found that his position is properly classified as Procurement Specialist 2. He seeks a job classification of Administrative Analyst 2, Procurement in this proceeding.

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

B-40 JOYCE GNANDT

Joyce Gnantt appeals the determination of the Division of Local Human Resource Management that her position is properly classified as an Administrative Secretary. The appellant seeks a Management Assistant classification in this proceeding.

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

B-41 CAROLE KURLANDER-COPPOLA

Carole Kurlander-Coppola appeals the decision of the Division of Local Human Resource Management that her position is properly classified as Senior Clerk Typist. The appellant seeks a Principal Clerk Typist classification in this proceeding.

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

B-42 REBECCA PIETROMONICO

Rebecca Pietromonico appeals the determination of the Division of State Human Resource Management that her position is properly classified as Principal Clerk Typist. Appellant seeks a Technical Assistant, Management Information Systems classification in this proceeding.

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

B-43 CYNTHIA ROBINSON-COX

Cynthia Robinson-Cox appeals the determination of the Division of State Human Resource Management that her position is properly classified as an Institutional Trade Instructor 2, Cooking. The appellant seeks an Institutional Trade Instructor 1, Cooking, classification in this proceeding.

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

B-44 HARRY SCHROEDER

Harry Schroeder appeals the decision of the Division of State Human Resource Management (SHRM) which found that his position is properly classified as Communications Officer. He seeks a job classification of Administrative Analyst 1 in this proceeding.

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

B-45 VERA WOOD

Vera Wood appeals the decision of the Division of State Human Resource Management (SHRM) that her position is properly classified as a Senior Clerk Typist. The appellant seeks a Principal Clerk Typist classification in this proceeding.

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

B-46 KENNETH POOLE

Kenneth Poole, a former Recreation Program Specialist with Passaic County, represented by Timothy R. Smith, Esq., appeals the determination of his layoff rights by the Division of Local Human Resource Management.

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

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

B-47 STEVE SHIPMAN

Steve Shipman, Senior Correction Officer, New Jersey State Prison, appeals an official written reprimand issued by the Department of Corrections.

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

B-48 RYAN BROWN

Ryan Brown, a Special Law Enforcement Officer with Long Branch, requests a hearing regarding his removal on charges, effective November 7, 2008.

ACTION: The Civil Service Commission denied the request.

B-49 LISA RAMPONE

Lisa Rampone, a School Bus Driver with the Brick Township School District, petitions the Civil Service Commission for interim relief of her immediate suspension.

ACTION: The Civil Service Commission granted the request in part and granted back pay and benefits from June 30, 2008 through July 30, 2008 and ordered that the matter of the appellant's removal be referred to the Office of Administrative Law for further proceedings.

B-50 ANITA CHAUHAN

Anita Chauhan, a Senior Lab Technician, Microbiology with the Department of Health and Senior Services, represented by Thomas Fagan, Staff Representative, CWA Local 1034, appeals her resignation in good standing.

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

B-51 CYNTHIA GOTTLIEB

Cynthia Gottlieb, a Charge Nurse, 12 Months, with the Juvenile Justice Commission appeals her resignation in good standing, effective September 12, 2008.

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

B-52 EDITH DUNMORE

Edith Dunmore, a Human Services Assistant with Vineland Developmental Center, Department of Human Services, seeks enforcement of the Merit System Board decision rendered on January 31, 2007, granting her mitigated back pay, benefits and seniority.

ACTION: The Civil Service Commission awarded back pay in the amount of \$11,237.77.

B-53 JACOB E. FRANSKO AND STUART BARDOE

Jacob E. Fransko and Stuart Bardoe, represented by James Dever, International Association of EMT's and Paramedics seek enforcement of the Merit System Board decision rendered on March 26, 2008, acknowledging the settlement between the appellants and the City of Vineland.

ACTION: The Civil Service Commission denied the request.

B-54 KAREN GRIER

Karen Grier, a County Correction Officer with Essex County, represented by Anthony J. Fusco, Jr., Esq., appeals her immediate suspension, effective October 22, 2008.

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

B-55 KIMY VELAZQUEZ

Kimy Velazquez, a Bridge Operator, appeals the Department of Transportation's denial of his July 5, 2006 grievance requesting travel expense reimbursement.

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

B-56 MARVIN FELDER

Marvin Felder, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, requests reconsideration of the decision rendered on December 3, 2008, which denied the Office of Information Technology's request that his out-of-title work experience be accepted to qualify him for a prospective promotional examination for Data Processing Systems Programmer 2, Office of Information Technology.

ACTION: The Civil Service Commission denied the request for reconsideration.

B-57 SELINA MAJOR

Selina Major, an Attendance Counselor, Newark School District, represented by Eric Winston, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision in which her resignation not in good standing was modified to a resignation in good standing.

ACTION: The Civil Service Commission denied the request.

B-58 NICHOLAS EMELUMBA

The appeal of Nicholas Emelumba, a Chemist, Water Analysis with Trenton, of his removal effective November 30, 2007, on charges, was heard by Administrative Law Judge Ana C. Viscomi (ALJ), who rendered her initial decision on March 12, 2009. At its meeting on April 15, 2009, the Civil Service Commission adopted the ALJ's recommendation to uphold the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-59 ANDREW ROSS

The appeal of Andrew Ross, a former Correction Sergeant with Riverfront State Prison, Department of Corrections, of his 10-day suspension, on charges, was heard by Administrative Law Judge Lisa James-Beavers (ALJ), who rendered her initial decision on August 28, 2008. At its meeting on April 15, 2009, the Civil Service Commission adopted the recommendation of the ALJ to modify the appellant's suspension to six days and award him counsel fees in the amount of \$800. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-60 GERARD SLACK

The appeal of Gerard Slack, a Police Lieutenant with Voorhees Township, concerning his 480-hour (60-day) suspension on charges, was heard by Administrative Law Judge Lisa James-Beavers (ALJ), who rendered her initial decision on March 2, 2009. At its meeting on April 15, 2009, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 480-hour (60-day) suspension to an 80-hour (10-day) suspension. Rather, the Commission imposed a 160-hour (20-day) suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-61 BRADLEY J. BAUER

Bradley J. Bauer appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Senior Investment Analyst (S0057K), Department of the Treasury.

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

B-62 THOMAS BROWER, JR. AND ROBERT BYRNES

Thomas Brower, Jr., and Robert Byrnes appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Equipment Operator (PM0198K), Brick.

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

B-63 THOMAS BUSHAR

Thomas Bushar, a Senior Engineer, Materials, appeals the determination of the Division of Selection Services that he did not possess one year of permanent service in a title open to the promotional examination for Principal Engineer, Materials (PS5755T), Department of Transportation. He also requests a retroactive date of appointment to the Senior Engineer, Materials title.

ACTION: The Civil Service Commission denied the appeal and request.

B-64 DONELL DAVIS

Donell Davis, represented by Brett Richter of the Communications Workers of America, Local 1039, appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Residential Services Specialist 3 (PS5751K), Department of Children and Families.

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

B-65 SARA DAY, ET AL.

Sara Day, Debra DiCello, Charles End, Denise Gorski-Galla and Stefanie Mozgai appeal the determinations of the Division of Selection Services that found that, per the substitution clause for education, they did not meet the experience requirements, and Kathleen DeMarcky, Carolyn Hall and Sandra Kubacki appeal the determinations of the Division of Selection Services that found that they did not meet the experience requirements for the promotional examination for Program Manager Health Facilities (PS0314H), Department of Health and Senior Services.

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

B-66 BOBBI DEFELICE

Bobbi DeFelice appeals the determination of the Division of Selection Services that found that she was below the minimum requirements in education for the open competitive examination for Auditor Taxation Trainee (S0062K), Department of the Treasury.

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

B-67 RACHELLE FARESE

Rachelle Farese 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 Program Development Specialist Youth Services (PC1103K), Morris County.

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

B-68 MELISSA FOX

Melissa Fox appeals the determination of the Division of Selection Services which found that she was below the experience requirements for the open competitive examination for Budget Analyst 2 (S0015K), Statewide.

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

B-69 IDA GAL

Ida Gal appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Safety Inspector (PS7703K), Hunterdon Developmental Center.

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

B-70 RICHARD KRAEMER

Richard Kraemer appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Counselor, Penal Institution (C0101K), Ocean County.

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

B-71 MANDIE KRAKOSKY

Mandie Krakosky appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirements for the promotional examination for Senior Personnel Assistant (PM1001J), Brick Township.

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

B-72 PATRICIA LEMUNYON

Patricia LeMunyon 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 Supervising Medical Review Analyst (PS4261K), Department of Human Services promotional examination.

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

B-73 TABITHA LONG

Tabitha Long 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 Buyer (PC1030K), Ocean County.

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

B-74 THOMAS LOVETT

Thomas Lovett appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Supervising Inventory Control Clerk (PC1166K), Middlesex County.

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

B-75 JAMES MURPHY

James Muphy appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Mason and Plasterer (S0117K).

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

B-76 JANICE MYERS

Janice Myers appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Head Cook 1 (PS6737I), Adult Diagnostic Treatment Center.

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

B-77 THOMAS PAPA

Thomas Papa 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 Manager 1, Fiscal Resources (PS8697K), Department of Human Services.

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

B-78 PRERAKBHAI PATEL

Prerakbhai Patel appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for a prospective promotional examination for Administrative Analyst 2 (Fiscal Management), Division of Developmental Disabilities, Department of Human Services.

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

B-79 MARILYN PEREZ

Carmen M. Centuolo, Executive County Superintendent, Department of Education, Union County Office, on behalf of Marilyn Perez, 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 Examiner 1 Credentials (PC0641K), Union County.

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

B-80 EDWARD RAHN

Edward Rahn appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for County Correction Sergeant (PC2663J), Atlantic County, due to an untimely application.

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

B-81 DEBORAH REILLY

Deborah Reilly appeals the decision 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 Purchasing Agent (PM0823K), Edgewater.

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

B-82 RONALD A. YULICK, JR.

Ronald A. Yulick, Jr., appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Deputy Director of Welfare (PC1231K), Burlington County.

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

B-83 JOHNSON AREWA, ET AL.

Johnson Arewa appeals his scores for the open competitive examinations for Auditor Taxation Trainee (S0062K), and Investigator Trainee Taxation (S0063K), Department of the Treasury, and Norma Bennett and Andrew Dexler appeal their scores for the examination for Investigator Trainee Taxation (S0063K), Department of the Treasury.

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

B-84 STEPHEN STROZYK

The Acting Director, Division of Local Human Resource Management, on behalf of Vineland, requests that Stephen Strozyk's out-of-title work experience be accepted to qualify him for the promotional examination for Network Administrator 1 (PM0062K), Vineland.

ACTION: The Civil Service Commission granted the request.

B-85 JAMES BOISVERT, ET AL.

James Boisvert, Ashleigh Chamberlain, Marc Goldberg and Gaetano Riccardi appeal the validity of the promotional examination for Wage Collection Referee (PS9080N), Department of Labor and Workforce Development.

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

B-86 BRENDA GLENNING

Brenda Glenning appeals her late arrival at the test center and requests a make-up test for the promotional examination for Therapy Program Assistant (PS9060K), Woodbine Developmental Center, Department of Human Services.

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

B-87 POLICE CAPTAIN (PM3529J), EWING TOWNSHIP

Ewing Township (Ewing) requests that the one-year service requirement in the title of Police Lieutenant be reduced to the completion of the working test period for the promotional examination for Police Captain (PM3529J). Additionally, Rocco Maruca, a Police Lieutenant with Ewing appeals the scope of eligibility for the promotional examination for Police Captain (PM3529J). Further, Edmond Shanoskie and Gerald Jacobs, eligibles on the subject list, represented by Daniel S. Sweetser, Esq., oppose Ewing's request.

ACTION: The Civil Service Commission granted the request.

B-88 MAUREEN BENTLEY

The Acting Director, Division of Selection Services, on behalf of the Department of Corrections, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Maureen Bentley to be provisionally appointed, pending promotional procedures, to the competitive title of Quality Assurance Specialist, Health Services.

ACTION: The Civil Service Commission granted the request.

B-89 GERALD BLASI

The appointing authority requests that the provisions of N.J.A.C. 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Gerald Blasi, a former Repairer with the Department of Children and Families, to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission granted the request.

B-90 MARGARET CERMAK

The appointing authority requests that the provisions of N.J.A.C. 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Margaret Cermak, a former Charge Nurse - 12 Months with the Department of Children and Families, to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission granted the request.

B-91 HATTIE WILLIAMS

The appointing authority requests that the provisions of N.J.A.C. 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Hattie Williams, a former Teacher 1 – 12 Months with the Department of Children and Families, to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission granted the request.

B-92 JOHN MARINO

The Township of Independence requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of John Marino from the title of Sheriff's Officer, Warren County Sheriff's Office to the title of Police Officer, Independence.

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

B-93 COURT DECISION ON THE TEMPORARY LAYOFF RULE

Submitted for the Commission's review is a copy of the decision rendered by the Superior Court, Appellate Division, *In the Matter of Emergency Temporary Layoff Rule* (decided April 17, 2009). The court found that the promulgation of the regulation on an emergency basis complied with the statutory requirements. The court also upheld the validity of the regulation with respect to a temporary layoff of all employees in a layoff unit, subject to exemptions to ensure public health and safety. However, the court stayed that portion of the regulation that permits staggered temporary layoffs pending further proceedings.

ACTION: The Civil Service Commission noted the decision.

B-94 CIVIL SERVICE COMMISSION MINUTES

The Civil Service Commission minutes of its meeting of April 15, 2009 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of April 15, 2009.

B-95 RICHARD BELL

The appeal of Richard Bell, a Police Officer with the City of East Orange, of his removal effective March 20, 2007, on charges, was heard by Administrative Law Judge Sandra Ann Robinson (ALJ), who rendered her initial decision on March 6, 2009. At its meeting on April 15, 2009, 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.

B-96 KATHY L. PUE

The Department of Labor and Workforce Development, on behalf of Kathy L. Pue, requests relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Pue, who is participating in the donated leave program, to receive more than the 180 donated leave days allowed to a recipient.

ACTION: The Civil Service Commission granted the request.

B-97 EARLY SETTLEMENT

Janet Broughton
Vineland Developmental Center
Department of Human Services
Suspension

ACTION: The Civil Service Commission acknowledged the settlement.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 13, 2009, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Hope L. Cooper
Chairperson
Civil Service Commission