



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
MARCH 16, 2011**

**Robert M. Czech, Chairperson
Robert E. Brenner
Richard E. Williams**

March 16, 2011

A regular meeting of the Civil Service Commission was held on Wednesday, March 16, 2011, in Trenton, New Jersey.

PRESENT: Robert. M. Czech, Chairperson, Members Robert E. Brenner and Richard E. Williams; 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 December 20, 2010, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

DISMISSAL FOR 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:

Robert Emmet, Security Guard, West New York, Department of Parks and Public Property, removal.

Dawn Solano, Clerk Typist, Town of Kearny, Department of Urban Enterprise Zone, good faith of layoff.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Benjamin Cardi, Sidewalk Inspector, City of Camden, good faith of temporary layoff.

Warren Carmichael, Human Services Assistant, Ancora Psychiatric Hospital, suspension.

Bradford J. Kadubic, Emergency Medical Technician, Lakewood Township, suspension.

John Kelly, Maintenance Supervisor, Wildwood City Housing Authority, removal.

Wilfredo Rosario, Building Maintenance Worker, Vineland School District, suspension.

Pamela Upham, Loan Advisor, City of Millville, good faith of layoff.

SECTION A – HEARING MATTERS

A-1 In the Matter of Nana Appiagyei
Hunterdon Developmental Center
Department of Human Services
Suspension

In the Matter of Karen Bennett
Office of the Attorney General
Release at the end of the working test period

In the Matter of Samuel Bryant
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Christopher M. Carty
County of Atlantic
Resignation in good standing

In the Matter of Lisa Dunn-Gundy
Department of Children and Families
Resignation not in good standing

In the Matter of Sheena Harris
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of Rochelle Hinton
Office of the Attorney General
Release at the end of the working test period

In the Matter of Quadir Lewis
East Jersey State Prison
Department of Corrections
Suspension

In the Matter of William Mackson
Hamilton Township
Water Pollution Control Department
Suspension

In the Matter of Joseph Matusewski

Mountainview Youth Correctional Facility
Department of Corrections
Removal

In the Matter of George Millan
Garden State Youth Correctional Facility
Department of Corrections
Suspension

In the Matter of Tiffany Mincy
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Crystal Powell
East Orange
Police Department
Removal

In the Matter of Terry Sawyer
Department of Children and Families
Suspension

In the Matter of Michael Spagnola
Morris County
Department of Weights and Measures Apprentice
List removal

In the Matter of Joseph Spells
Middlesex County
Department of Youth Services
Removal

In the Matter of Claudia Strickland
Department of Children and Families
Removal

In the Matter of Rosemary Vogel
Warren County
Department of Long Term Care Services
Removal

In the Matter of Habeebah Westry

Northern State Prison
Department of Corrections
Suspension

In the Matter of Steven Yablonsky
City of Newark
Police Department
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 YVETTE BROWN

Yvette Brown, Senior Correction Officer, Bayside State Prison, Department of Corrections, 45 working day suspension on charges of other sufficient cause, falsification, conduct unbecoming a public employee and violation of a procedure.

Recommendation of the Administrative Law Judge – Uphold the 45 working day suspension and impose sanctions on the appointing authority for failure to provide a witness on the third day of the hearing.

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

A-3 ROBERT CUSICK

Robert Cusick, County Correction Lieutenant, Middlesex County, Department of Adult Corrections, 45 day suspension and demotion to the position of County Correction Officer effective May 9, 2010, on charges of conduct unbecoming a public employee, incompetency, inefficiency or failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 45 day suspension and modify the demotion to the position of County Correction Officer to the position of County Correction Sergeant.

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

A-4 OLIVIA GILLARD

Olivia Gilliard, Senior Correction Officer, Northern State Prison, Department of Corrections, 45 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the 45 working day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to a 10 working day suspension.

A-5 TROY HESSE

Troy Hesse, Senior Police Officer, Department of Human Services, 30-day suspension on charges of sleeping while on duty, neglect of duty, code of conduct and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 30-day suspension to a 15-day suspension.

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

A-6 JOHN MULLIGAN

John Mulligan, Institutional Trade Instructor 2 (Cooking), East Jersey State Prison, Department of Corrections, 10 working day suspension on the charge of other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 10 working day suspension.

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

A-7 JON NIELSEN

Jon Nielsen, Sanitation Worker, City of Perth Amboy, Department of Public Works, resignation not in good standing effective May 22, 2008, on the charge of job abandonment.

Recommendation of the Administrative Law Judge – Uphold the resignation not in good standing.

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

A-8 JAMES PARTON AND JILL GIANNINI

James Parton and Jill Giannini, Sheriff's Officers, Burlington County, Sheriff's Department, 10 working day suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify Officer Parton's 10-day suspension to a 20 working day suspension and uphold Officer Giannini's 10 working day suspension.

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

A-9 GAIL KARP-SCHMIDT

Gail Karp-Schmidt, Intermittent Labor Clerk, Department of Labor and Workforce Development, release at the end of the working test period effective August 14, 2009.

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-10 JOANN BAKER

Joann Baker, Judiciary Clerk 4, Hudson Vicinage, Judiciary, removal effective July 24, 2009, on charges of conduct unbecoming a public employee, neglect of duty, and violation of the code of conduct for Judiciary.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-11 ROBERT FERGUSON (REMAND)

Robert Ferguson, Senior Correction Officer, Adult Diagnostic and Treatment Center, Department of Corrections, removal on charges of conduct unbecoming a public employee, improper or unauthorized contact with inmate, undue familiarity with inmates, parolees, their families, or friends, violation of administrative procedures and/or regulations involving safety and security, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-12 AILEEN MATIAS

Aileen Matias, Police Officer, Township of Irvington, Police Department, removal effective June 30, 2003, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge but did not award back pay.

A-13 JOSE SANTANA

Jose Santana, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective July 9, 2009, on charges of physical abuse of a patient, inappropriate physical contact or mistreatment of a patient and violation of a policy.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-14 KELLY NELSON

Kelly Nelson, Data Processing Technician, City of Newark, Department of Economic and Housing Development, resignation not in good standing effective March 19, 2009, on charges of being absent without notice for more than five days, neglect of duty and failure to perform duties.

Recommendation of the Administrative Law Judge – Reverse the resignation not in good standing.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and upheld the resignation not in good standing.

A-15 In the Matter of Jesus Andino

Monmouth County

Department of Corrections and Youth Services

Suspension

VOTE:	Robert M. Czech	(Abstained)
	Robert E. Brenner	(Yes)
	Richard E. Williams	(Yes)

In the Matter of Michael Azzarello

Monmouth County

Sheriff's Department

Suspension

VOTE:	Robert M. Czech	(Abstained)
	Robert E. Brenner	(Yes)
	Richard E. Williams	(Yes)

In the Matter of Richard Beagin

West Paterson
Police Department
Removals (2)

In the Matter of Timothy Bethea
Mercer County
Department of Public Safety
Removal

In the Matter of Cashtea Cooley
City of Camden
Police Department
Removal

In the Matter of William Fenning
Middlesex County
Department of Adult Corrections
Removal

In the Matter of Steven L. Ferranto
Burlington County
County Jail
Removal

In the Matter of Nicholas Ives
Bayside State Prison
Department of Corrections
Suspension and Removal

In the Matter of Helen Jarvis
Essex County
Department of Citizen Services
Suspension and Removal

In the Matter of Ebony Johnson
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of Vivian Kennedy
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Judith Konadu
New Lisbon Developmental Center
Department of Human Services
Suspension

In the Matter of Frederick Masucci
City of Newark
Police Department
Suspension

In the Matter of Kathleen Naibert
Brick Township School District
Removal

In the Matter of Christine Oviedo
Jersey City School District
Removal

In the Matter of Mary Patterson
Burlington County
County Jail
Suspension

In the Matter of Katie Strachn
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Shade Tyson
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Kimberly Williams
Woodbridge Developmental Center
Department of Human Services
Suspension

In the Matter of Delia Yili
City of Perth Amboy
Department of General Government
Removal

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN

THE ABOVE CASES – SETTLEMENT

ACTION: The Civil Service Commission acknowledged all of the settlements except for Richard Beagin, which was held over.

A-16 OLANDA ECKEARD

Olanda Eckeard, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, indefinite suspension pending disposition of criminal complaint.

Recommendation of the Administrative Law Judge – Uphold the indefinite suspension.

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

A-17 PATRICK BEATTY

Patrick Beatty, Senior Police Officer, Department of Human Services, removal effective July 15, 2010, on charges of insubordination and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Grant appellant's motion for summary decision and dismiss the charges as moot.

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

A-18 DAVON DEBOW

Davon Debow, County Correction Officer, Atlantic County, Department of Public Safety, removal effective July 29, 2010, on charges of violation of County policy and procedure manual, drug screening, 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-19 INOCENCIO DONES (CONSOLIDATION)

Inocencio Dones, Assistant District Parole Supervisor, Juvenile Justice Commission, removal effective February 6, 2010, on charges of conduct unbecoming a public employee, neglect of duty, misuse of public property, including motor vehicles and other sufficient cause and removal effective August 10, 2010, on charges of conduct unbecoming a public employee, discrimination that effects equal employment opportunity including sexual harassment and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-20 MALIKAH HAMILTON

Malikah Hamilton, Senior Correction Officer, East Jersey State Prison, Department of Corrections, removal effective October 6, 2010, on charges of chronic or excessive absenteeism or lateness.

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 but held in abeyance the matter of back pay until the appellant's four pending appeals at the Office of Administrative Law are resolved.

VOTE:

Robert M. Czech	(Yes)
Robert E. Brenner	(Abstained)
Richard E. Williams	(Yes)

A-21 FRANK HARKCOM

Frank Harkcom, Senior Correction Officer, South Woods State Prison, Department of Corrections, removal effective July 21, 2010, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, other sufficient cause, falsification and violation of administrative procedure and/or regulations involving safety and security 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 affirmed the recommendation of the Administrative Law Judge.

A-22 KENNETH LITTLE

Kenneth Little, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective May 10, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, violation of administrative procedures and/or regulations involving safety and security and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to a 5 working day suspension.

A-23 DONALD MITCHELL (REMAND)

Donald Mitchell, County Correction Sergeant, Hudson County, Department of Corrections, removal and resignation not in good standing effective June 29, 2006, on charges of resignation not in good standing, insubordination, neglect of duty, conduct unbecoming a public employee, chronic and excessive absenteeism, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal and resignation not in good standing.

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

VOTE:

Robert M. Czech	(No)
Robert E. Brenner	(Yes)
Richard E. Williams	(Yes)

A-24 RASHEED CHAMBERS (SETTLEMENT)

Rasheed Chambers, County Correction Officer, Hudson County, Department of Corrections, removal effective July 9, 2010, on charges of conduct unbecoming a public employee, neglect of duty, incompetency, inefficiency or failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

Subsequent to presenting this initial decision to the Civil Service Commission, the parties indicated that they had reached a settlement agreement. Therefore, this matter was held over from the February 2, 2011, Civil Services Commission meeting.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and acknowledged the settlement to a general resignation effective February 1, 2011.

A-25 In the Matter of Hakim Davis
City of East Orange
Police Department
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS**B-1 CHANGE IN STATE CLASSIFICATION PLAN – EMERGENCY RESPONSE SPECIALIST TITLE SERIES**

The Department of Environmental Protection requests a salary re-evaluation for the Emergency Response Specialist titles series.

**MEMORANDUM**

DATE: February 9, 2011
 TO: Civil Service Commission
 FROM: Kenneth C. Connolly, Director
 State and Local Operations
 SUBJECT: Change in the State Classification Plan

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection requested a salary re-evaluation for the Emergency Response Specialist title series.

The Department cited several changes which have expanded the scope of the job and, have impacted job content factors. An evaluation of the titles, including completion of job analysis questionnaires, was conducted to determine the merits of this request.

The results of the evaluation indicate that the titles in this series have met the threshold for substantial change. The survey responses consistently showed a greater consequence of error, greater diversity of work, and greater freedom to act. The results were reviewed against the compensable factors of Know-How, Problem Solving and Accountability; there is sufficient cause to increase the class code for all levels by one range.

Negotiations representatives were informed of this request by the Appointing Authority.

CHANGE IN CLASS CODE:

Effective: 05-08-2010

FROM:

Emergency Response Specialist 1
 cc29/S30-15875 Career N4/12

Emergency Response Specialist 2
 cc26/R27-15864 Career 4E/12

Emergency Response Specialist 3
 cc23/P24-15863 Career 4E/12

Emergency Response Specialist 4
 cc20/P21-15862 Career 4E/12

KC/JM/BP

TO:

Emergency Response Specialist 1
 cc30/S31-15875 Career N4/12

Emergency Response Specialist 2
 cc27/R28-15864 Career 4E/12

Emergency Response Specialist 3
 cc24/P25-15863 Career 4E/12

Emergency Response Specialist 4
 cc21/P22-15862 Career 4E/12

www.state.nj.us/csc

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

B-2 ALEX BERKI

Alex Berki, a Maintenance Worker 1 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-3 JOHN CATALFAMO

John Catalfamo, an Aviation Mechanic with the Division of State Police, Department of Law and Public Safety, appeals the denial of sick leave injury (SLI) benefits.

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

B-4 BRIAN COHAN

Brian Cohan, a Human Services Assistant with 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-5 SONJA COOPER

Sonja Cooper, a Support Services Representative 3 with the Motor Vehicle Commission, appeals the denial of sick leave injury (SLI) benefits.

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

B-6 GININE CUFF

Ginine Cuff, a Senior Correction Officer with Edna Mahan Correctional Facility for Women, 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-7 ROBERT D'ANZIERI

Robert D'Anzieri, a Senior Correction Officer with Mid-State Correctional Facility, Department of Corrections, represented by Thomas E. Kunz, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-8 THOMAS DEGUGLIELMO

Thomas DeGuglielmo, an Automotive Mechanic 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-9 KEVIN DILELLO

Kevin Dilello, a Senior Correction Officer with 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 denied.

B-10 AMY DUDLEY

Amy Dudley, a Family Service Specialist 2 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-11 RITA P. ESPINOZA

Rita P. Espinoza, a Family Services Specialist 1 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 KATHLEEN FERGUSON

Kathleen Ferguson, a Senior Therapy Program Assistant with Woodbridge Developmental Center, 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-13 AMY FOY

Amy Foy, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, represented by Andrew M. Kusnirik, III, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-14 CHRISTOPHER FRANKOWSKI

Christopher Frankowski, a Sub-Code Official with the Department of Community Affairs, represented by Brett Richter, Staff Representative, CWA Local 1039, appeals the denial of sick leave injury (SLI) benefits.

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

B-15 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-16 JOHN GASPARI

John Gaspari, a Construction and Maintenance Technician 1 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-17 JUSTIN GRAHAM

Justin Graham, a Correction Sergeant at New Jersey 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-18 KIM GRAY

Kim Gray, 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-19 SHANITA HARDIMAN

Shanita Hardiman, a Senior Clerk Typist at 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-20 LUCILLE HENDRICKS

Lucille Hendricks, a Technical Assistant 2, Treasury with 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-21 JOHN HUGHES

John Hughes, a Correction Sergeant with Southern 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-22 SHERRI JACKSON

Sherri Jackson, a Senior Correction Officer with South Woods 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-23 NICOLE JOHNSON

Nicole Johnson, a Human Services Assistant with 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 granted in part.

B-24 JOSEPH KOENIG

Joseph Koenig, a Crew Supervisor Electrical Operations 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-25 ADRIANA LEWIS

Adriana Lewis, a Field Representative, Housing, with the Department of Community Affairs, appeals the denial of sick leave injury (SLI) benefits.

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

B-26 SWATI MARNER

Swati Marner, a Clinical Psychologist 1 at Ancora Psychiatric Hospital, Department of Human Services, represented by Jan R. Evans, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-27 PAULITO MARQUEZ

Paulito Marquez, a Principal Postal Clerk with the Motor Vehicle Commission, represented by Paul Curcio, Representative, CWA Local 1033, appeals the denial of sick leave injury (SLI) benefits.

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

B-28 WILLIAM MCDONALD

William McDonald, a Senior Correction Officer with 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 denied.

B-29 BRIAN MEISCHKE

Brian Meischke, a Senior Correction Officer at Bayside State Prison, Department of Corrections, represented by Shirley Naylor, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-30 ELISA MOSCA

Elisa Mosca, a Supervisor of Nursing Services with the Woodbridge Developmental Center, 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-31 ROBERT OWENS

Robert Owens, an Associate Supervisor 2 Facilities with Kean University, represented by John Polk, Secretary/Treasurer, CWA Local 1031, appeals the denial of sick leave injury (SLI) benefits.

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

B-32 DANELLA PARKER-MASON

Danella Parker-Mason, a Social Worker 1 at Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Robert O. Yeager, Principal 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-33 SALVATORE PICCOLI

Salvatore Piccoli, a Teacher 1, 12 Months with the 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-34 DONALD RINYU

Donald Rinyu, a Senior Correction Officer, Juvenile Justice, with the Juvenile Justice Commission, 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 denied.

B-35 TONYA BAGBY

Tonya Bagby appeals the July 28, 2010 decision of the Division of State and Local Operations which found that her position with Rowan University is correctly classified as Financial Aid Assistant. The appellant seeks a Technical Assistant 1, Higher Education classification.

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

B-36 JODI DOMAN

Jodi Doman, represented by Richard A. Dann, President, CWA Local 1085, appeals the decision of the Division of State and Local Operations which found that Ms. Doman's position with the Gloucester County Sheriff's Office is properly classified as a Supervising Clerk. The appellant seeks an Administrative Clerk classification.

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

B-37 MARILYN HUSHION

Marilyn Hushion appeals the decision of the Division of State and Local Operations which found that her position with the Department of Health and Senior Services is correctly classified as a Technical Assistant, Personnel. The appellant seeks a Personnel Assistant 4 classification.

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

B-38 KATHLEEN MALONY

Kathleen Malony appeals the decision of the Division of State and Local Operations which found that her position with the Department of Health and Senior Services is properly classified as a Principal Chemist. The appellant seeks a Research Scientist 2, Chemistry classification.

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

B-39 SHANNAN D. MORRIS

Shannan D. Morris appeals the determination of the Division of State and Local Operations that her position with the Department of Law and Public Safety is properly classified as a Principal Payroll Clerk. The appellant seeks a Technical Assistant, Personnel classification.

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

B-40 HAKIM DAVIS

The appeal of Hakim Davis, a Police Officer with the City of East Orange, of his indefinite suspension pending criminal charges, effective August 13, 2008, was before Administrative Law Judge Evelyn J. Marose, who rendered her initial decision on July 22, 2010, recommending acknowledgement of the settlement of the parties.

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

B-41 EDWARD PENGEL

Edward Pengel, a former Groundskeeper with Morris County, represented by Michael G. Kane, Esq., seeks enforcement of the Civil Service Commission decision rendered on June 9, 2010, awarding counsel fees.

ACTION: The Civil Service Commission directed that this appeal be granted in part and the petitioner be awarded \$25,760 in counsel fees and \$262.86 in costs.

B-42 CAROL LYNN BARR

Carol Lynn Barr appeals the decision of the Division of State and Local Operations which found that her position with the Department of Health and Senior Services is correctly classified as a Senior Technician, Management Information Systems. The appellant seeks an Administrative Analyst 3 classification. In addition, Ms. Barr appeals the determination of the Division of Selection Services that found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Administrative Analyst 1 (PS7591H), Department of Health and Senior Services.

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

B-43 ZAKIA BENYARD AND EDITH SANCHEZ

Zakia Benyard and Edith Sanchez appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the open competitive examination for Administrative Analyst (M0191M), Newark.

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

B-44 TAHMNIA BUTT

Tahmnia Butt appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Administrative Analyst 2, Fiscal Management (PS5124K), Department of Human Services.

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

B-45 CAROL CANALE

Carol Canale appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Occupational Safety Consultant 2 (PS7043K), Department of Human Services.

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

B-46 EDWARD CONLEY AND MARYELLEN GORDON

Edward Conley and Maryellen Gordon appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Assistant Biologist Fisheries (PS6814G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that these appeals be denied and the Division of State and Local Operations review the experience requirement of the job specification for Assistant Biologist Fisheries.

B-47 MICHAEL J. DOWNEY

Michael J. Downey appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Tree Superintendent (PM0359M), Elizabeth.

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

B-48 REBECCA FELDMAN

Rebecca Feldman appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Home Instructor, Commission for the Blind and Visually Impaired (S0132M).

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

B-49 JANELLE FRANCOIS

Janelle Francois appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Labor Relations Specialist (M1273L), Newark School District.

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

B-50 LORI GHAVAMI

Lori Ghavami 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 Administrative Analyst (M0191M), Newark.

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

B-51 FRANK GIGANTE

Frank Gigante 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 Code Enforcement Officer (M0023M), Hoboken.

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

B-52 MARIANNE GILKEY

Marianne Gilkey appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Administrative Secretary (PC0220M), Camden County Municipal Utilities Authority.

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

B-53 MARC HAYDEN

Marc Hayden appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Golf Superintendent (PC0233M), Union County.

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

B-54 NICOLE HOLT

Nicole Holt 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 Assistant Recreation Supervisor (PM0295L), Sea Isle City.

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

B-55 CLINTON C. JONES

Clinton C. Jones appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Veterans' Service Officer (C0110M), Salem County.

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

B-56 CARL JOPKO

Carl Jopko appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Transport Hauler (PS7119U), Department of the Treasury.

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

B-57 PAULA J. KAMRAD AND ANDREA STUMPF

Paula J. Kamrad and Andrea Stumpf appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Administrative Analyst 4 (PS1925K), Department of Human Services.

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

B-58 KAREN KLOO

Karen Kloo appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education for a prospective examination for Environmental Scientist 1, Department of Environmental Protection.

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

B-59 DIANE LAGARES

Dinae Lagares appeals the decision of the Division of Selection Services, which found a sufficient basis to remove the appellant's name from the Customer Service Representative, Bilingual in Spanish/English (M0068M), Vineland, eligible list on the basis that she did not meet the requirements for the position.

ACTION: The Civil Service Commission directed that this appeal be granted but that the appellant's name be reflected as bypassed on the certification.

B-60 JONATHAN LANE

Jonathan Lane appeals the determination of the Division of Selection Services which found that he was not eligible for the open competitive examination for Safety Officer, Mental Health (C0301M), Hudson County.

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

B-61 ANTHONY LOMBARDY

Anthony Lombardy appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Coordinator, DMV (PS5280T), Motor Vehicle Commission.

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

B-62 RHONDA LAZAR

Rhonda Lazar appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Deputy Municipal Court Administrator (PM0478M), Lawrence.

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

B-63 CAROL MACLEOD

Carol Macleod 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 Secretarial Assistant 3, Non-Stenographic (PS6065J), The College of New Jersey.

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

B-64 KARINA MARTINEZ-ITAK

Karina Martinez-Itak 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 open competitive examination for Public Health Representative 3, Bilingual in Spanish and English (S0211M), Statewide.

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

B-65 KEVIN E. MASON

Kevin E. Mason appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Network Administrator 1 (PC0410M), Salem County.

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

B-66 MICHAEL MATTHEWS

Michael Matthews appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervisor of Data Processing Operations (PM0273M), Atlantic City.

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

B-67 AMANDA MENIER AND LORI ROMAN

Amanda Menier appeals the decision of the Division of Selection Services that she does not meet the experience requirements, and Lori Roman appeals the decision of the Division of Selection Services that she does not meet the education and experience requirements for the open-competitive examination for Program Analyst (C0181M), Ocean County.

ACTION: The Civil Service Commission directed that these appeals be denied and their positions undergo classification reviews.

B-68 KEVIN MULLEN

Kevin Mullen, represented by Raymond Staub, Esq., appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Fire Chief (PM0691M), Florence Township.

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

B-69 BETH A. O'BRIEN

Beth A. O'Brien appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the requirements for the promotional examination for Administrative Analyst 2 (PS6297K), Department of Children and Families.

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

B-70 GREGORY PROTT

Gregory Prott appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Hazardous Materials Specialist (PC1102L), Middlesex County.

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

B-71 JENNIFER SANTANA

Jennifer Santana appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Personnel Aide 1 (PS6151I), Department of Corrections.

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

B-72 BENJAMIN SARACCO

Benjamin Saracco appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Senior Librarian Technical Services (M0152M), Bloomfield.

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

B-73 KAREN SEXTON

Karen Sexton 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 Technician Management Information Systems (PS8207I), Department of Corrections.

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

B-74 MELVIN SIMON

Melvin Simon 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 Principal Assistant Assessor (M0494L), Newark.

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

B-75 ROZELL SPEAKS

Rozell Speaks 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 Computer Operator (M0215M), Kearny.

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

B-76 TAMELA SPISSELL

Tamela Spissell appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Fiscal Officer (PC0169M), Gloucester County.

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

B-77 ANTHONY W. STALTARI

Anthony W. Staltari appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Hearing Officer (C0073M), Hudson County.

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

B-78 KAREN SWIECONEK

Karen Swieconek appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Senior Technician, Management Information Systems (PS5245N), Department of Labor and Workforce Development.

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

B-79 SHARON TIMM

Sharon Timm appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Principal Claims Reviewer (PS6820H), Department of Health and Senior Services.

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

B-80 MATTHEW TOMARO

Matthew Tomaro appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Storekeeper 2 (PS7720H), Greenbrook Regional Center.

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

B-81 COREEN WINT

Coreen Wint 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 Principal Claims Reviewer (PS6820H), Department of Health and Senior Services.

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

B-82 GARY WORKMAN

Gary Workman appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Crew Supervisor, Building Maintenance Programs (PS6704T), Department of Transportation.

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

B-83 JAMES H. CONWAY, ET AL.

James H. Conway, Marvin Felder, Margaret Hayes, Angie Hoagland, and John D. Rourke appeal the validity of the promotional examination for Network Administrator 1 (PS5301U), Office of Information Technology.

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

B-84 DENNIS CORRY

Dennis Corry appeals the validity of the promotional examination for Data Base Analyst 1 (PS5291U), Department of Treasury.

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

B-85 NICOLE HARRISON-GARCIA

Nicole Harrison-Garcia requests a review of the examination for Management Specialist (C1142L), Hudson County.

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

B-86 DANIELLE PRIDDEE

Danielle Priddee appeals the testing conditions for the open-competitive examination for Youth Group Worker (C0657L), Bergen County.

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

B-87 JESSE J. ALCIVAR

Jesse J. Alcivar, represented by Michael S. Doran, Esq., appeals his rejection as a Police Officer candidate by the City of Hackensack and its request to remove his name from the eligible list for Police Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-88 JOSEPH MARTIN

Joseph Martin, a Senior Parole Officer, appeals the New Jersey State Parole Board's denial of his January 14, 2010 grievance concerning his regular days off.

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

B-89 JOSEPH COLOMBO

Joseph Colombo, a Supervising Laborer with Bayonne, represented by Peter J. Cresci, Esq., petitions the Civil Service Commission for a stay of his removal, effective August 20, 2010.

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

B-90 KOLAWOLE FAMAKINWA

Kolawole Famakinwa, a former Human Services Assistant with Greystone Park Psychiatric Hospital, Department of Human Services, requests a hearing regarding his removal from employment, effective February 29, 2008.

ACTION: The Civil Service Commission denied this request.

B-91 DONNA FERRARI

Donna Ferrari, a former Social Service Aide with the Department of Human Services, Sussex County, appeals the determination of her layoff rights by the Division of State and Local Operations.

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

B-92 MARLBORO MUNICIPAL UTILITIES AUTHORITY EMPLOYEES

The Township of Marlboro requests relief on behalf of Matthew Baeder, Michael Barry, Jason Cassano, Colleen Dolan, Kerry Gluck, and Wayne Smith, six former employees of its Municipal Utilities Authority.

ACTION: The Civil Service Commission granted this request.

B-93 GRANT ROBINSON

Grant Robinson requests additional relief regarding his removal from the Assistant Supervisor of Resident Living (Developmental Disabilities) (PS4755K), Woodbine Developmental Center, Department of Human Services, eligible list.

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

B-94 ASSESSING AIDE (M1814J), MIDDLETOWN TOWNSHIP

Middletown Township requests reconsideration of that part of the decision rendered on October 6, 2010 by the Civil Service Commission in *In the Matter of Assessing Aide (M1814J)*, which assessed costs of the selection process in the amount of \$1,024.

ACTION: The Civil Service Commission denied the request for reconsideration and assessed prior costs of \$1,024.

B-95 KEVIN GEORGE

The Superior Court of New Jersey, Appellate Division has remanded the matter of the removal of Kevin George for reconsideration and clarification. *See In the Matter of Kevin George*, Docket No. A-3538-08T3 (App. Div. February 3, 2011).

ACTION: The Civil Service Commission directed that this matter be remanded to the Office of Administrative Law.

B-96 PROBATION OFFICER (S4444L) AND PROBATION OFFICER (BILINGUAL IN SPANISH AND ENGLISH) (S4445L), STATEWIDE

The Judiciary petitions for reconsideration of the final decision rendered on February 2, 2011, which revived and extended the eligible lists for Probation Officer (S4444L) and Probation Officer (Bilingual in Spanish and English) (S4445L), Statewide, for six months beyond their expiration dates based on the reasons presented for the request.

ACTION: The Civil Service Commission granted the request.

B-97 SHERIFF'S INVESTIGATOR

The Passaic County Sheriff's Office, represented by Albert C. Buglione, Esq., requests reconsideration of the decision rendered on May 12, 2010 regarding the calculation of its entitlement to unclassified Sheriff's Investigator positions.

ACTION: The Civil Service Commission granted the request.

B-98 ASSISTANT FAMILY SERVICE WORKER 2, ET AL.

The Department of Children and Families requests that the provisions of *N.J.A.C. 4A:4-7.6(c)* and *N.J.A.C. 4A:4-2.5(e)* be relaxed in order to allow employees in the titles of Youth Worker and Senior Youth Worker to undergo title changes to Assistant Family Service Worker 2 and Assistant Family Service Worker 3, respectively, or Youth Worker to Day Care Center Technician, with retention of permanent status as part of a pre-layoff action.

ACTION: The Civil Service Commission granted the request.

B-99 MARILYN MOORE

The City of Jersey City requests that the eligible list for Secretarial Assistant (M1162H) be revived in order to effectuate the permanent appointment of Marilyn Moore, effective January 1, 2007.

ACTION: The Civil Service Commission granted the request.

B-100 ASSISTANT VIOLATIONS CLERK (M0062L) JERSEY CITY

Jersey City requests permission not to make an appointment from the July 13, 2009 certification for Assistant Violations Clerk (M0062L).

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

B-101 MUNICIPAL COURT ATTENDANT (M1078L), JERSEY CITY

Jersey City requests permission not to make an appointment from the April 19, 2010 certification for Municipal Court Attendant (M1078L).

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

B-102 SOCIAL WORKER SPECIALIST (M0169M), VINELAND

Vineland requests permission not to make an appointment from the September 1, 2010 certification for Social Work Specialist (M0169M).

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

B-103 BRIAN R. BORZEK

Brian R. Borzek appeals the decision of the Division of State Local Operations which upheld the removal of his name from Correction Officer Recruit (S9999K), Department of Corrections, eligible list due to an unsatisfactory driving record and failure to complete the pre-employment process.

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

B-104 BRIAN BRERETON

Brian Brereton, a Police Sergeant with Hoboken, petitions the Civil Service Commission for a retroactive date of permanent appointment as a Police Sergeant, effective April 5, 2005, for seniority and record purposes only.

ACTION: The Civil Service Commission granted the request.

B-105 TONYA COOPER

Tonya Cooper appeals the decision of the Division of State Local Operations which upheld the removal of her name from County Correction Officer (S9999K), Atlantic County, eligible list due to the falsification of her employment application.

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

B-106 PRISCILLA GALARZA

Priscilla Galarza appeals the decision of the Division of State Local Operations which upheld the removal of her name from Correction Officer Recruit (S9999H), Department of Corrections, eligible list due to the falsification of her employment application and an unsatisfactory driving record.

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

B-107 JENNEH SIAKA

Jenneh Siaka appeals the removal of her name from the eligible list for Charge Nurse 12 months (S0049L), Department of Human Services, on the basis of her failure to respond to the notice of certification.

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

B-108 GIOSUE DIGIOVANNI

Giosue DiGiovanni appeals the determination of the Division of State and Local Operations that his position with the Department of the Treasury is properly classified as a Supply Support Technician 1. The appellant seeks a Storekeeper 1 classification.

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

B-109 SARAH FREEMAN

Sarah Freeman appeals the decision of the Division of State and Local Operations that the proper classification of her position is Technical Assistant 2, Treasury. The appellant seeks either a Senior Claims Investigator or a Technical Assistant 1, Treasury classification.

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

B-110 PATRICK GOAN

Patrick Goan appeals the decision of the Division of State and Local Operations that his position with the Department of Environmental Protection is properly classified as a Grants Specialist.

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

B-111 TYNISA HALL

Tynisa Hall appeals the decision of the Division of State and Local Operations which found that her position with the Department of the Treasury is correctly classified as a Technical Assistant 2, Treasury. The appellant seeks a Technical Assistant 1, Treasury classification.

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

B-112 RUSLANA NAGORNIAK

Ruslana Nagorniak appeals the decision of the Division of State and Local Operations which found that her position with the Department of Corrections is properly classified as an Auditor 2. The appellant seeks an Administrative Analyst 2, Management Auditor job classification.

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

B-113 ELIZABETH CHAPARRO

The appeal of Elizabeth Chaparro, a Senior Correction Officer at South Woods State Prison, Department of Corrections, of her 30 working day suspension, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on November 12, 2010. At its meeting on February 16, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 30 working day suspension to a five working day suspension. Rather, the Commission imposed a 10 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-114 PATRICK GALLAGHER

The appeal of Patrick Gallagher, a Park Attendant with Hudson County, of his resignation not in good standing, effective November 25, 2009, on charges, was heard by Administrative Law Judge Michael Antoniewicz (ALJ), who rendered his initial decision on November 22, 2010. At its meeting on February 16, 2011, the Civil Service Commission adopted the ALJ's recommendation to uphold the appellant's resignation not in good standing. However, the Commission found it necessary to address the exceptions filed by the appellant. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-115 WALTER GRAHAM

The appeal of Walter Graham, a Correction Sergeant at Southern State Correctional Facility, Department of Corrections, of his removal effective April 22, 2009, on charges, was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on October 1, 2010. At its meeting on February 16, 2011, the Civil Service Commission adopted the ALJ's recommendation to uphold the removal. However, the Commission did not adopt the ALJ's recommendation to impose sanctions for the appointing authority's failure to present an expert witness. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-116 ANNELL GREEN

The appeal of Annell Green, a Cottage Training Technician with North Jersey Developmental Center, Department of Human Services, of her removal effective July 21, 2009, on charges, was heard by Administrative Law Judge Sandra Ann Robinson (ALJ), who rendered her initial decision on December 20, 2010. At its meeting on February 16, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a 30 working day suspension. Rather, the Commission imposed a 45 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-117 JOSEPH NAPOLEONE

The appeal of Joseph Napoleone, a Police Officer with Clifton, of his 10-day suspension, on charges, was heard by Administrative Law Judge Richard McGill (ALJ), who rendered his initial decision on October 22, 2010. At its meeting on February 16, 2011, the Civil Service Commission adopted the ALJ's recommendation to dismiss the 10-day suspension. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-118 KWAMBOKA OCHARO

The appeal of Kwamboka Ocharo, a County Correction Officer with the Hudson County Department of Corrections, of her 60 working day and 90 working day suspensions and removal, on charges, was heard by Administrative Law Judge Imre Karaszegi (ALJ), who rendered his initial decision on November 12, 2010. At its meeting on February 16, 2011, the Civil Service Commission adopted the ALJ's recommendation to uphold the 60 working day and 90 working day suspensions. However, the Commission did not adopt the ALJ's recommendation to reverse the removal. 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-119 JAMES SMALL

The appeal of James Small, a Human Services Assistant with Ancora Psychiatric Hospital, Department of Human Services, of his removal effective August 18, 2009, on charges, was heard by Administrative Law Judge Edgar R. Holmes (ALJ), who rendered his initial decision on October 7, 2010. At its meeting on February 16, 2011, the Civil Service Commission adopted the ALJ's recommendation to reverse the removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-120 HENRY PIESZKO

Henry Pieszko appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Personnel Officer (PC0179M), Hudson County.

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

B-121 OLGA SHVARTSMAN

The Division of State and Local Operations, on behalf of the Department of Treasury, requests that Olga Shvartsman's out-of-title work experience in the title Administrative Analyst 3 Data Processing be accepted to qualify her for a prospective promotional examination for Data Processing Programmer 2.

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

B-122 DAVID SILLETTI

David Silletti, represented by Nora Locke, Esq., appeals the decision of the Division of Selection Services which found that he lacked the required amount of permanent status in a title to which the examination was open for Fire Captain (PM5055M), Belleville.

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

B-123 CHRISTOPHER BROCCOLI

Christopher Broccoli appeals his score for the oral portion of the promotional examination for Fire Captain (PM3563J), Camden.

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

B-124 CHRISTOPHER EDWARDS

Christopher Edwards appeals his score for the oral portion of the promotional examination for Fire Captain (PM3563J), Camden.

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

B-125 TERESA HORNICK

Teresa Hornick appeals the validity of the promotional examination for Network Administrator 1 (PS2938I), New Jersey State Parole Board.

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

B-126 RICHARD JOHNSTON

Richard Johnston appeals the scoring method of the oral portion of the promotional examination for Fire Captain (PM3563J), Camden.

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

B-127 SAMUEL MUNOZ

Samuel Munoz appeals his score for the oral portion of the promotional examination for Fire Captain (PM3563J), Camden.

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

B-128 ROBERT POGORZELSKI

Robert Pogorzelski appeals the test administration of the examination for Fire Fighter (M9999M).

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

B-129 JOEL THOMPSON

Joel Thompson appeals his score for the oral portion of the promotional examination for Fire Captain (PM3563J), Camden.

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

B-130 JOSEPH TULL, SR.

Joseph Tull, Sr., appeals his score for the oral portion of the promotional examination for Fire Captain (PM3563J), Camden.

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

B-131 PROPOSED AMENDMENT: N.J.A.C. 4A:3-4.9, ADVANCEMENT PAY ADJUSTMENTS: STATE SERVICE

Submitted for the Commission's approval is a Notice of Proposal of an amendment to N.J.A.C. 4A:3-4.9, Advancement pay adjustments: State service. The amendment would obviate the need for the Civil Service Commission to approve rule relaxations in those instances where the State and a union agree to a promotional pay calculation that does not follow the rule but would not result in an amount greater than that allowed by the rule. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION: The Civil Service Commission approved the Amendment for publication.

B-132 RECENT COURT DECISIONS

Submitted for the Civil Service Commission's review are summaries of recent court decisions involving Merit System Board and Civil Service Commission determinations for *In the Matter of Matthew Vandervelden, City of Paterson*, (Appellate Division, decided 8/13/10); *In the Matter of Steven Winters, North Hudson Regional Fire and Rescue* (Appellate Division, decided 9/28/10); *In the Matter of Anthony Hearn, Department of Education*, 417 N.J. Super. 289 (Appellate Division, decided 2010); *In the Matter of Roger Caldwell, Jr., Mercer County Board of Social Services* (Appellate Division, decided 11/3/10); *In the Matter of Pedro Delgado* (Appellate Division, decided 12/9/10); *In the Matter of James Peck, Jr., City of Hoboken* (Appellate Division, decided 1/27/11); *In the Matter of William Rogers, The College of New Jersey* (Appellate Division, decided 2/4/11).

ACTION: The Civil Service Commission noted the decisions.

B-133 SALARY REGULATIONS, FISCAL YEAR 2011

Submitted for the Commission's approval are the Salary Regulations for Fiscal Year 2011. They include the following: Aligned Salary Regulation, Non-Aligned Salary Regulation, Emergency Conditions Salary Regulation, Special Incentive Salary Regulations, and Miscellaneous Salary Regulation. They have been approved by Robert M. Czech, Chair/CEO, Civil Service Commission, and Charlene M. Holzbaur, Director, Office of Management and Budget. It is recommended that the Commission record these salary regulations.

ACTION: The Civil Service Commission recorded the Salary Regulations.

B-134 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of February 16, 2011.

ACTION: The Civil Service Commission adopted the minutes of its meeting of February 16, 2011.

B-135 EARLY SETTLEMENTS

In the Matter of Lester Thompson
Northern State Prison
Department of Corrections
Suspension

In the Matter of Habeebah Westry
Northern State Prison
Department of Corrections
Suspension

ACTION: The Civil Service Commission acknowledged the settlements.

B-136 THOMAS CONOVER, ET AL.

Thomas Conover, James Guenther, and Helen Longo, represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, appeal the nullification of the results of the promotional examinations for Software Development Specialist 2 (PS7127U) and (PS7470U) and Software Development Specialist 3 (PS7125U), Office of Information Technology.

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

B-137 CHARLES EDGE

Charles Edge, represented by Michael L. Prigoff, Esq., appeals his rejection as a County Correction Officer candidate by Hudson County and its request to remove his name from the eligible list for County Correction Officer (S9999F) on the basis of medical unfitness to perform effectively the duties of the position.

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

B-138 IRENE MASON

The Department of Labor and Workforce Development, on behalf of Irene Mason, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit her to donate more than 30 sick days to John Demeter, who is participating in the donated leave program.

ACTION: The Civil Service Commission granted the request.

B-139 IFEOMA ONYEKWELU

Ifeoma Onyekwelu appeals the decision of the Division of State and Local Operations, which removed the appellant's name from the Family Service Specialist 1 (PS6667K), 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-140 STEVEN HOWE

Steven Howe, represented by Gregory S. Schaer, Esq., requests that he be permitted to file a late application for the open competitive examination for Program Development Specialist 2, Energy Conservation (S0052M), Department of Community Affairs.

ACTION: The Civil Service Commission denied the request.

B-141 DEPARTMENT OF COMMUNITY AFFAIRS LAYOFF

The Department of Community Affairs requests that the Civil Service Commission consider the specialized credentials of employees serving in the titles of Construction Official, Sub-Code Official, and Construction Code Inspector 1 and 2 in administering a layoff.

ACTION: The Civil Service Commission granted the request.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, April 6, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission