



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 17, 2013**

**Robert M. Czech, Chairperson**  
**Robert E. Brenner**  
**Thomas J. Perna**  
**Richard E. Williams**

APRIL 17, 2013

\*\*\*\*\*

A regular meeting of the Civil Service Commission was held on Wednesday, April 17, 2013, in Trenton, New Jersey.

**PRESENT:** Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission 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 30, 2012, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Ayodele Akiode  
Woodbridge Developmental Center  
Department of Human Services  
Removal

In the Matter of Jihad Arthur  
Juvenile Justice Commission  
Department of Law and Public Safety  
Suspension

In the Matter of Tonzanette Gibson  
Ann Klein Forensic Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Merlise King  
Hunterdon Developmental Center  
Department of Human Services  
Removal

In the Matter of Carmelo Lio  
Adult Diagnostic and Treatment Center  
Department of Corrections  
Removal

In the Matter of Michael G. Mylod  
Monmouth County  
Department of Health Care Facilities  
Suspension

<b>VOTE:</b>	<b>Robert M. Czech</b>	<b>(Abstained)</b>
	<b>Robert E. Brenner</b>	<b>(Yes)</b>
	<b>Thomas J. Perna</b>	<b>(Yes)</b>
	<b>Richard E. Williams</b>	<b>(Yes)</b>

In the Matter of William M. Nino  
Passaic Valley Water Commission  
Suspension

In the Matter of Miguel Prestan  
New Jersey Youth Challenge Academy  
Department of Military and Veterans' Affairs  
Removal

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

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 NEIL LONG**

Neil Long, Police Officer, City of Camden, Police Department, fine of \$6,009.46 (equal to a 20 working day suspension) on charges of incompetency, inefficiency or failure to perform duties, chronic or excessive absenteeism, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the fine of \$6,009.46 (equal to a 20 working day suspension).

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

**A-3 EDWIN DYE (REMAND)**

Edwin Dye, Building Maintenance Worker, City of Passaic, Department of Public Works, removal effective May 31, 2012, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, other sufficient cause and violation of policy, procedure, rules and regulations. Settled to a 35 working day suspension and back pay.

Recommendation of the Administrative Law Judge – Acknowledge the settlement as clarified.

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

**A-4 MARK HULSE**

Mark Hulse, Police Officer, City of Newark, Police Department, removal effective May 16, 2012, on charges of violation of Police Department rules and regulations regarding false statements and misuse of public property.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

**VOTE:**

<b>Robert M. Czech</b>	<b>(No)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**A-5 ZYGMUNT KRAWCZYK**

Zygmunt Krawczyk, Senior Correction Officer, Juvenile Justice Commission, removal effective July 10, 2012, on charges of insubordination and inability to perform duties.

Recommendation of the Administrative Law Judge – Modify the removal to a 120 working day suspension.

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

**A-6 ALDITH SPENCER-WIDEMAN**

Aldith Spencer-Wideman, Human Services Technician, Department Military and Veterans' Affairs, Paramus, removal effective April 30, 2012, on the charge of insubordination.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 FRANK TAYLOR**

Frank Taylor, a Laborer 1 with Atlantic City, seeks resolution of a dispute concerning back pay and an appointment to the title of Boiler Operator.

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

**B-2 DOUGLAS P. CRAIG**

Douglas P. Craig appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Automotive Mechanic (S0268L) on the basis of having an unsatisfactory background report.

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

**B-3 DEREK KINES**

Derek Kines appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for County Correction Officer (C9979M), Essex County, on the basis of having an unsatisfactory background report.

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

**B-4 MARIBEL SANCHEZ**

Maribel Sanchez appeals her failure of the promotional examination for Human Services Technician (PS9823K), Greystone Park Psychiatric Hospital, on the basis that she was not provided with a sufficient reasonable accommodation for her disability.

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

**B-5 JOYCE SUNKETT**

Joyce Sunkett appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, because she did not complete pre-employment processing.

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

**B-6 ALICIA LOMAS**

Alicia Lomas appeals the decision of the former Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis that she falsified her employment application.

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

**B-7 SHADIRA L. SLATER**

Shadira L. Slater, represented by Laurence H. Olive, Esq., appeals the decision of the former Division of State and Local Operations, which found that the Department of Corrections had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list on the basis that she falsified her employment application.

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

**B-8 STEPHEN PHILLIPS**

Stephen Phillips, a former Fire Captain with the Township of West Orange, represented by Patrick P. Toscano, Jr., Esq., requests that the Civil Service Commission reinstate him to his position after a determination by the Police and Firemen's Retirement System (PFRS) that he is no longer disabled.

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

**B-9 MARK DEVINE**

Mark Devine, a Trooper 1 with the Division of State Police, Department of Law and Public Safety, represented by Brian E. Joacobs, Esq., appeals the determination of the Chief of Staff of the Attorney General's Office, stating that there was sufficient evidence to support a finding that he had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-10 RICHARD EARL**

Richard Earl, a former Assistant Professor at Rowan University, appeals the determination of Rowan's Interim President stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-11 TRICIA LEONARDI**

Tricia Leonardi, an Administrative Analyst 2, Procurement with the Department of Health, appeals the determination of the Chief of Staff stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to additional violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-12 LEO JABLONSKI**

Leo Jablonski, a Senior Technician, Management Information Systems with the Office of Information Technology appeals the determination of the Chief of Staff stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to additional violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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



**B-13 JOYCE WILSON**

Joyce Wilson, a Speech/Hearing Specialist with Woodbine Developmental Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner of the DHS stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-14 RAMONA BRYANT**

Ramona Bryant appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Environmental Protection is Senior Clerk. The appellant seeks a Customer Service Representative 3 job classification.

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

**B-15 MARY ANN EZEWUIRO**

Mary Ann Ezewuiro, represented by Debbie Parks, AFSCME Council 73, requests that the Civil Service Commission order the City of Trenton to comply with a classification determination concerning her position.

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

**B-16 SUSAN FITZPATRICK**

Susan Fitzpatrick appeals the decision of the former Division of State and Local Operations that the proper classification of her position with the Department of Law and Public Safety is Senior Clerk Typist. The appellant seeks a Principal Clerk job classification.

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

**B-17 ALICE OSTROWSKI**

Alice Ostrowski appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Environmental Protection is Principal Clerk. The appellant seeks a Customer Service Representative 2 job classification.

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

**B-18 JOSEPH PACE**

Joseph Pace appeals the decision of the former Division of State and Local Operations that the proper classification of his position with Vineland School District is Records Support Technician 2. The appellant seeks a Senior Inventory Clerk job classification.

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

**B-19 YVONNE RICHARDSON**

Yvonne, Richardson, represented by Debbie Parks, AFSCME Council 73, requests that the Civil Service Commission order the City of Trenton to comply with a classification determination concerning her position.

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

**B-20 DAVID FIORE**

David Fiore, represented by Alan C. Roth, Esq., appeals the bypass of his name on the Fire Fighter (M2395H), Union Township, eligible list.

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

**B-21 REALLOCATION OF STATE AND LOCAL GOVERNMENT TITLES FROM THE COMPETITIVE TO THE NON-COMPETITIVE DIVISION OF THE CAREER SERVICES, PHASE 4**

The Division of Classification and Personnel Management recommends reallocation of various State and Local Government Titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

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

**B-22 ANAND PATEL**

Anand Patel appeals the decision by Hudson County to remove him from his provisional position as a Social Worker.

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

**B-23 JOSEPH PISERCHIO**

Joseph Piserchio, represented by Craig Gumpel, Esq., appeals the bypass of his name on the eligible list for Fire Fighter (M2377H), Newark.

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

**B-24 REMONDA SAID**

Remonda Said appeals the decision by Hudson County to remove her from her provisional position as a Fiscal Analyst.

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

**B-25 CLERK 4 (PC0521N), MIDDLESEX COUNTY BOARD OF SOCIAL SERVICES**

The Middlesex County Board of Social Services requests permission not to make an appointment from the November 21, 2012 certification for Clerk 4 (PC0521N).

**ACTION:** The Civil Service Commission directed that this request be granted and assessed selection costs in the amount of \$1,114.

**B-26 CODE ENFORCMENT OFFICER (M2269N), MANASQUAN**

In *In the Matter of Code Enforcement Officer (M2269N), Manasquan* (CSC, decided August 15, 2012), the Civil Service Commission (Commission) held in abeyance Manasquan's request for a waiver of the appointment requirement pending the determination of the Division of Classification and Personnel Management (CPM) regarding the classification of Patrick Callahan's position. Thereafter, CPM determined that Callahan was considered to be serving provisionally pending open competitive examination procedures in the title of Supervising Code Enforcement Officer, and the matter of the appointment waiver request is now being presented to the Commission.

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

**B-27 KEYBOARDING CLERK 2 (PM1191N), NEWARK SCHOOL DISTRICT**

Newark School District requests permission not to make an appointment from the July 23, 2012 certification for Keyboarding Clerk 2 (PM1191N).

**ACTION:** The Civil Service Commission directed that this request be granted and assessed partial selection costs in the amount of \$557.

**B-28 SECTION CHIEF, ENVIRONMENTAL PROTECTION (PS2379G) AND (PS2375G), DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection requests the revival of the Section Chief, Environmental Protection (PS2379G) and (PS2375G), Department of Environmental Protection eligible lists.

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

**B-29 SHERIFF'S OFFICER LIEUTENANT (PC1221P), BERGEN COUNTY**

The Bergen County Sheriff requests that the one-year service requirement in the title of Sheriff's Officer Sergeant be reduced to the completion of the working test period for the promotional examination for Sheriff's Officer Lieutenant (PC1221P), Bergen County.

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

**B-30 SHERIFF'S OFFICER SERGEANT (PC1228P), BERGEN COUNTY**

The Bergen County Sheriff requests that the three-year service requirement in the title of Sheriff's Officer be reduced to the completion of the working test period for the promotional examination for Sheriff's Officer Sergeant (PC1228P), Bergen County.

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

**B-31 SUBSTANCE ABUSE COUNSELOR INTERN (C0275N), CAMDEN COUNTY HEALTH SERVICES**

Camden County Health Services requests permission not to make an appointment from the January 25, 2012 certification for Substance Abuse Counselor Intern (C0275N).

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

**B-32 JEFFREY BRACKEN AND GARY BYRNE**

Jeffrey Bracken and Gary Byrne petition the Civil Service Commission for reconsideration of the decision rendered on October 3, 2012, in which the correct responses to questions 10, 32, and 63 on the multiple-choice portion of the promotional examination for Fire Lieutenant (PM5178N), Clifton were changed. Mr. Byrne also challenges the correct response to question 21.

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

**B-33 MELISSA BURK-POCINO**

Melissa Burk-Pocino petitions the Civil Service Commission for reconsideration of the decision rendered on January 23, 2013, which denied her appeal regarding her ineligibility for the promotional examination for Technical Assistant Personnel (PS0229G), Department of Environmental Protection.

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

**B-34 YENNY GONZALES**

Yenny Gonzales, represented by Nelson Gonzalez, Esq., requests reconsideration of the final administrative determination in *In the Matter of Yenny Gonzales* (CSC, decided April 18, 2012), in which the Civil Service Commission upheld Gonzales' removal.

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

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-35 SANTO BARRACO**

Santo Barraco appeals his score for the oral portion of the promotional examination for Fire Captain (PM5219N), Elizabeth.

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

**B-36 VINCENT BEVILAQUE**

Vincent Bevilaque appeals his score for the oral portion of the promotional examination for Fire Captain (PM5219N), Elizabeth.

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

**B-37 DAVID BURGOS AND CARRIE REED**

David Burgos and Carrie Reed appeal their scores for the multiple choice examination for Police Lieutenant (PM5035P), Newark.

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

**B-38 MARISOL HEREDIA**

Marisol Heredia appeals her score for the Bilingual Communication Abilities Test for English/Spanish for Human Services Specialist 1, Bilingual Spanish/English (C0056P), Morris County.

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

**B-39 CLAUDIA HINOJOSA**

Claudia Hinojosa appeals her score for the Bilingual Communication Abilities Test (BICAT) for English/Spanish for Human Services Specialist 1, Bilingual Spanish/English (C0056P), Morris County.

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

**B-40 JAMES WILLIAMS**

James Williams appeals his score for the oral portion of the promotional examination for Fire Captain (PM5219N), Elizabeth.

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

**B-41 JOHN WRIGHT**

John Wright appeals his score for the oral portion of the promotional examination for Fire Captain (PM5219N), Elizabeth.

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

**B-42 RONALD ZACH JR.**

Ronald Zach Jr. appeals his score for the oral portion of the promotional examination for Fire Captain (PM5219N), Elizabeth.

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

**B-43 MATTHEW C. DIEM**

Matthew C. Diem appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in education for the promotional examination for Assistant Superintendent Mosquito Extermination (PC1086P), Cape May County.

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

**B-44 KRISTIN NELSON**

Kristin Nelson appeals the decision of the Division of Selection Services and Recruitment which found that she did not meet the requirements for the promotional examination for Library Director (M0814P), North Arlington.

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

**B-45 ANETRA RIDDRICK**

Anetra Riddrick appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirements in education for the open competitive examination for Human Services (C0770P), Burlington County.

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



**B-46 GINA WHEATLEY AND TODD WIRTH**

Gina Wheatley appeals the determination of the Division of Selection Services and Recruitment (Selection Services) which found that, per the substitution clause for education, she was below the minimum requirements in experience of the promotional examination for Management Specialist (PC0343P), Burlington County. Todd Wirth appeals the determination of the Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Management Specialist (PC0343P), Burlington County.

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

**B-47 RONALD CALDERON**

The Department of Health requests that the Civil Service Commission (Commission) authorize the promotion of Ronald Calderon from his non-competitive title pursuant to *N.J.A.C. 4A:4-1.1(c)2*. It also requests that the Commission accept Calderon's out-of-title work experience for a prospective promotional examination for the appellant's competitive title of Administrative Analyst 1, Procurement.

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

**B-48 ALBERT FRANCHETTA**

Albert Franchetta, represented by Lisa Mellas, Esq., appeals the determination that he was not permanent in the title of Supervisor, Building Services with the Vineland School District and challenges his July 1, 2010 layoff.

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

**B-49 CAROLINA OCAMPO**

Carolina Ocampo appeals the administration of the open-competitive examination for Senior Quality Control Reviewer (S0369P).

**ACTION:** The Civil Service Commission directed that this appeal be denied and the Division of Family Development, Department of Human Services, be ordered to remove the appellant from her interim appointment and offer the appointment to an interested eligible from the Senior Quality Control Reviewer (S0369P) eligible list.

**B-50 ENTRY LEVEL LAW ENFORCEMENT EXAMINATION (S9999M)**

The Director, Division of Selection Services and Recruitment, requests that the eligible list for the Entry Level Law Enforcement Examination (S9999M) be extended for six months beyond its original expiration date or until a new list is available.

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

**B-51 SCOTT HAYNES**

The appeal of Scott Haynes, a Laborer 1 with the Atlantic City Municipal Utilities Authority, of his 45 working day suspension, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on February 14, 2013. At its meeting on April 3, 2013, the Civil Services Commission (Commission) did not adopt the ALJ's recommendation to modify the 45 working day suspension to a 5 working day suspension. Rather, the Commission modified the 45 working day suspension to a 10 working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**VOTE:**     **Robert M. Czech**            **(Yes)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**         **(Abstained)**  
              **Richard E. Williams**      **(Yes)**

**B-52 SALARY REGULATIONS: FY 2013, SUPPLEMENT 1**

Submitted for the Civil Service Commission's review are the Salary Regulations for Fiscal Year 2013, Supplement 1. The Salary Regulations change Section 3, Special Incentive Programs – Fiscal year 2013, Part D, Miscellaneous Titles. The Salary Regulations have been approved by Robert M. Czech, Chair/CEO, Civil Service Commission, and Charlene M. Holzbaaur, Director, Office of Management and Budget. It is recommended that the Commission record these Salary Regulations.

**ACTION:** The Civil Service Commission recorded the regulations.

**B-53 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 3, 2013.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of April 3, 2013.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Yes)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Abstained)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-54 WILLIAM BILLSON, ET AL**

William Billson, Alexandra Califf and Ryan Ruhl appeal the determinations of the Division of Selection Services and Recruitment which found that they failed to indicate the required certification for the open competitive examination for Hazardous Materials Responder (C0381P), Union County.

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

**B-55 HAROLD NUGENT**

Harold Nugent, a former Mechanic Helper with Brick Township, represented by Leslie A. Flora, Esq., requests a review of appointments to the positions of Laborer, Mechanic, and Mechanic Helper on the basis that he should have been appointed to those positions from a special reemployment list.

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

**B-56 DOROTHY HRYNYK**

Dorothy Hrynyk appeals the determination of the Division of Selection Services denying her request for a make-up examination for the open competitive examination for Substance Abuse Counselor 1 (S0024P), Statewide.

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

**B-57 CAROL PALMER**

Carol Palmer, a Senior Clerk Typist with Woodbine Developmental Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner, DHS, which determined that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-58 ELECTRICAL INSPECTOR (M2399N), MOUNT HOLLY**

Mount Holly requests reconsideration of that part of the decision rendered on January 23, 2013 by the Civil Service Commission in *In the Matter of Electrical Inspector (M2399N), Mount Holly*, which assessed compliance costs in the amount of \$1,000.

**ACTION:** The Civil Service Commission directed that this request for reconsideration be granted and the prior assessment of \$1,000 be rescinded.

**B-59 PROPOSED AMENDMENT: N.J.A.C. 4A:3-4.9, ADVANCEMENT PAY ADJUSTMENTS: STATE SERVICE**

Attached please find a Notice of Proposal of an amendment to N.J.A.C. 4A:3-4.9, Advancement pay adjustments: State Service. The amendment would clarify that, 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, the salary adjustment, per contract, applies to all subsections of N.J.A.C. 4A:3-4.9. 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 directed that this matter be held over.

**B-60 WANDA HUNT**

The appeal of Wanda Hunt, a Senior Therapy Program Assistant with the Senator Garrett W. Hagedorn Psychiatric Hospital, Department of Human Services, of her removal, effective May 20, 2011, on charges, was heard by Administrative Law Judge Patricia M. Kerins (ALJ), who rendered her initial decision on January 30, 2013. At its meeting on April 3, 2013, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a three-month suspension. Rather, the Commission modified the penalty to a four-month suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**VOTE:**     **Robert M. Czech**            **(Yes)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Abstained)**  
              **Richard E. Williams**      **(Yes)**

**B-61 CHANGE IN CLASSIFICATION PLAN**

The Office of Legislative Services (OLS) requests the establishment of the unclassified title of Principal Human Resources Assistant, OLS and the inactivation of the title of Human Resources Assistant 4, OLS. In accordance with *N.J.S.A. 11A:3-4(c)*, employees in the Legislative branch of State government shall be in the unclassified service.

**MEMORANDUM**

DATE: April 3, 2013  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

**Legislature**

The Office of Legislative Services (OLS) requests the following establishment of a new unclassified title. OLS is willing to relinquish an unencumbered title in exchange for approval of this request.

In accordance with *N.J.S.A. 11A:3-4(c)*, employees in the Legislative branch of State government shall be in the unclassified service.

The use of this title will be restricted to OLS.

**Create Title Effective April 5, 2013**

Principal Human Resources Assistant, OLS (NL) X98

**Inactivate Title Effective April 5, 2013**

Human Resources Assistant 4, OLS  
X-98 90186 unclassified (3512)

KC/JT/BP/KP

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

**B-62 CHANGE IN CLASSIFICATION PLAN**

The Division of Classification and Personnel Management requests the consolidation of the Investigator title series.

**MEMORANDUM**

DATE: April 4, 2013

TO: Civil Service Commission

FROM: Kenneth Connolly, Director  
Classification and Personnel Management *Kenneth Connolly*

SUBJECT: Change in State Classification Plan

**DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**

The Department of Labor and Workforce Development requests the consolidation of a few of their Investigator series. All the impacted titles are currently assigned to Department of Labor and Workforce Development (LWD).

The existing Investigator, Unemployment Insurance and Investigator, Disability Insurance title series are being consolidated into one broad Investigator series. This consolidation initiative will provide the agency with the flexibility needed to more effectively meet its responsibilities while also providing employees with enhanced career opportunities.

The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status. There are no changes in class code or salary.

The new consolidated title series will be numbered in accordance with the current practice, with the numerical suffix "1" representing the lowest level (entry level) to "2" representing the experienced worker level in this series and so on and so forth.

Upon successful completion of the consolidation process, the titles which have been consolidated will be inactivated. Any existing eligibility lists for these titles shall be processed as follows:

- Promotional and open competitive lists issued from pending announcements for the title in which employees with provisional appointments are serving will be certified for one time use only in order to effect permanent appointment(s) and will be declared expired upon disposition of the certification.
- A complete list that has never been used and contains no employees with current provisional appointments for the title and unit scope specified shall be declared expired.

Civil Service Commission  
April 4, 2013

- A complete list which contains employees with current provisional appointments for the title and unit scope specified (with the exception of such employees currently on active military duty) will be processed for one time use and will be declared expired upon the disposition of the certification.
- An incomplete list containing no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- Any employee currently on active military duty will be afforded all applicable rights under Federal and State law upon their release from active duty and given the opportunity to apply and compete for any announcements for which they would otherwise have been eligible but for their military service.
- Eligibility lists for affected title and unit scopes which have expired will be revived as necessary to address unanticipated situations which may arise.
- An employee's prior held title rights will not be impacted by this action.

Collective negotiation representatives have been notified. Copy of the notice is attached.

The effective date of all actions listed below will be the beginning of the first pay period that follows the Commission's approval of the change in the State Classification plan.

**TITLE TO BE CREATED**

Supervisor of Investigations, UI/DI  
S 28 - \_\_\_\_\_ Career L NL12

**TITLE TO BE INACTIVATED**

Supervisor of Investigations Labor  
S 28 – 65116A Career L NI12

**VERBIAGE CHANGE**

**FROM**  
Investigator **2**, UI  
P 19 – 56082 Career L NE12

**TO**  
Investigator **1**, UI/DI  
P 19 – 56082 Career L NE12

Investigator **1**, UI  
P 22 – 56083 Career L NE12

Investigator **2**, UI/DI  
P 22 – 56083 Career L NE12

**Supervising** Investigator UI  
R 25 – 56084 Career L NI12

Investigator **3**, UI/DI  
R 25 – 56084 Career L NI12



Civil Service Commission  
April 4, 2013

**CONSOLIDATION OF TITLE SERIES**

**LEVEL 1**

**FROM**  
Investigator Disability Insurance  
P 19 – 65052 Career L NE12

Investigator 3, Labor  
P 19 – 65046 Career L NE12

**TO**  
Investigator 1, UI/DI  
P 19 – 56082 Career L NE12

**LEVEL 2**

**FROM**  
Sr. Investigator Disability Insurance  
R 22 – 65053 Career L NE12

Investigator 2, Labor  
P 22 – 65047 Career L NE12

**TO**  
Investigator 2, UI/DI  
P 22 – 56083 Career L NE12

**LEVEL 3**

**FROM**  
Investigator 1, Labor  
R 25 – 65048 Career L NI12

**TO**  
Investigator 3, UI/DI  
R 25 – 56084 Career L NI12

**SUPERVISING LEVEL**

**FROM**  
Supervisor of Investigations Labor, UI  
S 28 – 65116D Career L NI12

**TO**  
Supervisor of Investigations, UI/DI  
S 28 - \_\_\_\_\_ Career L NL12

KC/JT/BP/PM

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

**B-63 CHANGE IN CLASSIFICATION PLAN**

The Division of Classification and Personnel Management requests that the State government Bridge Operator title be made common and the incumbents in the local government Bridge Operator title be cross-walked into the common title.

**MEMORANDUM**

DATE: April 9, 2013  
TO: The Civil Service Commission  
FROM: Kenneth Connolly, Director  
Division of Classification & Personnel Management  
SUBJECT: Change in the State Classification Plan

**BRIDGE OPERATOR (O14-40350)**

The Division of Classification and Personnel Management (CPM) intends to clarify and elaborate on the recent changes to the subject title which were approved by the Civil Service Commission at its board meeting on February 6, 2013.

The subject title is responsible for the performance of work involving the operation of equipment to open and close drawbridges allowing for the safe and efficient flow of marine traffic on NJ waterways. Two titles are presently utilized to perform this function, one non-competitive title used exclusively by state government (O14-40350) and the other a competitive title used by local government (L-00911).

A consolidation study involving the aforementioned titles found no difference in function or requirements between them. Thus, CPM recommends the titles be consolidated into a single title classification.

Multiple steps are required to implement this process. The first step, making the state title common, was previously approved. CPM now requests the local incumbents be cross-walked into the common title. The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status. Lastly, subsequent to the movement of all local employees to the common title, the local title will be inactivated. Any existing eligibility lists shall be processed as follows:

- Promotional and open competitive lists issued from pending announcements for any affected title in which employees with provisional appointments are serving will be certified for one time use only in order to effect permanent appointment(s) and will be declared expired upon disposition of the certification.
- A complete list that has never been used and contains no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- A complete list which contains employees with current provisional appointments for the title and unit scope specified (with the exception of such employees currently on active military duty) will be processed for one time use and will be declared expired upon the disposition of the certification.
- An incomplete list containing no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- Any employee currently on active military duty will be afforded all applicable rights under Federal and State law upon their release from active duty and given the opportunity to apply and compete for any announcements for which they would otherwise have been eligible but for their military service.
- Eligibility lists for affected titles and unit scopes which have expired will be revived as necessary to address unanticipated situations which may arise.

The Civil Service Commission  
April 9, 2013  
Page 2

The effective date of this action is February 9, 2013, as approved by the board at its meeting on February 6, 2013.

The impacted local Appointing Authorities were given the opportunity to review this proposal and all articulated issues have been reviewed and addressed.

Attached is documentation that the negotiation representative notice required by NJAC 4A:3-3.3(f) has been made.

**COMMON TITLE, TITLE CONSOLIDATION, & MOVEMENT OF INCUMBENTS:**

**Effective:** February 9, 2013

**FROM:**

Bridge Operator  
L-00911 Career (C) Local



**TO:**

Bridge Operator  
O14-40350 Career (NC) Common 40/12

KC/JT/BP/GB

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

**B-64 JOYCE WILSON**

Joyce Wilson, a Speech/Hearing Specialist with Woodbine Developmental Center, Department of Human Services (DHS), appeals the determination of the Office of Equal Employment Opportunity Director, DHS, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

**B-65 LISA EHRLICH**

The Department of Environmental Protection, on behalf of Lisa Ehrlich, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Ehrlich to receive more than the 260 donated leave days allowed to a recipient.

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

**B-66 INTERIM DISASTER RECOVERY DIVISION, DEPARTMENT OF COMMUNITY AFFAIRS**

The Division of Classification and Personnel Management (CPM) seeks Civil Service Commission approval to make temporary unclassified appointments to various career service titles in order to allow expedited staffing of the interim Disaster Recovery Division, Department of Community Affairs.

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

**B-67 JAMES GILLESPIE**

The appeal of James Gillespie, a former Road Repairer with Cape May County, of his 120 working day suspension, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on February 28, 2013. At its meeting on April 3, 2013, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the 120 working day suspension to a one working day suspension. Rather, the Commission modified the 120 working day suspension to a six working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**VOTE:**     **Robert M. Czech**            **(Yes)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Abstained)**  
              **Richard E. Williams**      **(Yes)**

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, May 1, 2013, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

---

**Robert M. Czech**  
**Chairperson**  
**Civil Service Commission**