



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
AUGUST 15, 2012**

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

August 15, 2012

A regular meeting of the Civil Service Commission was held on Wednesday, August 15, 2012, 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 Merit System Practices and Labor Relations.

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 28, 2011, 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 Manuel Cancel
City of Newark
Police Department
Suspension

In the Matter of Matthew Chard
South Woods State Prison
Department of Corrections
Suspension

In the Matter of Kevin Clark
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Kerry Coley
City of Orange
Police Department
Removal

In the Matter of Elvin Evans
City of Cape May
Department of Public Works
Removal

In the Matter of Bonniwell Graham, III
Juvenile Justice Commission
Removal

In the Matter of Frederick Jeffers
City of East Orange
Police Department
Suspension

In the Matter of Nydia Jurado
City of Jersey City
Department of Housing Economic Development Commerce
Removal and resignation not in good standing

In the Matter of Teresa Morgan-Lemons
Atlantic County
Department of Human Services
Suspension

In the Matter of Pamela Medvar
Morris County
Department of Human Services
Release at the end of the working test period

In the Matter of Sharmila Narad
Woodbridge Developmental Center
Department of Human Services
Suspension

In the Matter of Robin Pearce
Edna Mahan Correctional Facility
Department of Corrections
Suspension

In the Matter of Miguel Reyes
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Nikia Rivera
Cumberland County
Department of Corrections
Removal

In the Matter of Hakim Sims
City of Orange
Police Department
Suspension

In the Matter of Jared Stewart
City of Newark
Police Department
Suspension

In the Matter of Denise Versage
Cape May County
Health Department
Removal

In the Matter of Brett Wyatt
Kean University
Department of Higher Education
Suspension and Demotion

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

ACTION: The Civil Service Commission acknowledged the settlements with the exception of Nikia Rivera which was held over.

A-2 FELICIA ELLISON

Felicia Ellison, Police Officer, City of Newark, Police Department, 25-day suspension on charges of violation of Police Department rules and regulations regarding chronic incompetency, inefficiency or failure to perform duty.

Recommendation of the Administrative Law Judge – Uphold the 25-day suspension.

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

A-3 SCOTT HAYNES

Scott Haynes, Laborer, Atlantic City Municipal Utilities Authority, 45 working day suspension on charges of insubordination, conduct unbecoming a public employee, misuse of public property and other sufficient cause.

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

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

A-4 DAVID W. JONES

David W. Jones, Recycling Operator, Ocean County, Department of Solid Waste Management, resignation not in good standing effective May 16, 2011, on the charge of job abandonment.

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

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

A-5 LOUIS J. MUZYKA

Louis J. Muzyka, Police Sergeant, Borough of Carteret, Police Department, 12 working day suspension on charges of misconduct, incompetency, inefficiency, or failure to perform duties, conduct unbecoming a public employee, misuse of public property, other sufficient cause, and violation of Police Department rules and regulations regarding handling of firearms and property and equipment.

Recommendation of the Administrative Law Judge – Modify the 12 working day suspension to eight working day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge and upheld the 12 working day suspension.

A-6 JANICE SALAMONE AND WALTER G. WARGACKI

Walter G. Wargacki, Recreation Program Coordinator, Bergen County, Department of Parks, appeals the good faith of his layoff effective May 30, 2011, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and dismiss the appeal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge and acknowledged the withdrawal of Janice Salamone's appeal.

A-7 RICHARD SCHWARZ AND CARLA VITALE

Richard Schwarz, and Carla Vitale, Police Officers, Township of Nutley, Department of Public Safety, appeal the good faith of their layoffs effective December 31, 2010, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

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

A-8 MARCUS SHERROD

Marcus Sherrod, Senior Correction Officer, New Jersey State Prison, Department of Corrections, 60 working day suspension on charges of other sufficient cause, conduct unbecoming a public employee, falsification and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Modify the 60 working day suspension to a 30 working day suspension.

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

A-9 VERONICA TUCKER

Veronica Tucker, Senior Correction Officer, Central Office, Department of Corrections, 90 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, insubordination and violation of a rule, regulation, policy, procedure and order.

Recommendation of the Administrative Law Judge – Modify the 90 working day suspension to a 17 working day suspension.

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

A-10 RONALD J. BATOT

Ronald J. Batot, Laborer, Borough of Runnemede, Department of Public Works, removal effective August 5, 2011, on charges conduct unbecoming a public employee and violation of Department policies on anti-harassment.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-11 TYRONE BROWN

Tyrone Brown, County Correction Officer, Gloucester County, Department of Correctional Services, removal effective November 9, 2011, on charges of conduct unbecoming a public employee, other sufficient cause and violation of Department code of ethics policy.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-12 DARLENE HINTON-WILKERSON

Darlene Hinton-Wilkerson, Human Services Technician, Trenton Psychiatric Hospital, Department of Human Services, removal effective January 13, 2011, on charges of violation of Department policy and procedure, misuse of authority of position, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and modified the removal to a 30-day suspension.

A-13 VENDORA SCOTT

Vandora Scott, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removals effective March 15, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, physical or mental abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a patient, client, resident or employee, falsification, violation of a rule, regulation, policy, procedure, order or administrative decision, failure or excessive delay in carrying out an order which would not result in danger to persons or property and insubordination.

Recommendation of the Administrative Law Judge – Uphold the removals.

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

A-14 CHARLES ALLIA

Charles Allia, Senior Engineer, Monmouth County, Department of Public Works Buildings and Grounds, 30 working day suspension on charges of incompetency, inefficiency or failure to perform duty, neglect of duty, other sufficient cause and violation of County policy regarding employee conduct, work rules and safety. This matter was held over from the August 1, 2012, Civil Services Commission meeting for lack of quorum.

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

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

VOTE:

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

SECTION B – MISCELLANEOUS MATTERS

B-1 The Division of Classification and Personnel Management requests the inactivation and renaming of the Dental Hygienist title series and the inactivation and renaming of the Speech/Hearing Specialist and Laboratory Assistant title series.

**MEMORANDUM**

DATE: July 19, 2012
 TO: Civil Service Commission
 FROM: Kenneth Connolly, Director *Kenneth Connolly*
 Division of Classification and Personnel Management
 SUBJECT: Change in State Classification Plan

STATE HEALTH RELATED TITLES

The Division of Classification and Personnel Management requests the inactivation and renaming of the Dental Hygienist series.

The two-level Dental Hygienist title series with one encumbered level will be reduced to one level and renamed to reflect current usage patterns.

The Department of Human Services was given the opportunity to review this proposal and had no objections.

The affected negotiations representatives were notified.

The changes will become effective at the beginning of the first pay period following the Commission's approval of these actions.

TITLE INACTIVATION

DENTAL HYGIENIST 2
 H16-01052 C P 4012

TITLE VERBIAGE CHANGE

FROM:
 DENTAL HYGIENIST 1
 H19-01053 C P 4012

TO:
 DENTAL HYGIENIST
 H19-01053 C P 4012

KC/JT/BP/DN



MEMORANDUM

DATE: July 19, 2012
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Classification and Personnel Management
SUBJECT: Change in State Classification Plan

STATE HUMAN SERVICES TITLES

The Division of Classification and Personnel Management requests the inactivation and renaming of the Speech/Hearing Specialist and Laboratory Assistant series.

These two-level series each have one encumbered level. They will be reduced to one level and renamed to reflect current usage patterns.

The Department of Human Services was given the opportunity to review this proposal and voiced no objections.

The affected negotiations representatives were notified.

The changes will become effective at the beginning of the first pay period following the Commission's approval of these actions.

TITLE INACTIVATION

LABORATORY ASSISTANT
O05-01942 N 3512

SPEECH/HEARING SPECIALIST 2
P22-03652 C NL12

TITLE VERBIAGE CHANGE

FROM:

SENIOR LABORATORY ASSISTANT
O08-01943 N 3512
O10-01946 N 4012

SPEECH/HEARING SPECIALIST I
P25-03653 C NL12

TO:

LABORATORY ASSISTANT
O08-01943 N 3512
O10-01946 N 4012

SPEECH/HEARING SPECIALIST
P25-03653 C NL12

KC/JT/BP/KP

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

- B-2** The Division of Classification and Personnel Management requests the inactivation of six unclassified titles utilized by the Department of Law and Public Safety and one career service title utilized by the Department of Corrections.



MEMORANDUM

DATE: July 19, 2012
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Classification and Personnel Management
SUBJECT: Change in the Classification Plan

STATE GOVERNMENT TITLES

The Division of Classification and Personnel Management requests the inactivation of six (6) titles with Law and Public Safety.

The titles are unencumbered. We have notified the Appointing Authorities of our plans to inactivate, and provided them with the opportunity to review and comment.

The effective date of these title inactivations will be the first pay period that follows the commission's approval of the action.

TITLE INACTIVATIONS

Assistant Engineer Electronic Gaming Equipment
X98-16889 Unclassified NL12 State

Chief Inspector State Athletic Control Board
X27-35604 Unclassified NL12 State

Engineer Electronic Gaming Equipment
X98-16891 Unclassified NL12 State

Member of Victims Crime Compensation Agency
X39-45057 Unclassified NL12 State

Supervising Investigator Insurance Fraud Prevention L&PS
V28-10111 Unclassified NL12 State

Senior Investigator Insurance Fraud Prevention L&PS
Y22-10110 Unclassified NE12 State

KC/JT/BP/LR



MEMORANDUM

DATE: July 24, 2012
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Classification & Personnel Management
SUBJECT: Change in the Classification Plan

DEPARTMENT OF CORRECTIONS (DOC)

We request the inactivation of the title Business Manager 2, Corrections (M30-60242).

The title is presently unencumbered, and DOC has confirmed it has no plans to utilize this title in the future.

TITLE INACTIVATION:

Effective: Changes will be effective the first pay period following the Commission's approval.

Business Manager 2, Corrections
M30-60242 Career * NL/12

KC/JT/BP/GB

www.state.nj.us/csc

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

- B-3** The Division of Classification and Personnel Management requests the creation of a dual title, Emergency Medical Technician/Hazardous Materials Responder.



MEMORANDUM

DATE: July 23, 2012
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Classification and Personnel Management
SUBJECT: Change in the Classification Plan

LOCAL GOVERNMENT TITLE

The Division of Classification and Personnel Management requests the creation of a dual title, Emergency Medical Technician/Hazardous Materials Responder.

We were approached by an appointing authority seeking to more efficiently utilize county resources within the public safety unit. Currently, departments must maintain on-hand staff of both titles, Emergency Medical Technician (01724) and Hazardous Materials Responder (07952), should an incident arise in which only one or the other may be capable of responding. The certifications for these titles are dissimilar, making it imprudent to incorporate all certifications into one or the other title. Our research and meetings with the department have assured us the request is warranted. As such, we are seeking the creation of a dual title to fulfill this need.

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

TITLE CREATION

Emergency Medical Technician/Hazardous Materials Responder
_____ Competitive Local

KC/JT/GS

www.state.nj.us/esc

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

- B-4** The Division of Classification and Personnel Management requests the elimination or designation as archaic various State government titles within Occupational Group 14 (Art Occupations).



MEMORANDUM

DATE: July 19, 2012
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Classification and Personnel Management
SUBJECT: Change in State Classification Plan

STATE GOVERNMENT - TITLE CONSOLIDATION INITIATIVE

The Division of Classification and Personnel Management requests the elimination or designation as archaic various state government titles within Occupational Group 14 (Art Occupations).

Our review indicates three (3) titles may be eliminated because the 40 hour workweeks in these titles are no longer used in state service. Local incumbents will be transferred to the surviving 35 hour workweek titles, which will be made common.

One (1) title may be designated as archaic and will be inactivated subsequent to attrition.

State Appointing Authorities and affected negotiations representatives have been given the opportunity to review this proposal and all articulated issues have been reviewed and resolved.

The changes shall become effective at the beginning of the first pay period following Commission approval of these actions.

TITLE INACTIVATION

Graphic Artist 1
A17-54603 Competitive * 40/12

Graphic Artist 2
A19-54601 Competitive * 40/12

Graphic Artist 3
A21-54598 Competitive * N4/12

Civil Service Commission
July 19, 2012
Page 2

TITLE TO BE DESIGNATED AS ARCHAIC

Graphic Arts Technician
A09-54591 Competitive * 35/12

TITLES TO BE MADE COMMON

Graphic Artist 1
A15-54593 Competitive * 35/12

Graphic Artist 3
A20-54594 Competitive * NE/12

KC/JT/BP/LR

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

- B-5** The Division of Classification and Personnel Management requests the consolidation of Research Economist variants with similar functions, as well as the elimination of the trainee level.



MEMORANDUM

DATE: July 19, 2012
TO: The Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations *Kenneth Connolly*
SUBJECT: Change in the State Classification Plan

RESEARCH ECONOMIST VARIANTS TITLE CONSOLIDATION INITIATIVE

The Division of Classification and Personnel Management requests the consolidation of the Research Economist variants with similar functions, as well as the elimination of the trainee level.

Titles possessing similar duties, responsibilities and experience requirements were identified to determine the practicality and appropriateness of title consolidation. The result of this review indicates the identified variants function very similarly, if not identically, to their corresponding generic base titles.

All the identified variants, in some capacity, perform work involving the use of economic and statistical principles, practices, and techniques to identify trends, analyze data, and develop forecasts. The core function, gathering, analyzing and interpreting economic and statistical data, is consistent among the variants regardless of the area of specialization. Thus, we request they be consolidated into the corresponding base titles at each level.

The State Appointing Authorities presently utilizing these titles have been given the opportunity to review this proposal and all articulated issues have been addressed.

In addition, the impacted State agencies were surveyed regarding the continued need for a trainee level. The result of this survey indicates they have no future plans to utilize this title. Thus, given that it is presently unencumbered, we request its inactivation.

The title specifications have been updated to accommodate this consolidation.

The base title series will be renumbered in accordance with current practices, with the numerical suffix "1" representing the journey level to "4" representing the mastery level.

The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status.

Upon the successful completion of the consolidation process, the collapsed titles 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 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.

Civil Service Commission
 July 19, 2012
 Page 2

- 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.

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

TITLE CONSOLIDATION, & MOVEMENT OF INCUMBENTS:

Effective: Changes will be effective the first pay period following the Commission's approval.

FROM:	⇒	TO:
Research Economist 4 P22-54001 Career* NL/12		Research Economist <u>1</u> P22-54001 Career* NL/12
Research Economist 3 P25-54104 Career* NL/12		Research Economist <u>2</u> P25-54104 Career* NL/12
Research Economist 3, Demography P25-54104C Career* NL/12	⇒	
Research Economist 2 P28-54005 Career* NL/12		Research Economist <u>3</u> P28-54005 Career* NL/12
Research Economist 2, Demography P28-54005C Career* NL/12	⇒	
Research Economist 2, Public Utilities P28-54005F Career* NL/12	⇒	
Research Economist 2, Statistics P28-54005D Career* NL/12	⇒	

Civil Service Commission
July 19, 2012
Page 3

FROM:				TO			
Research Economist 1				Research Economist 4			
R30-54006	Career *	NL/12		R30-54006	Career *	NL/12	
Research Economist 1, Demography							
R30-54006C	Career *	NL/12	⇒				
Research Economist 1, Public Utilities							
R30-54006F	Career *	NL/12	⇒				
Research Economist 1, Statistics							
R30-54006D	Career *	NL/12	⇒				

TITLE INACTIVATION:

Effective: Changes will be effective the first pay period following the Commission's approval.

Research Economist Trainee
P95-54000 Career * NL/12

KC/JT/BP/GB

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

- B-6** The Division of Classification and Personnel Management requests the consolidation of various State titles in the Research Analyst title series.



MEMORANDUM

DATE: July 24, 2012
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 State and Local Operations requests the consolidation of various State titles in the Research Analyst series. This consolidation will provide Appointing Authorities with a consistent title series, while also providing employees with enhanced career advancement opportunities. Additionally, the title series will undergo a verbiage change to maintain accordance with current practices.

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

We have notified State Appointing Authorities of our plans to consolidate, and have provided them with the opportunity to review and comment.

We have retained the multiple workweeks used where appropriate. A new title code must be created to accommodate incumbents at the supervising level.

Upon successful completion of the consolidation process, the consolidated titles involved 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 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 effective date of these actions will be the first pay period that follows the Commission's approval of the action.

VERBIAGE CHANGE

FROM:

Research Analyst
P18-03171 Competitive NE12

Senior Research Analyst
P21-03172 Competitive NE12

Senior Research Analyst
P22-03181 Competitive 4012

Principal Research Analyst
P24-03173 Competitive NL12

Principal Research Analyst
P25-03183 Competitive 4E12

TO:

Research Analyst 1
P18-03171 Competitive NE12

Research Analyst 2
P21-03172 Competitive NE12

Research Analyst 2
P22-03181 Competitive 4012

Research Analyst 3
P24-03173 Competitive NL12

Research Analyst 3
P25-03183 Competitive 4E12

CREATION OF TITLE

Research Analyst 4
R28-_____ Competitive NL12

CONSOLIDATION OF TITLE SERIES

FROM:

Senior Level
Senior Research Analyst, Code Development
P21-03172E Competitive NE12

Supervisor Level
Supervising Research Analyst, DCA & DHSS
R28-03184I Competitive NL12

TO:

Research Analyst 2
P21-03172 Competitive NE12

Research Analyst 4
R28-_____ Competitive NL12

TITLE INACTIVATIONS

Supervising Research Analyst
R28-03184A Competitive NL12

Supervising Research Analyst
R29-03185A Competitive N412

Supervising Research Analyst, Transportation
R28-03184L Competitive NL12

Supervising Research Analyst, Transportation
R29-03185C Competitive N412

KC/JT/GS

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

B-7 EBONY BROWN

Ebony Brown, a Senior Correction Officer at New 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-8 EVA ESTRADA

Eva Estrada, a Senior Clerk Typist 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 denied.

B-9 DAVID KACZKA

David Kaczka, a Registered Environmental Health Inspector 3 with the Department of Health and Senior Services, appeals the denial of sick leave injury (SLI) benefits.

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

B-10 DELINDA HOLMES

Delinda Holmes, an Assistant Purchasing Agent with the Paterson Housing Authority, petitions the Civil Service Commission for enforcement of the decision rendered by the Commission at its meeting on January 19, 2011.

ACTION: The Civil Service Commission directed that this petition be dismissed as moot.

B-11 THOMAS E. FARRELL

The Borough of North Arlington requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Thomas E. Farrell from the title of Sheriff's Officer, Morris County Sheriff's Office, to the title of Police Officer, North Arlington.

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

B-12 TERRY DILLER

Terry Diller, a former Assistant Chief Investigator, Secured Facilities, with the Department of Corrections, appeals the decision of the Department of Corrections which determined that he was not entitled to compensation for his unused compensatory days at the time of his retirement on April 1, 2011.

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

B-13 MARISOL GALINDO AND SABRINA CALABRO

Marisol Galindo, a former Family Service Specialist 1, and Sabrina Calabro, a former Family Service Specialist 2, with the Department of Children and Families (DCF), both represented by Mauro Camporeale, CWA Local 1037 Staff Representative, appeal DCF's determinations that they were not entitled to cash compensation for earned compensatory time upon their resignations in good standing.

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

B-14 PETER MIDGLEY

Peter Midgley, a former Family Service Specialist 2 with the Department of Children and Families, requests that he be paid for his unused vacation leave and his accrued compensatory time upon his September 12, 2011 resignation.

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

B-15 ROMY WALKER

Romy Walker, a Senior Parole Officer with the State Parole Board, requests a waiver of repayment of a salary overpayment pursuant to N.J.S.A. 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

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

B-16 AUDREY BRYSON

The Division of Classification and Personnel Management, on behalf of the Department of Transportation, requests that Audrey Bryson's out-of-title work experience be accepted to allow her to meet the eligibility requirements for Technician, Management Information Systems.

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

B-17 MARY D'AGOSTINO

Mary D'Agostino appeals her rejection as a County Correction Officer candidate by Atlantic County and its request to remove her name from the eligible list for County Correction Officer (C9985M) 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-18 RUBEN MORALES

Ruben Morales, a Senior Correction Officer with Northern State Prison, Department of Corrections, represented by Luretha M. Stribling, Esq., appeals the decision of the Assistant Director of the Equal Employment Division, which found that the appellant failed to support a finding that he has been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace. The appellant also 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 his name from the Correction Sergeant (PS1818I), Department of Corrections, eligible list on the basis of an unsatisfactory employment record.

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

B-19 HERBERT PURNELL

Cumberland County appeals the determination of the Division of the Classification and Personnel Management which denied its request to remove Herbert Purnell from the June 14, 2011 certification of the eligible list for Computer Service Technician (C0084N) on the basis that he did not meet the announced requirements.

ACTION: The Civil Service Commission directed that this appeal be granted and the name of Herbert Purnell be removed from the subject eligible list.

B-20 ANDREA RICHARDS

Andrea Richards appeals the decision of the Division of Selection Services which found that she failed to meet the residency requirements for the open-competitive examination for Senior Occupational Therapist (S2411N), Statewide.

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

B-21 DANIEL DUNN

Daniel Dunn, represented by Carl N. Tripician, Esq., appeals the bypass of his name on the Fire Captain (PM3609J), City of Wildwood, eligible list.

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

B-22 JOCELYN HALL

Jocelyn Hall appeals the February 10, 2012 determination of the former Division of State and Local Operations which upheld the bypass of her name on the Program Support Specialist 2, Assistance Programs (PS5165K), Department of Human Services eligible list.

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

B-23 SCOTT POOLAKE

Scott Poolake requests that he be permitted to submit an application after the closing date for the Entry Level Law Enforcement Examination (S9999M, S9988M, S0738M, S0739M and S0740M).

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

B-24 MICHAEL SCHULZ

Michael Schulz appeals the determination of the Division of Selection Services which denied his admittance to the promotional examination for Police Lieutenant (PM5035N), Long Branch due to a late application.

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

B-25 MARIA SOTO

Maria Soto appeals the determination of the Division of Selection Services denying her request for a make-up examination for Human Services Specialist 1 (C0062N), Cumberland County.

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

B-26 DELOIS CHAVIS

DeLois Chavis appeals the decision of the former Division of State and Local Operations that the proper classification of her position with the Department of the Treasury is Technical Assistant 3. The appellant seeks a Taxpayer Representative 3 or a Technical Assistant 2, Treasury classification.

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

B-27 DARREN CLARK

Darren Clark appeals the decision of the former Division of State and Local Operations that the proper classification of his position with the Department of Health and Senior Services is Community Service Officer 2, Addictions. The appellant seeks a Community Service Officer 1, Addictions or a Program Development Specialist 1, Medical Assistance & Health Services classification.

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

B-28 FRANK KOPICKI

Frank Kopicki appeals the April 23, 2010 decision of the former Division of State and Local Operations which found that his position with the Department of Law and Public Safety is properly classified as Accountant 1. The appellant seeks an Administrative Analyst 1, Accounting classification.

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

B-29 LORRAINE WOODS

Lorraine Woods appeals the March 16, 2011 decision of the former Division of State and Local Operations which found that her position with the Edna Mahan Correctional Facility, Department of Corrections, is correctly classified as Technical Assistant 1, Purchasing. The appellant seeks a Buyer classification.

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

B-30 CLERK 3/SENIOR PURCHASING ASSISTANT (M2216N), ABERDEEN TOWNSHIP

Aberdeen Township requests permission not to make an appointment from the March 20, 2012 certification for Clerk 3/Senior Purchasing Assistant (M2216N).

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

B-31 CODE ENFORCEMENT OFFICER (M2269N), MANASQUAN

Manasquan requests permission not to make an appointment from the January 13, 2012 certification for Code Enforcement Officer (M2269N).

ACTION: The Civil Service Commission directed that the duties of the position of Code Enforcement Officer be reviewed by the Division of Classification and Personnel Management to determine its proper classification, and that the appointing authority's request for a waiver of the appointment requirement be held in abeyance pending the outcome of the classification review.

B-32 DIRECTOR OF DATA PROCESSING (M0500M), ATLANTIC CITY

The Division of Classification and Personnel Management requests that Atlantic City be ordered to return the March 8, 2011 certification for Director of Data Processing (M0500M) for proper disposition.

ACTION: The Civil Service Commission directed that the March 8, 2011 certification be re-ranked to reflect Bernadette Kucharczuk's ranking as the number one eligible; that she receive a permanent appointment date of May 8, 2011; and that Gerald Tormey's name be retained on the list as interested.

B-33 CASSANDRA LEWIS

Cassandra Lewis, a Secretarial Assistant 3 Non-stenographic with Ancora Psychiatric Hospital, represented by Michele Long-Vickers, Staff Representative, CWA Local 1040, appeals the appointing authority's failure to provisionally appoint her pursuant to *N.J.A.C. 4A:4-4.2(c)2i*, from the Management Assistant (PS7240K) eligible list.

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

B-34 ERIC MARTINEZ

The appeal of Eric Martinez, a County Correction Officer with Monmouth County, of his removal, effective February 25, 2011, on charges, was heard by Administrative Law Judge Jeff S. Masin (ALJ), who rendered his initial decision on June 26, 2012. At its meeting on August 1, 2012, 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 and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

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

B-35 JUAN RODRIGUEZ

The appeal of Juan Rodriguez, a Police Officer with the City of Camden, of his removal on charges, was heard by Administrative Law Judge Dennis P. Blake (ALJ), who rendered his initial decision on June 22, 2012. At its meeting on August 1, 2012, the Civil Service Commission did not adopt the ALJ's recommendation to modify the removal to a six-month suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

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

B-36 ELIDA ORTIZ

Elida Ortiz requests reconsideration of the final administrative determination in *In the Matter of Douglas Green, et al.* (CSC, decided July 13, 2011), which found that she was not entitled to a make-up for the Entry Level Law Enforcement Examination.

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

B-37 JAMES AMICI AND PAUL LAMBERTI

James Amici and Paul Lamberti appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Supervisor of Enforcement (PS6806D), Department of Community Affairs.

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

B-38 JOHNNIE ARRINGTON

Johnnie Arrington appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Head Custodian (PM0721N), Jersey City School District.

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

B-39 JOHN DELESANDRO

John Delesandro appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Supervisor of Enforcement (PS6806D), Department of Community Affairs.

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

B-40 DERICK GLENN

Derick Glenn appeals the determination of the Division of Selection Services that found that he did not meet the experience requirements for the promotional examination for Therapy Program Assistant (PS5238E), New Jersey Veterans Memorial Home.

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

B-41 BEN MAGNUSSEN AND MIGDALIA CABRERA

The Department of Children and Families appeals the determinations of the Division of Selection Services which found that Ben Magnussen and Migdalia Cabrera were below the minimum requirements in experience for prospective provisional appointments to the title of Program Support Specialist 2 (Assistance Programs).

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

B-42 DAVID RICCI AND HENRY WALKER

David Ricci and Henry Walker appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Supply Support Technician 3 (PS5766P), Juvenile Justice Commission.

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

B-43 RAMONA WHITEHEAD

Ramona Whitehead 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 Technical Assistant Personnel (PS6019K), Hunterdon Developmental Center, Department of Human Services.

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

B-44 MARCO CATANIA

Marco Catania appeals the promotional examination for Sheriff's Officer Sergeant (PC1002N), Passaic County.

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

B-45 GEORGE GOINS

George Goins appeals the promotional examination for Correction Lieutenant (PS4822P), Juvenile Justice Commission.

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

B-46 LAURY HAMILTON

Laury Hamilton appeals the promotional examination for Sheriff's Officer Lieutenant (PC1142N), Middlesex County.

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

B-47 KISHA WALKER

Kisha Walker appeals her score on the Entry Level Law Enforcement Examination (S9999M).

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

B-48 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 1, 2012.

ACTION: The Civil Service Commission adopted the minutes of its meeting of August 1, 2012.

VOTE:

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

B-49 PAUL SULLIVAN

Paul Sullivan appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the qualifying examination for Nursing Consultant.

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

B-50 DAVID ARCE, ET AL.

David Arce, Daniel Clemente, Tara Janda, Joseph Riotta, Thomas Sambucci and Andrew Smith, appeal the promotional examination for Correction Lieutenant (PS6072I), Department of Corrections.

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

B-51 JESSICA CLAYTON, ET AL.

Jessica Clayton, Ryan Pushkal and Rocco Franco (PC0984N), Ocean County; Deniz Majagah, Richard Stephen and Brian Weitzman (PC0985N), Passaic County; appeal the promotional examination for County Correction Sergeant (various jurisdictions).

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

B-52 EARLY SETTLEMENTS

In the Matter of Benjamin Morris
Department of Children and Families
Release at the end of the working test period

ACTION: The Civil Service Commission acknowledged the settlement.

B-53 WILLIAM LANOZA

The appeal of William Lanoza, a Correction Sergeant with New Jersey State Prison, Department of Corrections, of his removal effective November 4, 2011, on charges, was heard by Administrative Law Judge Jeff S. Masin (ALJ), who rendered his initial decision on June 12, 2012. At its meeting on August 1, 2012, the Civil Service Commission did not adopt the ALJ's recommendation to grant the appellant's motion for summary decision. Rather, the Commission ordered that the matter be remanded to the Office of Administrative Law. 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 **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-54 DANIEL DONNERSTAG

Daniel Donnerstag appeals the denial of disabled veterans preference for the Firefighter (M2549M), Millburn, Firefighter (M2555M), North Hudson, Firefighter (M2573M), Union Township, and Firefighter (M2586M), Hillside, open competitive examinations.

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

B-55- WILLIE BARNES, ET AL.

Willie Barnes, Pablo Betancourt, Gary Bode, Thomas Brennan, Michael Brogen, Shani Byers, Lillian Childs, Scott Genereaux, Earl Grell, Richard Gross, John Iacobucci, Robert Karpew, Joel Mercado, Andrew Merola, Alexander Piskin-Cobb and Abel Rivera, appeal the promotional examination for Correction Sergeant (PS6436I), Department of Corrections.

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

B-56 AMENDING JOB BANDING FOR HUMAN RESOURCE COUNSULTANT, PERSONNEL AND LABOR ANALYST, STATE BUDGET SPECIALIST, AND TEST DEVELOPMENT SPECIALIST TITLE SERIES PILOT PROGRAM

The Chairperson, Civil Service Commission (Commission) recommends amending the Pilot Program established by the Commission at its meeting on May 16, 2012 to include the State Budget Specialist 4 title in the broad band established for the State Budget Specialist title series.

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

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

B-57 PAID LEAVE BANK DAYS

The Communications Workers of America (CWA), the American Federation of State, County, and Municipal Employees, Council 1 (AFSCME), and Local 195, International Federation of Professional and Technical Engineers (IFPTE), represented by Ira W. Mintz, Esq., petition the Civil Service Commission (Commission) for a stay of the Commission's decision rendered on May 16, 2012 finding that no statutory or regulatory authority exists for Paid Leave Bank (PLB) days within current Civil Service law, but waiving the recoupment of any PLB time used or paid during Fiscal Years 2011 and 2012 and up to December 31, 2012.

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

B-58 JANET CAPITE

The appeal of Janet Capite, a Cottage Training Technician at Hunterdon Developmental Center, Department of Human Services, of her removal, effective December 2, 2010, on charges, was heard by Administrative Law Judge Ronald W. Reba (ALJ), who rendered his initial decision on June 25, 2012. At its meeting on August 1, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a 90 day suspension. Rather, the Commission upheld the removal. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

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

B-59 KENNETH GABURO

The appeal of Kenneth Gaburo, an Operating Engineer HVAC with South Woods State Prison, Department of Corrections, of his 10 working day suspension, on charges, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on June 22, 2012 reversing the 10 working day suspension. At its meeting on August 1, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation. Rather, the Commission ordered that the matter be remanded to the Office of Administrative Law. The proposed final 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 **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-60 SALVATORE GIGLIO

The appeal of Salvatore Giglio, a County Correction Officer with Monmouth County Sheriff's Department, of his removal, effective January 28, 2011, on charges, was heard by Administrative Law Judge John R. Futey (ALJ), who rendered his initial decision on June 21, 2012. At its meeting on August 1, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the removal. 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.

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

B-61 DAVID T. O'BRIEN

The appeal of David T. O'Brien, a Public Safety Telecommunicator, Monmouth County, of his 10 working day suspension, on charges, was heard by Administrative Law Judge Lisa James-Beavers, who rendered her initial decision on June 18, 2012. At its meeting on August 1, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the 10 working day suspension to a one working day suspension. Rather, the Commission upheld the 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.

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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 5, 2012, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission