



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
JUNE 26, 2013**

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

JUNE 26, 2013

A regular meeting of the Civil Service Commission was held on Wednesday, June 26, 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.

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:

Stephen Brailey, Public Works Repairer, City of Rahway, Department of Public Works, suspension.

Sandra Ramirez, Register of Vital Statistics, Bilingual Spanish/English, Township of North Bergen, Department of Public Works, indefinite suspension.

Judith Robinson, Police Officer, City of Newark, Police Department, 2 removals.

David Steed, Laborer 1, City of Hoboken, Department of Environmental Services, resignation not in good standing.

Cecelia Taylor, Human Services Specialist 2, Burlington County, Board of Social Services, suspension.

Richard Trembula, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, indefinite suspension and removal.

Audrey Watson, Practical Nurse, Morris County, Department of Human Services, removal.

Marilyn Williams, Human Services Specialist 1, Hudson County, Department of Family Services, release at the end of the working test period.

ACTION: The Civil Service Commission noted the dismissal of appeals without prejudice.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Azucena Arias, Youth Group Worker, Union County, Department of Human Services, layoff.

James D. Bordone, Librarian, Passaic City, Library, removal.

Michael Braithwaite, Police Officer, City of Camden, Police Department, fine.

Gary Colombo, County Correction Officer, Bergen County, Sheriff's Department, release at the end of the working test period.

Norma Concepcion, Judiciary Clerk 2, Cumberland/Gloucester/Salem Vicinage, release at the end of the working test period.

Robert Daughtry, Community Library Assistant, City of Jersey, Library, suspension.

Robert Ferrante, Operating Engineer Heating and Air Conditioning, South Woods State Prison, Department of Corrections, resignation not in good standing.

Kyana Gordon, County Correction Officer, Union County, Department of Correctional Services, suspension.

Christopher Ianos, Police Officer, City Clifton, Police Department, removal.

Alesia Jefferson, *et al*, City of Trenton, layoff.

Stephen Morillo, Sanitation Driver, City of Perth Amboy, Department of Public Works, suspension.

Mario Ortiz, Police Officer, City of Camden, Police Department, suspension.

Michael Paulaitis, County Correction Officer, Cumberland County, Department of Corrections, suspension.

Angela Pellegrino, Judiciary Clerk 2, Superior County of New Jersey, Bergen Vicinage, release at the end of the working test period.

Daniel Troy, Construction Code Inspector 2, Division of Codes and Standards, Department of Community Affairs, layoff.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Kristin Benedict
Military and Veterans' Affairs – Paramus
Release at the end of the working test period

In the Matter of John Carter
Ann Klein Forensic Psychiatric Hospital
Department of Human Services
Removals (2)

In the Matter of Jennieese Cohen
City of Newark
Department of Neighborhood and Recreational Services
Suspension

In the Matter of Glendalyn Gibson
Mercer County
Department of Public Safety
Suspension and Fine

In the Matter of Dawn Gorden
Camden County
Department of Corrections
Suspension

In the Matter of Steven Ham, Jr.
City of Newark
Department of Neighborhood and Recreational Services
Removal

In the Matter of Jose Martinez
East Jersey State Prison
Department of Corrections
Suspension

In the Matter of Jose Ocasio
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Barbara Rochow
Southern State Correctional Facility
Department of Corrections
Suspension

In the Matter of Schronda Terry
Newark School District
Removal and Resignation not in good standing

In the Matter of Ebony Worth
Hudson County
Department of Family Services
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 FERNANDO BADILLO

Fernando Badillo, Police Officer, City of Camden, Police Department, fine of \$4,421.25 (in lieu of a 15-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 \$4,421.25 (in lieu of a 15-day suspension).

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

A-3 SANDRA MATTHEWS

Sandra Matthews, Family Service Worker, Essex County, Department of Citizen Services, 20 working day suspension on charges of failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, other sufficient cause and violation of County policies and procedures.

Recommendation of the Administrative Law Judge – Reverse the 20 working day suspension.

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

A-4 JEREMY RODAS

Jeremy Rodas, Family Service Specialist 2, Department of Children and Families, release at the end of the working test period effective April 17, 2012.

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-5 JAMES BRICE

James Brice, Painter, Newark School District, removal and resignation not in good standing effective September 13, 2011, on charges of chronic or excessive absenteeism or lateness, inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice for failure to prosecute and modify the resignation not in good standing to resignation in good standing.

ACTION: A motion was made and seconded to adopt the recommendation to dismiss the appeal with prejudice but not to adopt the recommended decision of the Administrative Law Judge to modify the resignation not in good standing to a resignation in good standing.

VOTE:

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

The motion did not carry. Therefore, the initial decision was deemed approved.

A-6 CHRISTOPHER BURLAP

Christopher Burlap, County Correction Officer, Camden County, removal effective August 29, 2012, on charges of conduct unbecoming a public employee, neglect of duty, other sufficient cause, use of force and chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-7 JACQUELINE BYRD

Jacqueline Byrd, Senior Food Service Worker 12 months, Trenton Psychiatric Hospital, Department of Human Services, removal effective June 25, 2012, on charges of mental abuse of a patient, verbal abuse of a patient, violation of a policy, 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-8 JONATHAN CUMMINS (CONSOLIDATION)

Jonathan Cummins, Clerk 1, City of Hoboken, Department of Administration, two removals effective May 17, 2011, on charges of conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the two removals.

ACTION: The Civil Service Commission directed that this matter be held over for a summary of the testimony.

A-9 CLARICE G. KATTY

Clarice G. Katty, Human Services Assistant, Trenton Psychiatric Hospital, Department of Human Services, removal effective June 6, 2012, on charges of conduct unbecoming a public employee, other sufficient cause and physical or mental abuse of a patient, client, resident or employee.

Recommendation of the Administrative Law Judge – Modify the removal to a 180-day suspension.

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

VOTE:

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

A-10 FRANCIS MCHALE

Francis McHale, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal effective October 2, 2012, on charges of other sufficient cause, violation of a rule, regulation, policy, procedure, order or administrative decision, physical or mental abuse of an inmate, patient, client, resident, or employee, inappropriate physical contact or mistreatment of an inmate, patient, client, resident, or employee and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-11 ISRAEL PADILLA

Israel Padilla, Senior Painter, Monmouth County, Department of Public Works Buildings and Grounds, removal effective July 11, 2012, on charges of inability to perform duties, conduct unbecoming a public employee, other sufficient cause and several violations of County policy.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

VOTE:

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

A-12 LINDA TISBY

Linda Tisby, County Correction Officer, Camden County, Department of Corrections, resignation not in good standing and removal effective June 27, 2012, on charges of chronic or excessive absenteeism, conduct unbecoming a public employee, other sufficient cause, neglect of duty, abuse of sick leave and absence without leave.

Recommendation of the Administrative Law Judge – Modify the resignation not in good standing and removal to a 30-day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge and modified the resignation not in good standing and removal to a 60-day suspension.

A-13 ALEXANDER ZOEDUAH

Alexander Zoeduah, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective April 4, 2012, on charges of physical or mental abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a patient, client, resident or employee, improper conduct which violates common decency and violation of administrative procedures and/or regulations involving safety and security.

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 CHANGE IN CLASSIFICATION PLAN – TITLE CREATION**

The Division of Classification and Personnel Management requests the creation of the Construction Code Inspector 1, Boiler, Pressure Vessel, and Refrigeration and Construction Code Inspector 2, Boiler, Pressure Vessel, and Refrigeration titles for use in State government.

**MEMORANDUM**

DATE: June 14, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
Classification and Personnel Management
SUBJECT: Change in the State Classification Plan

STATE GOVERNMENT TITLES

The Division of Classification and Personnel Management requests the creation of two variant titles in the Construction Code Inspector series. The licenses for the varied Construction Code titles in state service are not interchangeable among disciplines. Consequently, the requirements of the existent titles have not provided the Department of Labor with adequate recruitment possibilities for positions involving boiler, pressure vessel, and refrigeration equipment inspection. The proposed variants will provide an appropriate method of recruitment for such positions, providing efficiency for both the Appointing Authorities and the Civil Service Commission.

This action is requested to fulfill the need of the affected agency.

The effective date of these actions will be the first pay period that follows the Commission's approval of the action.

CREATION OF TITLE

Construction Code Inspector 1, Boiler, Pressure Vessel, and Refrigeration
I23-55354_ State Competitive

Construction Code Inspector 2, Boiler, Pressure Vessel, and Refrigeration
I24-55356_ State Competitive

KC/JT/GS

www.state.nj.us/csc

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

B-2 CHANGE IN CLASSIFICATION PLAN – COMMON

The Division of Classification and Personnel Management requests the Forensic Scientist 1 and Forensic Scientist 3 titles be made common for use in State and local government service.

**MEMORANDUM**

DATE: June 18, 2013
 TO: The Civil Service Commission
 FROM: Kenneth Connolly, Director
 Division of Classification & Personnel Management
 SUBJECT: Change in the State Classification Plan

COMMON TITLE REQUEST

The Union County Prosecutor's Office requests that the titles of Forensic Scientist 1 (01592) and Forensic Scientist 3 (01594) be made common.

Note that the title of Forensic Scientist 2 (01593) is currently common, and in use at the Union County Prosecutor's Office.

A review of the duties information provided reveals they are appropriate titles for their intended use. Granting this request will permit the Union County Prosecutor's Office the same benefit of titles as is currently afforded to state government. The title will continue to be restricted to the Department of Law and Public Safety in state service.

The unions were notified of these changes on June 11, 2013, in accordance with N.J.A.C 4A:3-3.3(f).

The effective date will be the first pay period after approval by the Civil Service Commission.

ESTABLISHMENT OF COMMON TITLE:

FROM:	TO:
Forensic Scientist 1	Forensic Scientist 1
P25-01592 Comp State (L&PS)	P25-01592 Comp Common (L&PS)
Forensic Scientist 3	Forensic Scientist 3
S30-01594 Comp State(L&PS)	S30-01594 Comp Common(L&PS)

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

B-3 CHANGE IN CLASSIFICATION PLAN – TITLE INACTIVATION - STATE

The Division of Classification and Personnel Management requests the inactivation of the unclassified title Director of Educational Services.

**MEMORANDUM**

DATE: June 18, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
Classification and Personnel Management
SUBJECT: Change in the State Classification Plan

STATE GOVERNMENT TITLES

The Department of Children and Families requests the inactivation of Director of Educational Services (51275). The title, which has been eschewed for the more prevalent Director I, Education, no longer retains any incumbents. Therefore, there is no need for the Director of Educational Services title to remain active at this time.

This action is requested to comply with Civil Service Commission goals of title reduction of unnecessary titles.

The effective date of these actions will be the first pay period that follows the Commission's approval of the action.

TITLE INACTIVATION

Director of Educational Services
M38-51275 G Unclassified

KC/JT/GS

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

B-4 MOHAMED KAMARA

Mohamed Kamara appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9987M) 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-5 RAQUEL A. MORALES

Raquel A. Morales appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9987M) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-6 THOMAS PETRUSKO

Thomas Petrusko, represented by Amanda L. Mulvaney, Esq., appeals his rejection as a Fire Fighter candidate by Elizabeth and its request to remove his name from the eligible list for Fire Fighter (M2389H) 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-7 MELISSA PLUMMER

Melissa Plummer, 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-8 JOHN BATIUK

John Batiuk, a Police Officer with Woodbridge, represented by Charles J. Uliano, Esq., petitions the Civil Service Commission for interim relief of his immediate suspension.

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

B-9 GLEN GREEN

Glen Green, a Police Officer with Newark, represented by Matthew D. Areman, Esq., petitions the Civil Service Commission for interim relief of his immediate suspension.

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

B-10 KHASIMA ALEXANDER, ET AL.

Khasima Alexander, David Arce, Trevor Beatty, Christopher Bogie, Daniel Clement, Christopher Danielson, John Doyle, Anthony Foster, Christopher Ilg, Zachary Keller, Jason Lewis, Thomas Phillips, Altarique Washington, Thomas Zwolinski, all Correction Lieutenants; Hugo Alfaro, Michael Anderson, Michael Angelo, Chris Antonello, Michelle Brenner, Ronald Callahan, Cezary Chodakowski, Timothy Cossaboon, Tamarind Creary-Dwyer, Frederick Crowell, Carmen Daniele, Colossain Davis, Herbert Eigenrauch, Bradford Engelberger, Trevor Ernest, Francisco Estrada, Franklin Ford, Quiana (Gibbs) Whitmore, Andrew Hollaway, Cheryl Kosciuk, Jason Kronemeyer, Brian LaBonne, John Laneader, Christopher Lewandowski, Joseph Muniz, Eric Pipitone, Ronald Price, Colleen Redmond, Michael Rementer, Rafael Rodriguez, Zsuzsanna Rogoshewski, Karin (Sachkowsky) Velez, Thomas Sambucci, Frank Sangale, Francis Spence, Scott Turdo and Wayne Weiss, all Correction Sergeants; and Chyme (Lancaster) Jones, a Senior Investigator, Parole and Secured Facilities, with the Department of Corrections, represented by Frank M. Crivelli, Esq., request a waiver of repayment of salary overpayments pursuant to *N.J.S.A. 11A:3-7*.

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

B-11 RICHARD BELL

Richard Bell, represented by Anthony J. Fusco, Jr., Esq., petitions the Civil Service Commission for a determination with regard to the counsel fees awarded in the decision *In the Matter of Richard Bell* (CSC, decided April 15, 2009).

ACTION: The Civil Service Commission granted counsel fees in the amount of \$5,080.00.

B-12 DAVID WILLIAMS

David Williams, a Human Services Assistant with Trenton Psychiatric Hospital, Department of Human Services, petitions the Civil Service Commission for a determination with regard to the back pay awarded in the decision *In the Matter of David Williams* (CSC, decided September 7, 2011).

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

B-13 DENNIS MCREYNOLDS

Dennis McReynolds, a former Supervising Mason with Atlantic City, represented by John C. Hegarty, Esq., requests a hearing for his 353 calendar day suspension effective May 10, 2012 and his demotion to Maintenance Repairer effective April 29, 2013.

ACTION: The Civil Service Commission referred this matter to the Office of Administrative Law for a hearing.

B-14 TIMOTHY NAJI

Timothy Naji, a Recreation Program Specialist with Atlantic City, represented by Robert O'Brien, Esq., requests a hearing for his 253 calendar day suspension effective August 16, 2012.

ACTION: The Civil Service Commission referred this matter to the Office of Administrative Law for a hearing.

B-15 AUDRA ANEPETE

The Department of Environmental Protection, on behalf of Audra Anepete, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Anepete, who is participating in the donated leave program, 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-16 DAVID CAPELLA

The Department of Environmental Protection, on behalf of David Capella, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Mr. Capella, who is participating in the donated leave program, 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-17 LADORA KNIGHT

The Hudson Vicinage, Superior Court of New Jersey, on behalf of Ladora Knight, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Ms. Knight, who is participating in the donated leave program, 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-18 JAMES MACCINES

The Department of Law and Public Safety, on behalf of James Macinnes, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit him to donate more than 30 sick days to Linda Knowles, who is participating in the donated leave program.

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

B-19 KEVIN NORTON

The Borough of Wanaque, on behalf of Kevin Norton, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Police Officer with Wanaque.

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

B-20 DEBRA TORRES

Mercer County Prosecutor's Office requests that the provisions of N.J.A.C. 4A:4-7.1A(b) be relaxed in order to permit the retroactive intergovernmental transfer of Debra Torres from the title of Keyboarding Clerk 1, Municipal Court, City of Trenton, to the title of Keyboarding Clerk 1, Mercer County Prosecutor's Office.

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

B-21 JAMES HARRIS, ET AL.

James Harris, David Zeh and Thomas Wolansky, represented by Bassel Bakhos, Esq., appeal for retroactive regular appointments effective October 1, 2010, January 19, 2011, and September 1, 2011 respectively, to the title of Fire Lieutenant from two certifications of the Fire Lieutenant (PM2645J) eligible list, and to admit David Zeh and Thomas Wolansky to the promotional examination for Fire Captain (PM0076R), Union Township.

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

B-22 DANIEL O'ROURKE

The Department of Children and Families requests that Daniel O'Rourke receive a retroactive date of appointment.

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

B-23 GRADY BUTTS

Grady Butts, a Road Inspector with the Department of Engineering, Salem County, represented by Richard A. Dunn, President, Communications Workers of America, Local 1085, appeals the determination of his layoff rights by the Division of Classification and Personnel Management.

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

B-24 WILLIAM OWENS

William Owens, a former Tree Maintenance Worker 1 with the City of Trenton's Recreation and Natural Resource Department, represented by Jack A. Butler, Esq., appeals the determination of his layoff rights by the Division of State and Local Operations.

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

B-25 DAVID BROWN

David Brown appeals the decision of the Division of Classification and Personnel Management which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Emergency Medical Technician (M1007L), West New York, eligible list due to his failure to respond to the Notice of Certification.

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

B-26 JEFFREY GLOVER

Jeffrey Glover, represented by William Kauffman, Staff Representative, CWA Local 1040, appeals the removal of his name from the Assistant Social Work Supervisor, Psychiatric (PS7533K), Greystone Park Psychiatric Hospital, eligible list on the basis of an unsatisfactory employment record.

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

B-27 NICHOLAS FIORNASCENTE

Nicholas Fiornascente requests a make-up examination for the open competitive examination for Correction Officer Recruit (S9988R), Statewide.

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

B-28 MARIE LOPEZ

Marie Lopez appeals the denial of her request for a make-up examination for the bilingual portion of the examination for Family Service Specialist 1, Bilingual in Spanish and English (PS3421K), Department of Children and Families.

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

B-29 PANKAJKUMAR PATEL

The Communications Workers of America, Local 1032 (CWA), on behalf of Pankajkumar Patel, appeals the determinations of the Division of Selection Services denying his requests for make-up examinations for the following promotional examinations: Project Engineer Construction (PS3722T), Project Engineer Materials (PS3723T), Project Engineer Structural Transportation (PS3725T), and Project Engineer Surface Design (PS3726T), Department of Transportation.

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

B-30 MARK STEVENS

Mark Stevens appeals the determination of the Division of Selection Services and Recruitment denying his request for a make-up examination for the open competitive examination for Correction Officer Recruit (S9988R), Statewide.

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

B-31 MARK CHANEY

Mark Chaney, a Mechanic with the City of Vineland, appeals the bypass of his name on the December 13, 2011 certification of the Supervisor, Garage Services (M2244N), City of Vineland, eligible list.

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

B-32 SHENA GRIMES

Shena Grimes, a Police Lieutenant with the City of East Orange, appeals the bypass of her name on the March 2, 2012 certification of the Police Captain (PM7505M), City of East Orange, eligible list.

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

B-33 WILLIAM IPPOLITO

William Ippolito, represented by Carl N. Tripician, Esq., appeals the bypass of his name on the Police Lieutenant (PM5053M), Borough of Point Pleasant Beach eligible list.

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

B-34 LOUIS P. TOSCANO

Louis P. Toscano appeals the removal of his name from the eligible list for Senior Quality Control Reviewer (S0369P), Division of Family Development, on the basis of not being interested in the position.

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

B-35 B. R.

B. R., a Fingerprint Processing Technician 1 with the Department of Law and Public Safety (DLPS), appeals the determination of the Chief of Staff of the Office of the Attorney General, DLPS, 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-36 D. A.

D. A., a former Senior Investigator Insurance Fraud Prevention with the Department of Law and Public Safety, appeals the determination of the Chief of Staff of the Office of the Attorney General, DLPS, 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 (State Policy).

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

B-37 H. C.

H. C., an Assistant Supervisor of Professional Residential Services, Developmental Disabilities, at New Lisbon Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-38 M. M.

M. M., a Clinical Psychologist 2, Division of Mental Health Services, at Ancora Psychiatric Hospital, Department of Human Services, represented by Nathan M. Edelstein, Esq., appeals the determination of the Assistant Commissioner, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-39 S. C.

S. C., an Administrative Director, Human Services, with the Department of Health appeals the determination of the Chief of Staff of the Department of Health stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

VOTE:

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

B-40 DAVID BOWLBY

The Department of Transportation requests that David Bowlby's out-of-title experience be accepted to qualify him for a prospective promotional examination for the title of Principal Transportation Analyst, Emergency Management Coordination.

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

B-41 DAVID MACINNES

The Department of Transportation requests that David MacInnes' out-of-title experience be accepted to qualify him for a prospective promotional examination for the title of Senior Transportation Analyst, Emergency Management Coordination.

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

B-42 SANDRA MURRAY

Sandra Murray requests a retroactive date of appointment to Supervising Investigator, Law and Public Safety (Specialized Credentials).

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

B-43 JENIFER HENDERSON

Jenifer Henderson appeals the decision of the Division of Classification and Personnel Management that her position with the Vineland School District is properly classified as Clerk 2. The appellant seeks either a Clerk 3/Senior Telephone Operator or a Keyboarding Clerk 2/Telephone Operator job classification.

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

B-44 KATHLEEN SCAGNELLI

Kathleen Scagnelli appeals the decision of the Division of Classification and Personnel Management that her position with the Vineland School District is properly classified as Clerk 2. The appellant seeks a Senior Data Entry Machine Operator job classification.

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

B-45 VICKIE SPERA

Vickie Spera appeals the decision of the Division of Classification and Personnel Management that her position with the Department of Environmental Protection is properly classified as Senior Technician, Management Information Systems. The appellant seeks a Principal Technician, Management Information Systems job classification.

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

B-46 ASSISTANT CHIEF TECHNICAL SERVICES TAXATION

The parties request that the Civil Service Commission acknowledge the settlement reached between the Governor's Office of Employee Relations, the Department of the Treasury, the Communications Workers of America, and Linda Hickey, which provides that the Assistant Chief Technical Services Taxation title will be retained in the managerial employee relations group and that Hickey's current salary will be adjusted and "red circled".

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

B-47 COUNTY CORRECTION LIEUTENANT (PC2655K), MERCER COUNTY

The Division of Classification and Personnel Management requests that Mercer County be ordered to return the September 7, 2012 certification (PL121120) of the eligible list for County Correction Lieutenant (PC2655K) for proper disposition.

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

B-48 COUNTY CORRECTION OFFICERS, GLOUCESTER COUNTY

The Division of Classification and Personnel Management requests administrative relief in order to facilitate the intergovernmental transfers, as an alternative to layoff, of employees who are in the title of County Correction Officer, Gloucester County, to the title of Senior Correction Officer, Department of Corrections.

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

B-49 DEPUTY REGISTRAR OF VITAL STATISTICS

The Borough of Fair Lawn request permission not to make an appointment from the December 4, 2012 certification for Deputy Registrar of Vital Statistics (M0340P).

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

B-50 POLICE AIDE (M0314P), RUTHERFORD

Rutherford requests permission not to make an appointment from the November 26, 2012 certification for Police Aide (M0314P).

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

B-51 POLICE OFFICER (S9999M), PLEASANTVILLE

The Division of Classification and Personnel Management requests that the Civil Service Commission order Pleasantville to return the January 23, 2013 certification of the eligible list for Police Officer (S9999M) for proper disposition.

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

B-52 SENIOR LIBRARIAN (M2413N), ORANGE PUBLIC LIBRARY

Orange Public Library requests permission not to make an appointment from the February 28, 2012 certification for Senior Librarian (M2413N).

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

B-53 SOFTWARE DEVELOPMENT SPECIALIST 2 AND SOFTWARE DEVELOPMENT SPECIALIST 3

The Division of Classification and Personnel Management, on behalf of the Office of Information Technology, requests that it be permitted to selectively certify eligibles on the promotional lists for Software Development Specialist 2 (PS0214U), (PS5812U), (PS6056U), (PS6425U), (PS8147U) and Software Development Specialist 3 (PS6426U) who possess specialized skillsets identified in a job analysis for the subject titles.

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

B-54 ANNIE BAKER

The appeal of Annie Baker, a Correction Sergeant, Juvenile Justice, with the Juvenile Justice Commission, Department of Law and Public Safety, of her removal, effective April 24, 2012, on charges, was heard by Administrative Law Judge Robert Bingham II (ALJ), who rendered his initial decision on May 3, 2013. At its meeting on June 5, 2013, the Civil Service Commission adopted the ALJ's recommendation to uphold the appellant's removal. However, the Commission found it necessary to address the exceptions filed on behalf of the appellant. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-55 ELMORE GAINES

The appeal of Elmore Gaines, a Code Enforcement Officer with the Department of Neighborhood and Recreational Services, City of Newark, of his four-month suspension, on charges, was heard by Administrative Law Judge Leland S. McGee (ALJ), who rendered his initial decision on May 6, 2013. At its meeting on June 5, 2013, the Civil Service Commission did not adopt the ALJ's recommendation to uphold the four-month suspension. Rather, the Commission increased the penalty from a four-month suspension to a six-month suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

B-56 KEITH WICKHAM, JR.

The appeal of Keith Wickman, Jr., a Senior Correction Officer with New Jersey State Prison, Department of Corrections, of his removal effective October 15, 2012, on charges, was heard by Administrative Law Judge Robert Bingham, II, (ALJ), who rendered his initial decision on April 29, 2013. At its meeting on June 5, 2013, the Civil Service Commission ordered that the matter be remanded to the Office of Administrative Law (OAL).

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

B-57 BUILDING SERVICE WORKER (SPECIAL RE-EMPLOYMENT LIST), WEST NEW YORK

West New York requests reconsideration of the decision rendered on March 6, 2013 by the Civil Service Commission in *In the Matter of Building Service Worker (Special Re-Employment List), West New York* which ordered it to properly dispose of the April 19, 2012 certification within 30 days and remit \$1,000 in compliance costs.

ACTION: The Civil Service Commission directed that this request be denied and ordered the appointing authority to immediately remit payment of the \$1,000 in compliance costs previously assessed.

B-58 FRANK DEVITA

Frank Devita, a Senior Correction Officer with Bayside State Prison, Department of Corrections, represented by Daniel Geddes, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on August 1, 2012, in which the Commission denied his request for SLI benefits.

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

B-59 CHRISTOPHER ANTOCI

Christopher Antoci appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-60 KENTON BROOKINGS

Kenton Brookings appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

ACTION: The Civil Service Commission directed that this appeal be denied and his score for the oral communication component of the evolving scenario be changed from 4 to 2.

B-61 SAUL CINTRON

Saul Cintron appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-62 CESAR COLLAZO

Cesar Collazo appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-63 ISAAC FELICIANO

Isaac Feliciano appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-64 THOMAS FLANAGAN

Thomas Flanagan appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-65 LORI GHAVAMI

Lori Ghavami appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirements in experience for the open competitive examination for Assistant Budget Officer (M0408P), Union City.

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

B-66 SALVADOR GIOIA

Salvador Gioia appeals the determination of the Division of Selection Services and Recruitment which found that he is below the minimum requirements in experience for the promotional examination for Supervising Sewage Plant Operator/Supervisor Sewers (PM0393P), Millville.

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

B-67 ESSAM HANANI AND MAITHILI PATNAIK

Essam Hanani and Maithili Patnaik appeal their scores on the promotional examination for Public Health Representative 1, Certified Tumor Registrar (PS9992H), Department of Health.

ACTION: The Civil Service Commission directed that their scores be reevaluated using their current job specification.

B-68 PAUL HESS

Paul Hess appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-69 DAVID HOLLIDAY

David Holliday appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-70 MICHAEL HOOK

Michael Hook appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-71 MARK JACOBY

Mark Jacoby appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-72 DEAN JONES

Dean Jones appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-73 TIMOTHY KURAS

Timothy Kuras appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-74 JIM LUCCI

Jim Lucci appeals the test administration and his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-75 WILLIAM MACDONALD

William MacDonald appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-76 ABDUL MUHAMMAD

Abdul Muhammad appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-77 LEONARDO PEREZ

Leonardo Perez appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-78 FRED REED, JR.

Fred Reed, Jr., appeals his score for the oral portion of the promotional examination for Fire Captain (PM5238N), Paterson.

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

B-79 ALEXANDER SMITH

Alexander Smith appeals his score for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-80 FRANK SPECHT

Frank Specht appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the promotional examination for Senior Management Assistant (PM1041P), City of Elizabeth.

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

B-81 STEPHEN WEIERBACH

Stephen Weierbach appeals the test administration for the oral portion of the promotional examination for Fire Captain (PM5208N), Atlantic City.

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

B-82 ROBBYN WOOLRIDGE

Robbyn Woolridge appeals the administration of the promotional examination for Child Care Quality Assurance Inspector 2 (PS9794K), Department of Children and Families.

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

B-83 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 5, 2013.

ACTION: The Civil Service Commission adopted the minutes of its meeting of June 5, 2013.

B-84 T. M.

The Superior Court of New Jersey, Appellate Division, has remanded the matter of T. M. to the Civil Service Commission to allow T. M. the opportunity for a hearing regarding the determination that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION: The Civil Service Commission directed that this matter be referred to the Office of Administrative Law for a hearing.

B-85 JOHN VENABLES

The appeal of John Venables, Jr., a Police Lieutenant with the City of Camden, of his 15 calendar day suspension, six-month suspension, and demotion to the position of Police Sergeant, effective September 28, 2009, on charges, was heard by Administrative Law Judge Tiffany M. Williams (ALJ), who rendered her initial decision on March 18, 2013. At its meeting on June 5, 2013, the Civil Service Commission adopted the ALJ's recommendation to reverse the 15 calendar day suspension and demotion. However, the Commission did not adopt the ALJ's recommendation to modify the six-month suspension to a 90 working day suspension. Rather, the Commission upheld the six-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 **(No)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-86 JOHN KUBIAK

John Kubiak appeals the determination of the former Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Custodian (PM0537P), Brick Township Board of Education.

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

B-87 KEVIN KINGSTON

The Township of Verona, represented by Dominick Bratti, Esq., petitions the Civil Service Commission for a stay of the Commission's decision rendered on January 23, 2013, reversing Kevin Kingston's removal contingent upon his successful completion of a psychological fitness for duty examination pending the outcome of its appeal to the Superior Court, Appellate Division.

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

B-88 STANTON HOLDER

Stanton Holder appeals the decision of the former Division of State and Local Operations, which upheld the removal of his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to his unsatisfactory criminal record and falsification of his employment application.

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

B-89 SHAWNNA BAILEY

Morris County requests that the provisions of *N.J.A.C. 4A:4-7.1A(b)* be relaxed in order to permit the retroactive Intergovernmental Transfer of Shawanna Bailey from the title of Social Worker, Sussex County, to the title of Social Worker, Morris.

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

B-90 BURLINGTON COUNTY

Burlington County requests that the Civil Service Commission relax the rules relating to special reemployment lists in order for it to promote employees in departments not impacted by layoffs.

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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, July 17, 2013, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission