



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 28, 2010**

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

April 28, 2010

A regular meeting of the Civil Service Commission was held on Wednesday, April 28, 2010, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Flavella Branham, John Currie, and Vincent E. Giordano; 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.

It is noted that agenda item B-28 was considered out of number order and decided at the conclusion of all other agenda items.

There was opportunity for public comment. The following in attendance offered comment:

Robert O'Brien, Esq., Coalition of Atlantic City Public Sector Unions

**David Davidson, President of the Police Officer's Benevolent Association
Local 24**

**Angelo DeMaio, President, International Association of Fire Fighters Local
198**

**Virginia Darnell, President, Atlantic City White Collar Professional
Association**

Deborah Enderlin President, Atlantic City Supervisor's Union,

Eric Clark, AFSCME Local 2303

Harriann Bernstein, Atlantic City Supervisor's Union

CONFIDENTIAL APPOINTMENTS

The Civil Service Commission recorded the following Confidential Appointments under N.J.S.A. 11A:3-4(h):

Karen L. Engan, appointed as a Confidential Assistant, Civil Service Commission, effective March 22, 2010, salary of \$81,000.00 per annum. *It is noted that Chairperson Robert M. Czech abstained from this matter.

Walter Perkins, appointed as a Confidential Assistant, Department of Transportation, effective March 27, 2010, salary of \$115,000.00 per annum.

Kawana Shields, appointed as a Confidential Secretary, Board of Public Utilities, effective February 27, 2010, salary of \$65,000.00 per annum.

Kristina Miller, appointed as a Confidential Assistant, Board of Public Utilities, effective February 27, 2010, salary of \$72,000.00 per annum.

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 24, 2010

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

FROM: Kenneth Connolly, Director
State and Local Operations

SUBJECT: Change in the Classification Plan

COMMON TITLES

The County of Hudson requests the entire Investigator, Secured Facilities title series be made common.

With the exception of the entry level, this series is currently restricted for use to State Government, specifically, the Department of Corrections and the Juvenile Justice Commission. The entry level title was made common for use by local government in 2001, at the request of Monmouth County.

These additional titles will be used to staff positions in the Internal Affairs Unit of the County of Hudson's correctional center. The county currently uses the title, Investigator, Secured Facilities, to staff entry level positions, and the County Correction Sergeant title to staff supervisory positions.

A classification review by the Division of State and Local Government determined that the requested title series more appropriately describes the supervisory functions being performed; staff is responsible for internal affairs investigations, not the oversight of inmates.

The county has immediate plans to promote County Correction Sergeants to the Senior Investigator level, appoint an individual to the Chief Investigator title, and requests the option of using the other supervisory levels at some future date.

The appropriate negotiations representatives were informed of this request.

ESTABLISHMENT OF COMMON TITLES:

Effective: 08/16/2008

Senior Investigator Parole and Secured Facilities
823-32645 Competitive Common/* 40/12

Principal Investigator Parole and Secured Facilities
826-32646 Competitive Common/* 40/12

Assistant Chief Investigator Secured Facilities
M329-32649 Competitive Common/* N4/12

Chief Investigator Secured Facilities
M332-60225 Competitive Common/* N4/12

KC/JJM/BP



MEMORANDUM

DATE: March 17, 2010

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

FROM: Kenneth Connolly, Director
State and Local Operations

SUBJECT: Change in State Classification Plan

DEPARTMENT OF LABOR

The Department of Labor requested a salary range re-evaluation for the title of Chief, Office of Boiler and Pressure Vessel Compliance (S28-16858).

The main functions of this position are to oversee programs designed to ensure the safe operation of boilers, pressure vessels, refrigeration plants, nuclear reactors, and other power plant components; establishing construction standards; and preparing and directing the administration of licensing examinations for operators.

The job has evolved over time to include additional duties and responsibilities such as serving as Chair of the Commissioner's Examining Board of Boiler, Pressure Vessel and Refrigeration Rules, beyond managing the Bureau of Boiler and Pressure Vessel Compliance. The title was previously assigned to range M32, however in 1995 certain duties, including Chair of the Examining Board, were removed and the title re-evaluated at range S28. That specific function has been returned to this title and our analysis has determined that it is currently most accurately classified by range S31.

Job content re-evaluations are based on an analysis of changes in education and experience requirements, problem solving and accountability factors. These factors were analyzed to determine if a substantial change in job content exists. The result of our research indicates the compensable factors have significantly increased, thus impacting the current evaluation.

The appropriate negotiations representatives have been notified of this request.

CHANGE IN SALARY RANGE

Effective: 2-14-09

FROM:	TO:
Chief, Boiler & Pressure Vessel Compliance	Chief, Boiler & Pressure Vessel Compliance
S28-16858 Competitive L NL/12	S31-16858 Competitive L NL/12

JM/BP/GB



MEMORANDUM

DATE: March 24, 2010

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

FROM: Kenneth Connolly, Director
Division of State and Local Operations

W. H. Kelly *RMC/194*

SUBJECT: Change in the State and Local Classification Plan

COMMON AND GENERAL TITLE

The Division of Classification and Compensation, on behalf of state and local government agencies, requests the establishment of an Intern title to permit staff an opportunity to gain the training and education necessary to obtain certification as a Certified Alcohol and Drug Abuse Counselor. The requested title is the final action needed to complete the process of consolidating state and local titles for this function.

Recent changes to N.J.A.C. 13:34C, by the Alcohol and Drug Counselor Committee, Board of Marriage and Family Therapy Examiners, impact both state and local government employees providing substance abuse counseling services. These changes require employees to be certified or licensed, depending on the level of work performed. As a result, state and local titles performing these functions were consolidated, and unnecessary titles were eliminated.

Subsection 2.3 of N.J.A.C. 13:34C outlines the education and supervised practical training and work experience required to apply for certification. The requested action will provide a title which permits future counselors to fulfill these requirements; there is no existing title for this purpose. The nomenclature, Intern, is in conformance with the aforementioned administrative code. Employees will be provided a maximum of three (3) years within which to complete these requirements, after which they will be eligible for advancement to the title Substance Abuse Counselor 2 or Substance Abuse Counselor 2 bilingual Spanish/English or Substance Abuse Counselor 2 Mental Health/Alcoholism Services in the Department of Human Services.

Appointees to the title Substance Abuse Counselor 2 bilingual Spanish/English will be required to pass a language exam to qualify for the bilingual position.

The salary for state appointments to the Intern title has been set at three (3) ranges below the primary title. Appointees will advance one salary range per year during the internship and to the primary title upon completion of the internship and receipt of certification as a Certified

Alcohol and Drug Abuse Counselor. Incumbents who obtain certification in less than three (3) years shall be advanced to the primary title upon receipt of said certification.

The inability of an Intern to complete the certification process and become certified within three (3) years or to attain a level of performance warranting advancement to primary title shall be considered as cause for separation.

All potential state and local Appointing Authorities employing substance abuse staff were provided an opportunity to review and comment on the proposed title. The Office of Employee Relations has determined the bargaining unit; all possible negotiations representatives were notified of this determination.

ESTABLISHMENT OF TITLE:

Effective: 12-19-09

Substance Abuse Counselor Intern:
P15 - _____ Competitive Common/General NE/12

KC/JMM/BP/PM



MEMORANDUM

DATE: March 24, 2010
TO: Robert M. Czech, Chair/CEO
Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
Kenneth Connolly *RMC/19M*
SUBJECT: Change in the State Classification Plan

Department of Human Services

On behalf of the Department of Human Services (DHS), we are requesting creation of a Spanish/English bilingual variant for Quality Assurance Specialist, Health Services (55954-P26). The bilingual variant will be utilized primarily in the Complaints and Reportable Events Unit of the agency's Division of Addiction Services.

DHS will fill one position upon creation and the position will ensure that the growing number of Spanish speaking clients are able to receive the same level and quality of service as English speaking clients.

DHS submitted a structured questionnaire for Bilingual Titles and upon review, we conclude that this variant is appropriate.

NEW TITLE
Effective: 11-07-09

Quality Assurance Specialist, Health Services
Bilingual in Spanish and English

P26-55954 P Competitive NL12



MEMORANDUM

DATE: March 15, 2010

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

FROM: Kenneth Connolly, Director
State and Local Operations *Kenneth Connolly* *RMC/fgm*

SUBJECT: Change in the State Classification Plan

Atlantic City Municipal Utilities Authority

On behalf of the Atlantic City Municipal Utilities Authority (AC MUA), we request the creation of a Water Treatment Plant Operator Apprentice Program.

AC MUA submitted a request which highlights the issues surrounding the recruitment and retention of qualified, licensed Water Treatment Plant Operators. Resulting research indicates that AC MUA has struggled for several years to have incumbents pass the required Water Treatment Plant Operator licensing exams. In some cases, current incumbents are not passing the exams. In other instances, the AC MUA is unable to recruit sufficient staff.

Additional research indicates that other MUAs in New Jersey are experiencing similar challenges, and have faced these issues for several years. Several MUAs in other jurisdictions have advised that they too would benefit from this apprentice program.

The proposed apprentice program consists of two new titles: Water Treatment Plant Operator Apprentice and Licensed Water Treatment Plant Operator. Applicants admitted to the program will be required to complete a three year apprenticeship in the Water Treatment Plant Operator Apprentice title.

The appointing authority will be responsible for supervising, conducting and documenting the required training program during the apprenticeship. Successful completion of the program will be defined as passing the NJ T-2 Water Treatment Licensing Exam and receipt of the NJ T-2 Water Treatment Plant Operator License issued by the NJ Department of Environmental Protection (DEP). Upon successful completion of the program, incumbents will be appointed to the Licensed Water Treatment Plant Operator title, in accordance with Civil Service Commission procedures.

NEW TITLES

Effective: 03-13-10

Water Treatment Plant Operator Apprentice
Competitive Local

Licensed Water Treatment Plant Operator
Competitive Local

SECTION A – HEARING MATTERS

A-1 SETTLEMENT

In the Matter of John Burd, III
Warren County
Department of Corrections
Suspension

In the Matter of Nicole Furman-McPeck
Hunterdon County
Department of Human Services
Suspension

In the Matter of Brenda Jones
Monmouth County
Sheriff's Department
Suspension

In the Matter of Linda Kinney
Hunterdon Developmental Center
Department of Human Services
Resignation not in good standing

In the Matter of Craig Lynn
Department of Environmental Protection
Release at the end of the working test period

In the Matter of Alfonso Morales
Hudson County
Department of Roads and Public Property
Suspension

In the Matter of Floyd Newton
East Orange
Police Department
Suspension

In the Matter of Shawnika Settles
Hudson County
Department of Corrections
Suspension

In the of Matter of Amanda Wilmore
Cumberland County
Cumberland Manor
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.
*It is noted that Chairperson Robert M. Czech abstained from
the vote on the settlement for Brenda Jones.

A-2 DANIEL BAKER

Daniel Baker, Firefighter, City of East Orange, Fire Department, 30-day
suspension on the charge of conduct unbecoming a public employee.

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

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

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

A-3 DAISHAUN BLAKELY

Daishaun Blakely, Institutional Trade Instructor 2, Garden State Youth Correctional Facility, Department of Corrections, 10-working day suspension on charges of conduct unbecoming a public employee, insubordination and threatening, intimidating, harassing, coercing or interfering with fellow employees on State property.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and referred the matter to the Division of Merit System Practices and Labor Relations for processing as a minor discipline.

A-4 JACQUELINE ANDREWS AND THOMAS GAUWEILER

Jacqueline Andrews, a Public Information Officer, and Thomas Gauweiler, a Garage Attendant, Township of Irvington, appeal the good faith of their layoffs effective June 6, 2008, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoff.

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

A-5 NICOLE BRYANT

Nicole Bryant, Practical Nurse, Woodbine Developmental Center, Department of Human Services, 10-working day suspension on charges of violation of rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Dismiss the appeal without prejudice.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and referred the matter to the Division of Merit System Practices and Labor Relations for processing as a minor discipline.

A-6 MONIQUE JACKSON

Erica Monique Jackson, Human Services Specialist 1, Union County, Department of Human Services, release at the end of the working test period effective January 3, 2008.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

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

A-7 DAVID LOPEZ

David Lopez, Truck Driver, Union City, Department of Public Works, 120-day suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, misuse of public property, including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal, and acknowledge the settlement.

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

A-8 OBINNA AJUBA

Obinna Ajuba, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective April 13, 2009, on charges of conduct unbecoming a public employee, physical or mental abuse of a patient, inappropriate physical contact or mistreatment of a patient, falsification and violation of a rule, regulation, policy, procedure or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 EMANUEL AMADI

Emanuel Amadi, Housing Development Analyst, City of Newark, Department of Economic and Housing Development, removal and resignation not in good standing effective July 9, 2009 on charges of abandonment of employment, and violation of rules regarding absence without official leave and failure to follow leave and absence procedures.

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

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

VOTE:

Robert M. Czech	(Yes)
Flavella Branham	(Yes)
John Currie	(Yes)
Vincent E. Giordano	(No)

A-10 TEMI BOYO

Temi Boyo, Senior Probation Officer, Judiciary, Essex Vicinage, removal effective April 8, 2008, on charges of conduct unbecoming a public employee, and violation of the Probation Officer's code of professional responsibility.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-11 PATRICK BURNS

Patrick Burns, Police Sergeant, City of Bayonne, Department of Public Safety, removal effective September 16, 2009, on charges of conduct unbecoming a public employee, other sufficient cause, improper demeanor, truthfulness, interference with Internal Affairs investigation, handing a weapon to an unauthorized person and improperly handling a weapon.

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

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

A-12 TOSHENA GRIFFIN

Toshena Griffin, Senior Correction Officer, Bayside State Prison, Department of Corrections, removal effective September 28, 2009, on charges of conduct unbecoming a public employee and violation of a rule, regulation, policy, procedure, order, or administrative decision.

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-13 LETREVIATE JONES

Letreviate Jones, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective August 19, 2008, on charges of physical or mental abuse of a client, verbal abuse of a client, conduct unbecoming a public employee, 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-14 MARK KIDD

Mark Kidd, Custodial Worker, Newark School District, removal effective November 25, 2008, 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 affirmed the recommendation of the Administrative Law Judge.

VOTE:

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

A-15 DELORIA MARTIN

Deloria Martin, County Correction Officer, Burlington County, County Jail, removal effective February 14, 2009, on charges of 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-16 GEORGE NEWMAN

George Newman, Water Repairer, City of Trenton, Department of Public Works, removal effective December 7, 2007, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Dismiss the appeal and uphold the removal.

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

A-17 SYLVIA NOSEWORTHY (CONSOLIDATION)

Sylvia Noseworthy, Senior Correction Officer, Southern State Correctional Facility, Department of Corrections, two removals effective November 24, 2009, on charges of other sufficient cause, conduct unbecoming a public employee and violation of rule regulation, policy, procedure, order, or administrative.

Recommendation of the Administrative Law Judge - Uphold the removals.

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

A-18 CHRISTOPHER STINSON

Christopher Stinson, County Correction Officer, Morris County, Sheriff's Department, removal effective September 11, 2009, on charges of inability to perform duties, incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, and violation of County rules regarding authorized leave time, and absence from duty for five consecutive days.

Recommendation of the Administrative Law Judge - Uphold the removal.

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

A-19 MICHAEL KELLY – SETTLEMENT (CONSOLIDATION)

Michael Kelly, Maintenance Repairer, Cumberland County, Cumberland Manor, 20-day suspension and removal effective December 7, 2009 on charges of insubordination, leaving assigned work area without permission, violations of a rule, regulation, policy, procedure, or administrative order and unauthorized absence, and other sufficient cause. Settled to a resignation in good standing and eight weeks' back pay.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

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

A-20 ROBERT FOLEY

Robert Foley, Land Surveyor, Monmouth County, removal effective January 22, 2009 on charges of inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause. Settled to a six-month suspension.

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 GEOFFREY BARONE**

Geoffrey Barone, a Senior Correction Officer with Mountainview Youth 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 granted.

B-2 TYWANE DIGGS

Tywane Diggs, 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-3 IRAIDA FAULK

Iraida Faulk, a Senior Correction Officer with South Woods State Prison, Department of Corrections, represented by Donald C. Barbati, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-4 TERRY FITTS

Terry Fitts, a Senior Correction Officer with 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.

B-5 TAKIDIA JENNINGS

Takidia Jennings, a Senior Correction Officer at the Garden State Youth 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 granted.

B-6 OWEN MORRIS

Owen Morris, a Construction and Maintenance Technician 4 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

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

B-7 GEORGETTA RODGERS

Georgetta Rodgers, a Cottage Training Technician with Hunterdon Developmental Center, Department of Human Services, represented by Adanna U. Ugwonali, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-8 MINERVA UBINAS

Minerva Ubinas, a Senior Correction Officer at East Jersey 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-9 NICHOLAS BOCK

Nicholas Bock appeals the decision of the Division of Local Human Resource Management to restore his name to the Weights and Measures Apprentice (C6989H), Morris County eligible list for future certifications.

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

B-10 VICTOR MUNGUIA

Victor Munguia 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 Investigator Bilingual in Spanish and English (Regular Reemployment List), Judiciary, Middlesex Vicinage, on the basis of falsification of his employment application.

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

B-11 EDANA POLSKY

Edana Polsky appeals the decision of the Division of State and Local Operations, which removed the appellant's name from the Supervising Family Service Specialist 2 (PS6051K), Department of Children and Families, employment list due to the appellant's failure to respond to the Certification Notice.

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

B-12 ASSISTANT CHIEF INVESTIGATOR, COUNTY WELFARE AGENCY

The Division of State and Local Operations, on behalf of the Ocean County Board of Social Services, requests that the movement of incumbents in the Human Services Specialist 4 title to the Assistant Chief Investigator, County Welfare Agency, title be considered a promotion.

ACTION: The Civil Service Commission granted the request.

B-13 BUSINESS MANAGER (M0434L), NEWARK

Newark requests permission not to make an appointment from the November 23, 2009 certification for Business Manager (M0434L).

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

B-14 LOAN ADVISOR (M0195L), ATLANTIC CITY

Atlantic City requests permission not to make an appointment from the June 2, 2009 certification for Loan Advisor (M0195L).

ACTION: The Civil Service Commission granted the request for an appointment waiver but assessed partial selection costs in the amount of \$1,024.

B-15 SOCIAL WORKER HEALTH (C0149K), SUSSEX COUNTY

Sussex County requests permission not to make an appointment from the August 19, 2008 certification for Social Worker Health (C0149K).

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

B-16 ZONING OFFICER (M6137J) AND (M0573K), LAWNSIDE BOROUGH

The appointing authority's failure to dispose of the certification for Zoning Officer (M6137J) and (M0573K), Lawnside Borough, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to either make a permanent appointment from the certification or vacate the position and pay compliance costs.

B-17 KIMBERLY KUBE

Kimberly Kube, a Teaching Assistant, 12 Months, at Garden State Reception and Youth Correctional Facility, Department of Corrections, appeals the determination of the Director of the Equal Employment Division, 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-18 NOAH FORMEY, ET AL.

Noah Formey, Robert Brunton, and Brian Zengewald, represented by Marcia J. Tapia, Esq., appeal the determinations of their layoff rights by the Division of Local Human Resource Management (LHRM). Additionally, Formey appeals the determination of LHRM, stating that his position was properly classified in the dual title of Traffic Enumerator/Traffic Maintenance Worker effective April 11, 2009.

ACTION: The Civil Service Commission directed that these appeals be denied but referred the matter of the classification of Michael Ferrea, Alexander Martakis and Donald Jacoby to the Division of State and Local Operations for review.

B-19 MARYANN LINNELL

Maryann Linnell appeals the determination of the Division of State Human Resource Management that her position with the Department of Children and Families is properly classified as a Principal Technician, Management Information Systems. The appellant seeks an Administrative Analyst 2, Data Processing classification in this proceeding.

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

B-20 RALPH LONERGAN

Ralph Lonergan appeals the determination of the Division of State and Local Operations that his position with the Office of the Public Defender is properly classified as an Investigator, Public Defender. The appellant seeks a Senior Investigator, Public Defender classification in this proceeding.

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

B-21 DENISE MENNUTI

Denise Mennuti appeals the decision of the Division of State Human Resource Management which found that her position with the Department of Health and Senior Services is correctly classified as Administrative Analyst 2, Fiscal Management.

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

B-22 CHRISTOPHER MINCOLELLI

Christopher Mincolelli appeals the decision of the Division of State and Local Operations that the proper classification of his position with Orange Township is Police Sergeant. The appellant seeks a Police Lieutenant classification.

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

B-23 VICTORIA YANG-LIU

Victoria Yang-Liu appeals the determination of the Division of State and Local Operations that her position with the Department of Health and Senior Services is properly classified as an Accountant 3. The appellant seeks an Administrative Analyst 4 classification in this proceeding.

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

B-24 LILLIAN D. CHILDS

Lillian D. Childs, a Senior Correction Officer with East Jersey State Prison, appeals a five-day suspension issued by the Department of Corrections.

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

B-25 HECTOR MARTINEZ

Hector Martinez, a Sanitation Driver with Trenton, represented by Elizabeth Zuckerman, Esq., petitions the Civil Service Commission for enforcement of the settlement agreement, which was acknowledged on December 5, 2007.

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

B-26 JOSEPH MONGIELLO

Joseph Mongiello, a Police Sergeant with Parsippany-Troy Hills, represented by Gina Mendola Longarzo, Esq., 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 by his employer.

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

B-27 JOSEPH SANTALUCIA

North Brunswick petitions the Civil Service Commission for a retroactive permanent appointment date as a Laborer for Joseph Santalucia.

ACTION: The Civil Service Commission granted the request.

B-28 ATLANTIC CITY LAYOFF

The International Association of Fire Fighters Local 198, the Police Officer's Benevolent Association Local 24, the Superior Officers' Association and the Atlantic City White Collar Professional Association, represented by Robert F. O'Brien, Esq., and the Government Workers Union petition the Civil Service Commission for a stay of the layoff of employees in Atlantic City. The Police Officer's Benevolent Association Local 24 also petitions for a stay on its own behalf.

ACTION: The Civil Service Commission denied the requests.

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

B-29 MARYANN MARAZZO

The Office of the Public Defender requests reconsideration of the decision rendered on December 16, 2009, which denied its request to "red-circle" Maryann Marazzo's current salary level.

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

B-30 RICHARD MOORE

The appeal of Richard Moore, a Human Services Technician with Ancora Psychiatric Hospital, Department of Human Services, of his removal, effective October 2, 2006, on charges, was heard by Administrative Law Judge Edgar R. Holmes (ALJ), who rendered his initial decision on March 8, 2010. At its meeting on April 14, 2010, the Civil Service Commission (Commission) adopted the recommendation of the ALJ to reverse the appellant's removal. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-31 LATISHA Y. VELEZ

The appeal of Latisha Y. Velez, a Police Officer with Mount Holly, of her removal, effective February 18, 2009, on charges, was heard by Administrative Law Judge Susan M. Scarola (ALJ), who rendered her initial decision on March 3, 2010, modifying the removal to a six-month suspension. At its meeting on April 14, 2010, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-32 STACY FORMAN

Stacy Forman appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Contract Administrator 2 (PC0797L), Atlantic County.

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

B-33 RACHEL FORMICA AND STEPHANIE STUART

Rachel Formica and Stephanie Stuart 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 open competitive examination for Human Services Specialist 1 (C0895L), Atlantic County.

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

B-34 JOANN GSELL, ET AL.

Joann Gsell, India Seawright-Kyser, and Brittany Regan appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Human Services Specialist 1 (PC0583L), Middlesex County Board of Social Services.

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

B-35 CHRISTINE KELLY GOTHMANN

Christine Kelly Gothmann appeals the determination of the Division of Selection Services which found that she did not meet the education and experience requirements for the promotional examination for the title of Coordinator, Youth Activities (PC1656K), Morris County.

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

B-36 JENNIFER HORNER

Jennifer Horner appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Coordinator Community Health Services (PC0974L), Burlington County.

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

B-37 SOMINI JOHN

Somini John appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Public Health Emergency Notification System Coordinator (C0566L), Middlesex County.

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

B-38 ANN PADDERATZ

Ann Padderatz 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 Contract Administrator 1 (PS0227K), Division of Addiction Services, Department of Human Services.

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

B-39 CELESTE PAIGE

Celeste Paige 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 Administrative Assistant 3 (PS2004P), Department of Law and Public Safety.

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

B-40 PATRICIA PISCITELLI

Patricia Piscitelli appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Instructor of In-Service Nursing (C1277L), Warren County.

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

B-41 SARAH REILLY

Sarah Reilly appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Dietitian (M1262L), Plainfield.

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

B-42 JEFFREY WANDLING

Jeffrey Wandling appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Data Processing Programmer 2 (PS6062C), Civil Service Commission.

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

VOTE:

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

B-43 TAMARA CUNNINGHAM

Tamara Cunningham appeals her disqualification from the promotional examination for Technical Assistant 3 (PS7781U), Department of the Treasury.

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

B-44 ODALYS LEON

Odalys Leon appeals the administration of the promotional examination for Examiner Unemployment/Disability Insurance (PS3031N), Department of Labor and Workforce Development.

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

B-45 STEVEN PEASE

Steven Pease, represented by Paul L. Kleinbaum, Esq., appeals the scope of eligibility for the promotional examination for Deputy Warden (PC3516K), Camden County.

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

B-46 JOHN CANGIALOSI

John Cangialosi appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Sheriff's Officer Sergeant (PC2797L), Bergen County due to an untimely application.

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

B-47 JOSHUA WEICHMANN

Joshua Weichmann appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for County Correction Sergeant (PC2781L), Gloucester County due to an untimely application.

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

B-48 SAVERIO CUSENZA

Saverio Cusenza appeals the determination of the Division of Selection Services denying his request for a make-up examination for Sheriff's Officer Sergeant (PC2669K), Atlantic City.

ACTION: The Civil Service Commission granted the request.

B-49 ANN DANSKI

Ann Danski requests a make-up examination for Assistant Municipal Tax Collector (PM0539L), Jackson.

ACTION: The Civil Service Commission denied the request.

B-50 DERRICK JOHNSON

Derrick Johnson requests a make-up examination for the entry Level Law Enforcement Examination (S9999K).

ACTION: The Civil Service Commission denied the request.

B-51 ABDUL-QAADIR NYAHUMA

Abdul-Qaadir Nyahuma appeals the determination of the Division of Selection Services denying his request for a make-up examination for Correction Lieutenant (PS1419I), Department of Corrections.

ACTION: The Civil Service Commission denied the request.

B-52 TAIA CARTER, ET AL.

Taia Carter, Duane Congery, Ashante Guild and Lance Jackson appeal the determinations of the Division of Selection Services which found that they failed to meet the announced residency requirement for the Juvenile Detention Officer (C0081L), Essex County, open competitive examination.

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

B-53 GEORGE BAUMANN

George Baumann appeals his oral scores of the promotional examination for Police Captain (PM3531K), Freehold.

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

B-54 MARK COWAN

Mark Cowan appeals his oral scores of the promotional examination for Police Captain (PM3536K), Jersey City.

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

B-55 LORI SANNELLA

The Division of Selection Services, on behalf of the Motor Vehicle Commission, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to allow Lori Sannella to be provisionally appointed, pending promotional examination procedures, to the competitive title of Supervisor 1, Motor Vehicles.

ACTION: The Civil Service Commission granted the request.

B-56 ARNOLD SCHIFF

The Department of Environmental Protection, on behalf of Arnold Schiff, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Mr. Schiff to receive more than 180 donated leave days allowed to a recipient.

ACTION: The Civil Service Commission granted the request.

B-57 RECENT COURT DECISIONS

Summaries of recent court decisions involving Merit System Board and Civil Service Commission determinations are submitted for the Commission's review in *In the Matter of Al-Tariq Johnson, County Jail, County of Burlington* (Appellate Division, decided 3/18/10); *In the Matter of Keith Curry, Vernon Township* (Appellate Division, decided 3/23/10); *In the Matter of William Carter* (Appellate Division, decided 3/25/10); *In the Matter of Toni-Lynne Calabrese, Department of Human Services* (Appellate Division, decided 3/29/10).

ACTION: The Civil Service Commission noted the decisions.

B-58 CIVIL SERVICE COMMISSION MEETING MINUTES

The Civil Service Commission Minutes of its meeting of April 14, 2010 are submitted for adoption.

ACTION: The Civil Service Commission adopted the minutes of its meeting of April 14, 2010.

B-59 EARLY SETTLEMENT

Ranmnarine Singh
New Jersey State Prison
Department of Corrections

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 12, 2010, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission