



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
APRIL 14, 2010**

**Robert M. Czech, Chairperson
Flavella Branham
John Currie
Vincent E. Giordano
Margaret E. L. Howard**

April 14, 2010

A regular meeting of the Civil Service Commission was held on Wednesday, April 14, 2010, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Flavella Branham, John Currie, Vincent E. Giordano, 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, Robert M. Czech, 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 20, 2009 and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All other 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: March 30, 2010

TO: Robert M. Czech, Chair/Chief Executive Officer
Civil Service Commission

FROM: Kenneth Connolly, Director *Kenneth Connolly*
State and Local Operations

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF CORRECTIONS

The Department of Corrections (DOC) requests the establishment of a new title, Correction Officer Apprentice, to address the period of time that an appointee is enrolled in a correction officer training academy.

Appointees who successfully complete the required specified period of training will be eligible for advancement to the title Correction Officer Recruit. The inability of an employee in this title to satisfactorily complete the working test period will be cause for separation.

The appointing authority requests the use of this title be restricted to DOC.

Juvenile Justice Commission (JJC) has no plans to use this title at this time.

Negotiations representatives have been notified and support the establishment of this title.

ADDITION OF NEW TITLE

Effective: 03/27/2010

OK
Correction Officer Apprentice
L99 *3/31/10* Competitive W 4012

KC/JMM/RMD



MEMORANDUM

DATE: March 26, 2010

TO: Robert M. Czech
Chair/Chief Executive Officer

FROM: Kenneth Connolly, Director
State and Local Operations

SUBJECT: Change in the State Classification Plan

COMMON TITLE

We are requesting the state title Administrative Assistant 3 (P18-59903) be made common for local use. Burlington County submitted a request to determine the most appropriate classification for an employee assigned to the Office of Emergency Management (OEM). The incumbent is currently serving in the title Secretarial Assistant (03127).

By way of background, at the time of her initial review the incumbent was serving in the title Administrative Secretary (00112). Based on several factors from her duties questionnaire, including her reporting relationship, it was determined that the incumbent's duties were commensurate with the title Secretarial Assistant. Burlington County OEM filed an appeal with Merit System Practices and Labor Relations (MSPLR) challenging the determination. Based on information supplied in the appeal, MSPLR requested a reevaluation of the appellant's job duties in order to properly classify her.

A review of other possible active titles found they are not appropriate because they do not fully encompass the incumbents' duties.

We have confirmed the requested title as the most appropriate.

ESTABLISHMENT OF COMMON TITLE

Effective: August 01, 2008

FROM:
Administrative Assistant 3
P18-59903 * Competitive 3E12
Restricted to State Government Use

TO:
Administrative Assistant 3
59903 * Competitive
Common Use

KC/JMM/RMD



MEMORANDUM

DATE: March 24, 2010
TO: Robert M. Czech, Chair/CEO
Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in the State Classification Plan

Department of Health and Senior Services

On behalf of the Department of Health and Senior Services (DHSS), we are requesting a title consolidation which will provide a more appropriate management structure for the Department's Health Facilities Evaluation and Licensing Division.

DHSS has stated that such a consolidation will better suit that department's needs in regulating health care in New Jersey. Extensive research was conducted which led us to conclude that the two functions, health care systems analysis and health facilities licensing, may appropriately be consolidated. The level and scope of duties performed by the titles is similar enough to warrant consolidation into a revised title. The job specification for the consolidated title has been revised to reflect a more appropriate description of duties and requirements.

All appointments to the new title will be lateral and all incumbents will retain their permanent status.

TITLE CONSOLIDATION

Effective: 06-20-09

FROM

Program Manager, Health Facilities
M32-00315 K Competitive NL12

AND

Program Manager Health Care Systems Analysis
M32-07825 K Competitive NL12

TO

Program Manager, Health Facilities
M32-00315 K Competitive NL12



MEMORANDUM

DATE: March 15, 2010

TO: Robert M. Czech, Chair/CEO
Civil Service Commission

FROM: Kenneth Connolly, Director
State and Local Operations

SUBJECT: Change in the State Classification Plan

Camden County Board of Social Services

On behalf of the Camden County Board of Social Services (CCBSS), we request the reactivation of the title Supervising Receptionist Bilingual in Spanish and English (06395).

CCBSS currently has one incumbent classified as a Supervising Interpreter. The Division of State and Local Operations conducted a classification review of this incumbent and determined that the duties being performed are commensurate with the duties of the requested title, Supervising Receptionist Bilingual in Spanish and English (06395). The incumbent is primarily responsible for the supervision of a number of receptionists and the coordination of activities of the unit. While it is necessary for the incumbent to perform these duties speaking Spanish and English, the incumbent is not responsible for interpretive services.

CCBSS submitted a Plan for Use of Bilingual Title, as required by CSC business practice in support of this request.

We also request that Supervising Receptionist & Community Interpreter Bilingual in Spanish and English (04797) be inactivated. This title is not being utilized by any jurisdiction.

TITLE REACTIVATION

Effective: 11-24-09

Supervising Receptionist Bilingual in Spanish and English

06395 Competitive

TITLE INACTIVATION

Effective: 11-24-09

Supervising Receptionist & Community Interpreter Bilingual in Spanish and English

04797 Competitive

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Sharon Darby
New Jersey State Prison
Department of Corrections
Suspension

In the Matter of Attilio Dente
East Jersey State Prison
Department of Corrections
Removals (2)

In the Matter of William Hammerstein
Lower Township
Municipal Utilities Authority
Removal

In the Matter of Carol Hill-George
Veterans Memorial Home at Menlo Park
Department of Military and Veterans' Affairs
Suspensions (2) and Removal

In the Matter of David Hudson
City of Newark
Police Department
Suspensions (2)

In the Matter of Peter Lindenthal
Mercer County
Department of Corrections
Suspension and Demotion

In the Matter of Najibah Lucas
City of Newark
Police Department
Suspension

In the Matter of Troy Muse
Central Reception and Assignment Facility
Department of Corrections
Suspension

In the of Matter of Gary Nieves
Juvenile Justice Commission
Department of Law and Public Safety
Suspension

In the of Matter of Brenda Peeren
Juvenile Justice Commission
Department of Law and Public Safety
Suspension

In the Matter of Seaton Samuel
Greenbrook Regional Center
Department of Human Services
Suspension

In the Matter of Carol M. Seymore
Middlesex County
Board of Social Services
Release at the end of the working test period

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 ANNETTE HEIM

Annette Heim, Accounting Assistant, Perth Amboy, Finance Department, 30-day suspension on the charge of chronic and excessive lateness.

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

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

A-3 CHRISTOPHER BAIAMONTE

Christopher Baiamonte, Supervisor, Roads, Ocean County, Department of Roads, removal effective June 16, 2009, on charges of conduct unbecoming a public employee, misuse of public property, discrimination that affects equal employment 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-4 RICHARD MOORE

Richard Moore, Human Services Technician, Ancora Psychiatric Hospital, Department of Human Services, removal effective October 2, 2006, on the charge of physical abuse of a patient.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-5 LATISHA Y. VELEZ

Latisha Y. Velez, Police Officer, Mount Holly Township, Police Department, removal effective September 21, 2009, on charges of failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty, misconduct and truthfulness.

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

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to uphold the removal.

A-6 JESSICA HARRELL-PATTERSON

Jessica Harrell-Patterson, Institutional Attendant, Cumberland County, Cumberland Manor, removal effective October 23, 2008, on the charge of verbal abuse of a resident.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Civil Service Commission acknowledged the settlement as clarified.

SECTION B - MISCELLANEOUS MATTERS**B-1 GERALD ADAMS**

Gerald Adams, a former Senior Food Service Handler at Vineland Developmental Center, Department of Human Services, represented by Kenneth A. DiMuzio, Jr., Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-2 COMFORT ADEDEJI

Comfort Adedeji, a Senior Practical Nurse 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 granted.

B-3 BRIAN BRITTON

Brian Britton, a Principal Engineer, Planning, with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

B-4 SAMANTHA DOFFONT

Samantha Doffont, a Senior Correction Officer at the East Jersey State Prison, Department of Corrections (DOC), represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-5 JAMES FAHY

James Fahy, a former Highway Construction and Bridge Repairer 2 with the Department of Transportation, represented by William Sheehan, Esq., appeals the denial of sick leave injury benefits (SLI) benefits.

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

B-6 NATUCHIA FRAZIER

Natuchia Frazier, a Senior Data Entry Machine Operator with South Woods State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-7 JAMES GROOME

James Groome, a Senior Correction Officer with Southern State Correctional Facility, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-8 RANKO KANDIC

Ranko Kandic, a former Mechanical Equipment Specialist with Rowan University, appeals the denial of sick leave injury (SLI) benefits.

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

B-9 LUIS MARTINEZ

Luis Martinez, a Maintenance Worker 1, Transportation with the Department of Transportation, represented by Kenneth E. Ryan, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-10 LARRICK MCELROY

Larrick McElroy, a Senior Correction Officer at Northern State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-11 MICHAEL TASKER

Michael Tasker, a Teacher 1, 12 Months 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 denied.

B-12 DREW THOMPSON

Drew Thompson, a Correction Lieutenant with the Adult Diagnostic and Treatment Center, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

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

B-13 MARTIN BERGEN

Martin Bergen appeals the removal of his name from the Plumber and Steamfitter (S6933J), Bayside State Prison, eligible list, on the basis of the falsification of his employment application.

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

B-14 RICHARD DINKINS, JR.

Richard Dinkins, Jr., appeals the decision of the former Division of State Human Resource Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9999H), Juvenile Justice Commission, eligible list on the basis of an unsatisfactory criminal record.

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

B-15 JOSEPH A. MAIMONE, JR.

Joseph A. Maimone, Jr., appeals the decision of the Division of State and Local Operations, which upheld the bypass of his name on the certification of the Police Sergeant (PM2597K), Hammonton, eligible list.

ACTION: The Civil Service Commission granted a hearing.

B-16 KAREN OKECHUKWU

Monmouth County requests that the eligible list for Human Services Specialist 1 (C1407H) be revived in order to permit it to restore the name of Karen Okechukwu for future consideration.

ACTION: The Civil Service Commission granted the request.

VOTE:

Robert M. Czech	(Abstained)
Flavella Branham	(Yes)
John Currie	(Yes)
Vincent E. Giordano	(Yes)
Margaret E. L. Howard	(Yes)

B-17 MICHAEL PASSARELLA

Michael Passarella, represented by Michael L. Testa, Esq., appeals the decision of the Division of State Human Resource Management which found that the Department of Corrections had presented a sufficient basis to remove his name from the Correction Officer Recruit (S9999H), eligible list due to an unsatisfactory criminal record.

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

B-18 MARGARITA RODRIGUEZ

Margarita Rodriguez, represented by Masiel Valentin, Esq., appeals the decision of the Division of Local Human Resource Management, which found that the appellant's appeal was untimely and that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Police Officer (S9999F), Newark for falsification of her preemployment application.

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

B-19 JAMES SESAK AND RAYMOND TANIS

James Sesak, represented by Daniel J. Zirrith, Esq., appeals the determination of the Division of Local Human Resource Management that his name would not be placed on the special reemployment list for Sheriff's Officer, Passaic County Sheriff's Office. Raymond Tanis, represented by Michael Farhi, Esq., appeals his layoff as a Sheriff's Officer, Passaic County Sheriff's Office.

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

VOTE: **Robert M. Czech** **(Yes)**
 Flavella Branham **(Yes)**
 John Currie **(Abstained)**
 Vincent E. Giordano **(Yes)**
 Margaret E. L. Howard **(Yes)**

B-20 MARGARET SNYDER AND MEGHAN HEUSER

Essex County requests the removal of Margaret Snyder and Meghan Heuser from the Animal Health Technician (C0772K), Essex County, eligible list.

ACTION: The Civil Service Commission denied the request.

B-21 ASSISTANT SUPERVISING LABORER (PM1641K), MOONACHIE

Moonachie requests permission not to make an appointment from the March 9, 2009 certification for Assistant Supervising Laborer (PM1641K).

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

B-22 CASHIER TYPING (M0734K), MOUNT HOLLY

The matter of whether Mount Holly should be granted permission not to make an appointment from the January 13, 2009 certification for Cashier Typing (M0734K) has been referred to the Civil Service Commission for review.

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

B-23 COMPLAINT INVESTIGATOR (M0101K) AND (M0724K), EAST ORANGE

The appointing authority's failure to dispose of the certification for Complaint Investigator (M0101K) and (M0724K), East Orange, 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, properly dispose of the certification and pay compliance costs.

B-24 EMERGENCY MEDICAL TECHNICIAN (M0214L), NUTLEY

Nutley requests permission not to make an appointment from the June 8, 2009 certification for Emergency Management Technician (M0214L).

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

B-25 PRINCIPAL ENGINEER (C0085L), HUDSON COUNTY

The appointing authority's failure to dispose of the certification for Principal Engineer (C0085L), Hudson County, 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, properly dispose of the certification and pay compliance costs.

B-26 SECRETARIAL ASSISTANT TYPING (M1381H) AND (M0295L), WOODBRIDGE PUBLIC LIBRARY

Woodbridge Public Library requests permission not to make an appointment from the October 29, 2009 certification for Secretarial Assistant Typing (M1381H) and (M0295L).

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

B-27 SENIOR DATA CONTROL CLERK (M0342K), EAST ORANGE

The appointing authority's failure to dispose of the certification for Senior Data Control Clerk (M0342K), East Orange, while provisionals are serving in the title have been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointees, properly dispose of the certification and pay compliance costs.

B-28 AARON ARUNGWA

Aaron Arungwa, a Human Services Assistant at Greystone Park Psychiatric Hospital, Department of Human Services, appeals the determination of the Assistant Commissioner, stating that the appellant had 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-29 LARELL BRYANT

Larell Bryant, a Principal Clerk with the Department of Transportation, appeals the determination of the Executive Director, Division of Civil Rights and Affirmative Action, 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.

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

B-30 MARLO HARRIS

Marlo Harris, a former Senior Investigator, Parole and Secured Facilities, with the State Parole Board, represented by William A. Feldman, Esq., requests reconsideration of the determination of the Commissioner of Personnel, stating that her appeal of an official written reprimand, a three-day suspension and a five-day suspension did not meet the standard for review of minor disciplinary appeals. Additionally, the appellant appeals the determination of the Executive Director with the State Parole Board, 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 denied the request for reconsideration and directed that the appeal be denied.

VOTE: **Robert M. Czech** **(Abstained)**
 Flavella Branham **(Yes)**
 John Currie **(Yes)**
 Vincent E. Giordano **(Yes)**
 Margaret E. L. Howard **(Yes)**

B-31 SHIRLEY JOHNSON

Shirley Johnson, a Senior Data Entry Machine Operator with the Department of Law and Public Safety, appeals the determination of the Chief of Staff of the Office of the Attorney General, stating that the appellant had 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-32 RENEE BETHEA

Renee Bethea appeals the decision of the Division of State and Local Operations that the proper classification of her position is Technical Assistant 3, Community Affairs. The appellant seeks a Paralegal Technician 2 classification.

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

B-33 KAREN LEE

Karen Lee appeals the decision of the Division of State Human Resource Management which found that her position is correctly classified as Head Procurement Clerk.

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

B-34 GEOFFREY MAGARAM

Geoffrey Magaram appeals the decision of the Division of State and Local Operations that the proper classification of his position is Principal Environmental Specialist (Air Pollution Control). The appellant seeks a Supervising Environmental Specialist (Air Pollution Control) classification.

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

B-35 JOYCE PINTO

Joyce Pinto appeals the determination of the Division of State and Local Operations that her positions with the Borough of Runnemede are properly classified as a Municipal Clerk and Tax Collector. The appellant seeks the addition of the title Office Manager.

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

B-36 ERIN SIGWART

Erin Sigwart and Cape May County appeal the decision of the Division of Local Human Resource Management, which found that Erin Sigwart's position is properly classified as Clerk Typist 2, Evidence Handling.

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

B-37 JOHN SMITH

John Smith appeals the decision of the Division of State Human Resource Management which found that his position is correctly classified as Real Estate Appraiser 2.

ACTION: The Civil Service Commission directed that this appeal be denied but directed that the matter of the classification of the appellant's supervisor's position be referred to the Division of State and Local Operations for further review.

B-38 REGINA APPLEBY

Regina Appleby, a Social Worker with Warren County, appeals her resignation in good standing.

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

B-39 WARREN BAKER, ET AL.

The Juvenile Justice Commission requests retroactive dates of appointments for Warren Baker, John Blake, Eric Eads, O'Neil Ellis, and Bierka Fajardo.

ACTION: The Civil Service Commission granted the request.

B-40 JOSEPH BECZO

Joseph Beczo, a Housing Inspector with Trenton, appeals the determinations of his layoff rights by the Division of Local Human Resource Management.

ACTION: The Civil Service Commission directed that this appeal be denied but directed that the matter of the appellant's classification be referred to the Division of State and Local Operations.

B-41 KYLE BOWMAN

Kyle Bowman, a Police Officer with the Newark Police Department, represented by Anthony J. Fusco, Jr., Esq., petitions the Civil Service Commission for interim relief of his indefinite suspension, effective April 22, 2008.

ACTION: The Civil Service Commission granted the request in part and directed that the appellant be granted back pay, benefits, and seniority from February 23, 2009 until April 9, 2009.

B-42 JOSEPH BRANIN

The Superior Court of New Jersey, Appellate Division, has remanded the matter of the removal of Joseph Branin's name from the Police Officer (S9999D), Highlands Borough eligible list to the Civil Service Commission.

ACTION: The Civil Service Commission directed that the appellant's name be removed from the Police Officer (S9999D) eligible list.

B-43 DERIC DRAKEFORD

Deric Drakeford, a Maintenance Repairer with Passaic County, requests reinstatement of the appeal of his 10-day suspension, which was dismissed based on his failure to appear at a scheduled hearing.

ACTION: The Civil Service Commission denied the request.

VOTE: **Robert M. Czech (Yes)**
Flavella Branham (Yes)
John Currie (Abstained)
Vincent E. Giordano (Yes)
Margaret E. L. Howard (Yes)

B-44 SEAN GAITHER, ET AL.

The Division of State and Local Operations, on behalf of the City of Trenton, the Borough of Keansburg, and the Town of Hammonton requests relief for Sean Gaither, Robert Mulligan, and Eric Pohl.

ACTION: The Civil Service Commission granted the request.

B-45 KAREN GRIER

Karen Grier, a County Correction Officer with Essex County, represented by Anthony J. Fusco, Jr., Esq., petitions the Civil Service Commission for a hearing regarding her removal from employment, effective October 21, 2008. The appellant also requests enforcement of the decision, rendered on April 29, 2009, which awarded her back pay from May 12, 2008 through September 4, 2008.

ACTION: The Civil Service Commission granted the requests.

VOTE: **Robert M. Czech** **(No)**
 Flavella Branham **(Yes)**
 John Currie **(Yes)**
 Vincent E. Giordano **(Yes)**
 Margaret E. L. Howard **(Yes)**

B-46 TOWN OF HARRISON LAYOFF

The Harrison Civil Service Employees Association, represented by Craig S. Gumpel, Esq., petitions the Civil Service Commission for a stay of the layoff of employees of the Town of Harrison.

ACTION: The Civil Service Commission denied the request.

B-47 EDWARD KENNEDY

Edward Kennedy, a Senior Correction Officer at Albert C. Wagner Youth Correctional Facility, Department of Corrections, requests that the Civil Service Commission reinstate his appeals of his removal, effective July 20, 2009, on charges, were withdrawn by the appellant on or about October 23, 2009.

ACTION: The Civil Service Commission denied the request.

B-48 SHIRLEY LINDSAY

The Division of State and Local Operations, on behalf of the Department of Education, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Shirley Lindsay to be provisionally appointed, pending promotional examination procedures, to the competitive title of Secretarial Assistant 3, Non-Stenographic (Deaf Language Specialist).

ACTION: The Civil Service Commission granted the request.

B-49 RICHARD MICHAL

Richard Michal, a Correction Lieutenant at Garden State Youth Correctional Facility, Department of Corrections, petitions the Civil Service Commission for relief, pursuant to N.J.S.A. 11A:2-24 and N.J.A.C. 4A:2-5.1, from alleged reprisal from his employer.

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

B-50 PETER RIVA

The Estate of Peter Riva, a Senior Probation Officer with the Judiciary, Passaic Vicinage, represented by Joshua Lax, Esq., requests back pay for the period of his indefinite suspension, commencing on June 27, 2005.

ACTION: The Civil Service Commission denied the request.

B-51 SEAN ST. PAUL

Sean St. Paul, a Correction Lieutenant with Northern State Prison, Department of Corrections, represented by David J. Heintjes, Esq., requests counsel fees with regard to the dismissal of his official written reprimand.

ACTION: The Civil Service Commission denied the request.

B-52 PAUL MESSINA (ORDER OF CONSOLIDATION AND PREDOMINANT INTEREST)

Paul Messina, a Police Officer with the City of Trenton appealed a 50-day suspension on various charges. Additionally, Messina's union, the Trenton Superior Officers Association, filed an unfair practice charge with the Public 6 Employment Relations Commission (PERC). Administrative Law Judge Lisa James-Beavers issued an order on March 19, 2010, denying a motion for consolidation. Based on this determination, the civil Service Commission and PERC developed a joint order adopting the ALJ's Order. This joint order is now submitted to the Commission for consideration and approval.

ACTION: The Civil Service Commission adopted the joint order.

B-53 KAREN JENKINS

The Department of Corrections petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on April 15, 2009, in which the Commission granted Karen Jenkins vacation leave.

ACTION: The Civil Service Commission granted the request.

B-54 MARTIN MCNULTY

Martin McNulty, represented by Michael Prigoff, Esq., petitions the Civil Service Commission for reconsideration of the decision rendered on July 16, 2008 which denied Mr. McNulty's appeal of eligibility determinations of candidates for the promotional examination for Fire Officer 4 (PM3576J), City of Jersey City.

ACTION: The Civil Service Commission denied the request.

B-55 JAMES PRATHER

James Prather, a former Sanitation Worker with Hackensack, represented by Sally A. Sattan, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on October 9, 2009, in which the Director of the Division of Merit System Practices and Labor Relations denied his request for a hearing with respect to his removal from employment.

ACTION: The Civil Service Commission denied the request.

B-56 DENISE ROSS

Denise Ross, a former Food Service Worker with the Newark School District, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on January 30, 2008, in which the Merit System Board adopted the recommendation to remove and resign the petitioner not in good standing.

ACTION: The Civil Service Commission denied the request.

B-57 BRENDAN WEBER

Brendan Weber, represented by Stephen B. Hunter, Esq., requests reconsideration of the final administrative determination in *In the Matter of Richard Colabelli, et al., Sheriff's Officer Lieutenant* (CSC, decided September 16, 2009).

ACTION: The Civil Service Commission denied the request.

B-58 DON COLLINS

The appeal of Don Collins, a Human Services Assistant at Ancora Psychiatric Hospital, Department of Human Services, of his removal effective December 13, 2007, on charges was heard by Administrative Law Judge Edward J. Delanoy, Jr. (ALJ), who rendered his initial decision on February 22, 2010. At its meeting on March 24, 2010, the Civil Service Commission (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.

VOTE: **Robert M. Czech** **(Yes)**
 Flavella Branham **(Yes)**
 John Currie **(Abstained)**
 Vincent E. Giordano **(Yes)**
 Margaret E. L. Howard **(Yes)**

B-59 JEFFREY BAIG

Jeffrey Baig appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervisor, Water (PM0741L), Passaic Valley Water Commission.

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

B-60 MICHAEL BAILEY

Michael Bailey appeals the determination of the Division of Selection Services that, per the substitution clause for education, he did not meet the experience requirement for the promotional examination for Youth Activities Supervisor (PM1065L), Atlantic County.

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

B-61 JACQUELINE BROWN, ET AL.

Jacqueline Brown, Ann Laurie Fratticcioli and Kathleen Singletary appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Administrative Analyst 2 (PS5287T), Department of Transportation.

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

B-62 KEVIN DILLE AND ADAM DREW

Kevin Dille appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Investigator, Secured Facilities (PC0808L), Hudson County. Adam Drew appeals the determination of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Investigator, Secured Facilities (PC0808L), Hudson County.

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

B-63 MYRON E. ESTELLE

Myron E. Estelle appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Supervising Librarian/Data Processing Coordinator (PC0253L), Cumberland County.

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

B-64 MARIA FOWLER

Maria Fowler appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the qualifying examination for Assistant Pension Fund Supervisor, Elizabeth.

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

B-65 AMELIA JIMENEZ

Amelia Jimenez appeals the determination of the Division of Selection Services that she did not meet the requirements for the open competitive examination for Rent Regulation Officer (M1106L), Paterson.

ACTION: The Civil Service Commission directed that this appeal be denied but directed that the matter of the classification of the appellant's position be referred to the Division of State and Local Operations for further review.

B-66 ROBERT REHOR

Robert Rehor 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 Supervisor of Patients Accounts 1 (PS5109K), Greystone Park Psychiatric Hospital, Department of Human Services.

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

B-67 HARLEEN SINGH

Harleen Singh 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 Supervisor of Patients Accounts 1 (PS5109K), Greystone Park Psychiatric Hospital, Department of Human Services.

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

B-68 ELLEN STAUNTON

Ellen Staunton 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 Senior Citizens Activities (PM0389L), Rahway.

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

B-69 JOANNE YOST

Joanne Yost 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 Technical Assistant 1, Higher Education, (PS1833J), The Richard Stockton College of New Jersey.

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

B-70 CHRISTOPHER DUNTON

Christopher Dunton requests that the waiver of competitive examination for Police Chief (PM3506K), Township of Jackson be rescinded and an examination be administered.

ACTION: The Civil Service Commission denied the request.

B-71 SADIA HUSSAIN

Sadia Hussain appeals the denial of her request for a make-up for the promotional examination for Senior Audit Account Clerk (PS3037P), Department of Law and Public Safety.

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

B-72 RICHARD MUSSO

Richard Musso appeals the administration of the make-up examination for Police Captain (PM3536K), Jersey City.

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

B-73 MATTHEW VALENTE

Matthew Valente, a make-up candidate, appeals the written examination for Police Sergeant (PM2654K), Willingboro.

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

B-74 MARIEPAULE FLORESTAL

MariePaule Florestal appeals the validity of the open competitive examination for Court Representative Board of Education (M0788K), Newark School District.

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

B-75 CHARLES SKEENES

Charles Skeenes appeals the validity of the promotional examination for Purchasing Assistant (PS1386E), Department of Military and Veterans Affairs.

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

B-76 MARY BRAGHELLI

The Department of Law and Public Safety, Division of State Police, requests that Mary Braghelli's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Administrative Assistant 3.

ACTION: The Civil Service Commission granted the request.

B-77 TAMARA CHILDS

The Division of State and Local Operations, on behalf of the Department of Education, requests that Tamara Childs' out-of-title work experience be accepted to qualify her for a prospective promotional examination for Secretarial Assistant 3 (Non-Stenographic), Department of Education.

ACTION: The Civil Service Commission granted the request.

B-78 CHRISTOPHER PAWLOWSKI AND MICHAEL SILVESTRI

The Division of State and Local Operations (SLO), on behalf of the Department of Corrections, requests that Christopher Pawlowski's and Michael Silvestri's out-of-title work experience be accepted to qualify them for a prospective promotional examination for Technician, Management Information Systems, Department of Corrections. SLO also requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Mr. Pawlowski and Mr. Silvestri to be provisionally appointed, pending promotional examination procedures, to the competitive title of Technician, Management Information Systems.

ACTION: The Civil Service Commission granted the requests.

B-79 MARY PRICE

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 Mary Price, a former Family Service Specialist 1 with the Department of Children and Families, to submit a late application for SCOR benefits.

ACTION: The Civil Service Commission granted the request.

B-80 DEPARTMENT OF CORRECTIONS CERTIFICATIONS

The Department of Corrections (DOC) and the Division of State and Local Operations requests that the Civil Service Commission approve the Memoranda of Understanding, which provide for the delegation to the DOC of open-competitive certification processing for the title of Correction Officer Recruit, and promotional certification processing for the titles of Correction Sergeant, Correction Lieutenant, Correction Captain, and Director of Custody Operations.

ACTION: The Civil Service Commission granted the request.

B-81 PROPOSED AMENDMENT: N.J.A.C. 4A:2-2.10, BACK PAY

A Notice of Adoption of an amendment to N.J.A.C. 4A:2-2.10, Back Pay is submitted to the Commission for adoption. The amendment would prohibit the inclusion of a clothing or equipment allowance in a back pay award. A comment was received from the Department of Corrections in support of the proposal. It is recommended that this proposal be adopted without change.

ACTION: The Civil Service Commission adopted the amendment.

B-82 CIVIL SERVICE COMMISSION MINUTES

The Civil Service Commission Minutes of its meeting of March 24, 2010 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of March 24, 2010

VOTE: **Robert M. Czech** **(Yes)**
 Flavella Branham **(Yes)**
 John Currie **(Abstained)**
 Vincent E. Giordano **(Yes)**
 Margaret E. L. Howard **(Yes)**

B-83 ROBERT EMMETT

The appeal of Robert Emmett, removal effective December 8, 2008, was considered by Administrative Law Judge Margaret M. Monaco (ALJ), who rendered her initial decision on August 7, 2009, recommending acknowledgement of the settlement of the parties.

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

B-84 JOHN CLARIZIO

The Township of Belleville requests that the provisions of N.J.A.C. 4A:4-7.1A (a) and (b) be relaxed in order to permit the Intergovernmental Transfer of John Clarizio from the title of Police Officer, Seaside Heights to the title of Police Officer, Belleville.

ACTION: The Civil Service Commission granted the request and ordered the Borough of Seaside Heights to properly dispose of certification OL090052.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, April 28, 2010, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission