



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
SEPTEMBER 4, 2013**

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

SEPTEMBER 4, 2013

A regular meeting of the Civil Service Commission was held on Wednesday, September 4, 2013, in Trenton, New Jersey.

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

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 30, 2012, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Marlon Bacon, Jr.
Camden County
Department of Health Services
Removal

In the Matter of Nathan Gibson
Township of Lacey
Police Department
Removal

In the Matter of Donna Hammond
North Jersey Developmental Center
Department of Human Services
Removal

In the Matter of Joanne Julian
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Tyrone Major
City of Newark
Police Department
Removal

In the Matter of Richard McGuire
City of Camden
Police Department
Fines (2)

In the Matter of Mahadi Robinson
City of Newark
Department of Neighborhood and Recreation Services
Removal

In the Matter of Daniel Valentine
Hudson County
Department of Family Services
Suspension

In the Matter of Frank Vanaman
Southern State Correctional Facility
Department of Corrections
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 CYNTHIA ARRINGTON

Cynthia Arrington, Personnel Assistant 3, Central Office, Department of Corrections, 45 working day suspension on charges of other sufficient cause, neglect of duty and sleeping while on duty.

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-3 KIM SHARPE

Kim Sharpe, Laboratory Technician, Newark School District, 10 working day suspension on charges of conduct unbecoming a public employee, insubordination and other sufficient cause.

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

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

A-4 ANIFATU KARGBO

Anifatu Kargbo, Practical Nurse, Ancora Psychiatric Hospital, Department of Human Services, removal effective February 15, 2012, on charges of inability to perform duties, other sufficient causes and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: A motion was made and seconded to adopt the recommendation of the Administrative Law Judge to reverse the removal.

VOTE:

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

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

A-5 VICTORIA QUEEN

Victoria Queen, Cottage Training Technician, Hunterdon Developmental Center, Department of Human Services, removal effective November 24, 2010, on charges of neglect of duty, physical or mental abuse of a client, verbal abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a client, violation of behavior support program, failure to perform duties, 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-6 DEL THEOWAY

Del Theoway, Human Services Assistant, Trenton Psychiatric Hospital, Department of Human Services, removal effective April 12, 2012, 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, violation of a rule, regulation, policy, procedures order or administrative decision, patient abuse and neglect.

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

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and upheld the removal.

Agenda Item A-6 was held to be considered at the conclusion of the regular agenda. At that time, a motion was made and seconded that the open session be recessed and that, pursuant to Section 12(b) of the Open Public Meetings Act, the Civil Service Commission entered into Executive Session for the purpose of reviewing the videotape of the incident which showed patients at a State facility since the matter would constitute unwarranted invasions of individual privacy. The Commission subsequently reconvened the public meeting.

A-7 KEITH WICKHAM, JR. (REMAND)

Keith Wickham, Jr., Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal effective October 15, 2012, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, other sufficient cause, serious mistake due to carelessness which may result in danger and/or injury to persons or property, falsification, and improper or unauthorized contact with inmate, undue familiarity with inmates, paroles, their families or friends.

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

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

A-8 CRAIG D. WILLIAMS

Craig D. Williams, Truck Driver, Township of Sparta, Department of Public Works, removal effective February 13, 2012, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-9 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. This matter was held over from the June 26, 2013, Civil Service Commission meeting for testimony summary.

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

ACTION: A motion was made and seconded to adopt the recommendation of the Administrative Law Judge to reverse the two removals.

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

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

A-10 SETTLEMENT

In the Matter of Corey Coleman
Newark School District
Removal

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

ACTION: The Civil Service Commission acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 ROSS DILLON

Ross Dillon, represented by Courtney M. Spellman, Esq., appeals his rejection as a Police Officer candidate by Morristown and its request to remove his name from the eligible list for Police Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-2 RICHARD C. WILLIAMS, JR.

The Superior Court of New Jersey, Appellate Division, has remanded the Civil Service Commission's decision upholding the removal of Richard C. Williams, Jr.

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

B-3 BRIAN BYRD

Brian Byrd petitions the Civil Service Commission to accept his untimely application for the promotional examination for Technical Support Specialist 1 (PS6430U), Department of the Treasury.

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

B-4 CARMELLA ELMER

The Department of Corrections, on behalf of Carmella Elmer, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit her to donate more than 30 sick days to Carol A. Davis, who is participating in the donated leave program.

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

B-5 STEVEN CHESTNUT

Steven Chestnut, a Personnel Assistant 1 with the Department of Children and Families, appeals the determination of his vacation leave allowances upon his return to State government through an intergovernmental transfer.

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

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

B-6 WILLIAM BRAY

William Bray appeals the decision of the Division of Classification and Personnel Management which upheld the removal of his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to an unsatisfactory criminal record.

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

B-7 ALLEN DESOUZA

Allen DeSouza appeals the decision of the Division of Classification and Personnel Management which upheld the removal of his name from the Police Officer (S9999M), City of Elizabeth, eligible list on the basis that he did not complete pre-employment processing.

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

B-8 STEVEN HILES

Steven Hiles, represented by Fred M. Parker, Jr., Esq., appeals the decision of the Division of Classification and Personnel Management which upheld the removal of his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to an unsatisfactory criminal record.

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

B-9 BECKY MATLACK

Becky Matlack, represented by Jessica Shaw, Staff Representative, CWA Local 1040, appeals the decision of the Division of Classification and Personnel Management which found that Hunterdon Developmental Center had presented a sufficient basis to remove her name from the eligible list for Director of Nursing Services 1, Developmental Disabilities (PS7795K), HDC, on the basis that she was no longer serving in the correct unit scope.

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

B-10 WILLIAM MAURO

William Mauro 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 County Correction Officer (C9972M), Morris County, eligible list on the basis that he falsified his employment application.

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

B-11 JOSEPH SOTO

Joseph Soto appeals the decision of the Division of Classification and Personnel Management, which found that the Department of Corrections had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), DOC, eligible list on the basis that he falsified his employment application.

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

B-12 WAYDALE WRIGHT

Waydale Wright, represented by Paul Ferrell, Jr., Esq., appeals the decision of the Division of Classification and Personnel Management which upheld the removal of his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to an unsatisfactory criminal record.

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

B-13 VICTOR CORREIA AND MICHAEL WITTEVRONGEL

The Township of Union, represented by Robert J. Merryman, Esq., requests that the eligible list for Police Sergeant (PM2638K) be revived to record the permanent appointments of Victor Correia and Michael Wittevrongel, effective May 24, 2011 and December 27, 2011, respectively.

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

B-14 LISA DANYANOVITCH

Lisa Danyanovitch appeals the determination of the Division of Selection Services and Recruitment denying her request for a make-up examination for Judiciary Clerk 4 (S0089R).

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

B-15 FERGUSON H. REEVES, JR.

Ferguson H. Reeves, Jr., appeals the determination of the Division of Selection Services and Recruitment denying his request for a make-up examination for the promotional examination for Project Engineer Surface Design (PS3726T), Department of Transportation.

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

B-16 RICHARD MERZ, JR.

Richard Merz, Jr. appeals the determination of the Division of Selection Services and Recruitment which found him ineligible for the promotional examination for Assistant Supervisor of Public Works (PM0090R), Teaneck Township because he was not permanent in the competitive division as of the closing date.

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

B-17 KATHY RODRIGUEZ

The Division of Classification and Personnel Management, on behalf of the Cumberland County Board of Social Services, requests that Kathy Rodriguez's out-of-title work experience be accepted to allow her to meet the eligibility requirements for Chief of Administrative Services.

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

B-18 J. C.

J. C., a Senior Correction Officer with New Jersey State Prison, Department of Corrections, appeals the determination of the Equal Employment Division, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-19 J. K.

J. K., a Program Specialist 4, Green Brook Regional Center, Department of Human Services, appeals the determination of the Assistant Commissioner, stating that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-20 J. W.

J. W., a Senior Medical Security Officer with the Ann Klein Forensic Center, Department of Human Services (DS), represented by Daniel A. Horowitz, Esq., appeals the determination of the Assistant Commissioner, DHS, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-21 R. F.

R. F., a Classification Officer 2 with the Department of Corrections, appeals the determination of the Director, Equal Employment Division, which found 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-22 KIRTI TANK

Kirti Tank appeals the determination of the former Division of State and Local Operations that her position with the Department of Health is properly classified as an Administrative Analyst 2, Data Processing. The appellant seeks an Administrative Analyst 1, Data Processing job classification.

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

B-23 KATHY GRAYSON

The appeal of Kathy Grayson, a Police Communications Clerk with the City of Newark, of her removal, effective April 17, 2012, on charges, was heard by Administrative Law Judge Jeffrey A. Gerson (ALJ), who rendered his initial decision on July 1, 2013. At its meeting on August 15, 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 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.

B-24 DENNIS LEWIS

The appeal of Dennis Lewis, a Senior Correction Officer with East Jersey State Prison, Department of Corrections, of his removal, effective October 10, 1012, on charges, was heard by Administrative Law Judge Gail M. Cookson (ALJ), who rendered her initial decision on June 14, 2013. At its meeting on August 15, 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-25 VINCENT PEDULLA

The appeal of Vincent Pedulla, a Senior Carpenter with Monmouth County, of his three-month suspension, on charges, was heard by Administrative Law Judge Elia A. Pelios (ALJ), who rendered his initial decision on July 15, 2013 recommending upholding the three-month suspension. At its meeting on August 15, 2013, the Civil Service Commission modified the three-month suspension to a 45 calendar day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

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

B-26 COMMUNITY RELATIONS SPECIALIST (M0342L), HAMILTON TOWNSHIP

Hamilton Township requests permission not to make an appointment from the January 3, 2013 certification for Community Relations Specialist (M0324P).

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

B-27 PARK NATURALIST (C0454P), ESSEX COUNTY

The matter of whether Essex County should be granted permission not to make an appointment from the October 9, 2012 certification for Park Naturalist (C0454P) has been referred to the Civil Service Commission for review.

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

B-28 PUBLIC WORKS REPAIRER (PM0185M), POINT PLEASANT BOROUGH

The Division of Classification and Personnel Management requests that the appointing authority be ordered to return the April 27, 2010 certification for Public Works Repairer (PM0185M) for proper disposition.

ACTION: The Civil Service Commission ordered the appointing authority to properly dispose of the certification and pay compliance costs in the amount of \$1,000.

B-29 ERIC GARBRAH

Eric Garbrah, a former Senior Youth Worker with the Juvenile Justice Commission, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on October 24, 2007, in which the Director of the Division of Merit System Practices and Labor Relations denied his request for a hearing with respect to his removal effective July 6, 2006.

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

B-30 CONRAD HUGGINS

Conrad Huggins, a former Senior Security Guard with the Jersey City School District, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on June 20, 2013, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his removal effective May 16, 2013.

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

B-31 DANIEL COLLINS, ET AL.

Daniel Collins and Patrick Tanski, Fire Captain (PM0056R), Clifton; Bryan Kostrey, Anthony Principato and Salvatore Principato, Fire Captain (PM0066R), Linden; Chris Hornig, Fire Captain (PM0067R), Margate; Dean Ferdinandi, Fire Captain (PM0076R), Union Township; John Hayowyk Jr., Fire Captain (PM0179R), Passaic; and Richard Burchell, Fire Captain (PM0181R), Teaneck, appeal the correct responses to various questions on their respective promotional examinations.

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

B-32 STEVEN CRAMPTON

Steven Crampton 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-33 PAUL GODDARD

Paul Goddard 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 Traffic Maintenance Worker/Sign Maker 2 (PC1166P), Warren County.

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

B-34 EDWARD KRUPA

Edward Krupa appeals the determinations of the Division of Selection Services and Recruitment which found that he did not meet the experience requirements for the promotional examination for Contract Administrator 2 (PS4559T), Motor Vehicle Commission, and the open competitive examination for Contract Administrator 2 (S0029R), Statewide.

ACTION: The Civil Service Commission directed that the appeal for the promotional examination be granted and the appeal for the open competitive examination be denied.

B-35 JAMES LAPP AND STEPHEN NAGY

James Lapp (PC1208P), Bergen County; and Stephen Nagy (PC1212P), Union County; appeal the promotional examination for County Correction Sergeant (various jurisdictions). These appeals have been consolidated due to common issues presented by the appellants.

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

B-36 RICHARD LECLERCQ, JR.

Richard Leclercq, Jr., appeals the determination of the Division of Selection Services and Recruitment, which found that he did not meet the experience requirements for the promotional examination for Assistant Director of Information Technology (PC0814P), Monmouth County Sheriff's Office.

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

VOTE:

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

B-37 MARY MARTELLI

Mary Martelli appeals the decision of the Division of Selection Services and Recruitment which found that, per the substitution clause for experience, she did not meet the experience requirements for the promotional examination for Assistant Municipal Tax Collector (PM0088R), Belleville.

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

B-38 NANETTE MATHIS-BRIDGETT

Nanette Mathis-Bridgett appeals the determination of the Division of Selection Services and Recruitment which found that she was below the experience requirements for the promotional examination for Executive Assistant 1 (PS4614G), Department of Environmental Protection.

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

B-39 SAMUEL MUNOZ, ET AL.

Samuel Munoz, Phillip Tally and King Whitfield, Fire Captain (PM0054R), Camden, Steve Fostek, Jr., Fire Captain (PM0157R), Harrison; and Brian Pfeiffer, Fire Captain (PM0171R), Hamilton, appeal the correct responses to various questions on their respective promotional examinations.

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

B-40 CHRISTINE ONDRIS

Christine Ondris appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the open competitive examination for Legal Secretary (C1017P), Sussex County.

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

B-41 DONALD PARKINS

Donald Parkins appeals the determination of the Division of Selection Services and Recruitment which denied his admittance to the promotional examination for Fire Captain (PM0178R), New Brunswick.

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

B-42 ADOLPH PEREZ

Adolph Perez appeals his oral scores on the promotional examination for Police Captain (PM7534P), Newark.

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

B-43 DAVID RAUZINO AND MUKESH SHAH

David Rauzino and Mukesh Shah appeal the determinations of the Division of Selection Services and Recruitment which found that they were not eligible for the promotional examination for Principal Engineer, Transportation (PS3716T), Department of Transportation, because they were not employed in the announced unit scope. These appeals have been consolidated given the common issues presented.

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

B-44 LAURA REEVES

Laura Reeves appeals the determination of the Division of Selection Services and Recruitment which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Management Assistant (PC1000P), Middlesex County.

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

B-45 GARY E. ROYER

Gary E. Royer appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the open competitive examination for the dual title of Code Enforcement Officer/Zoning Officer (M1014P), Lavallette Borough.

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

B-46 JOSE RUIZ

Jose Ruiz, appeals his score for the oral portion of the promotional examination for Fire Captain (PM5234N), Newark.

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

B-47 DOMENICO SACCA

Domenico Sacca appeals the determination of the Division of Selection Services and Recruitment which found that he did not meet the requirements for the promotional examination for Road Repairer Supervisor (PM0244P), Elizabeth.

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

B-48 PATRICIA SEIF

Patricia Seif appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirement in experience for the promotional examination for Traffic Analyst (PM1062P), Atlantic City.

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

B-49 TRACEY SHIMONIS-KAMINSKI, ET AL.

Tracey Shimonis-Kaminski, Luis Soto and Otis Truitt appeal the promotional examination for Correction Major (PS3833I), Department of Corrections.

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

B-50 EVELYN TODD

Evelyn Todd appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirements in experience for the promotional examination for Keyboarding Clerk 2 (PC1271P), Cape May County.

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

B-51 FRANCISCO TORRES, JR.

Francisco Torres, Jr. appeals the determination of the Division of Selection Services and Recruitment which found that, per the substitution clause for education, he did not meet the experience requirements for promotional examination for Safety Officer, Developmental Disabilities (PS6721K), Department of Human Services.

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

B-52 JOHN J. COLLINS

John J. Collins, represented by Constantine Bardis, Esq., appeals his rejection as a Fire Fighter candidate by Jersey City and its request to remove his name from the eligible list for Fire Fighter (M2365H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this matter be referred for an independent evaluation.

B-53 WILLIAM HOLDER

William Holder, represented by John D. Feeley, Esq., appeals his rejection as a Fire Fighter candidate by West Orange and its request to remove his name from the eligible list for West Orange (M2400H) 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-54 DINAI S. PARKER

DiNai S. Parker 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 medical unfitness to perform effectively the duties of the position.

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

B-55 SHARON GAZZERO

Sharon Gazzero appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Office of the Attorney General is Principal Clerk Typist. The appellant seeks an Administrative Assistant 3 job classification.

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

B-56 ALLISON GOSLEY, ET. AL.

The Director, Division of Classification and Personnel Management, on behalf of the Department of Law and Public Safety, requests the relaxation of the provisions of *N.J.A.C. 4A:4-1.1(c)* so as to permit Allison Gosley, Julian Mendez-Lima, and Kate Pascucci to be provisionally appointed, pending promotional examination procedures, to the competitive title of Fingerprint Processing Technician Apprentice.

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

B-57 NERMIN MESSIHA

The Director, Division of Classification and Personnel Management, on behalf of the Department of Law and Public Safety, requests the relaxation of the provisions of *N.J.A.C. 4A:4-1.1(c)* so as to permit Nermin Messiha to be provisionally appointed, pending promotional examination procedures, to the competitive title of Customer Service Representative 2.

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

B-58 C. P.

C. P., a Senior Rehabilitation Counselor, Mental Health with the Ann Klein Forensic Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner of the DHS, stating that there was sufficient evidence to support a finding that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-59 M. F.

M. F., a former Government Representative 1 with the Department of Human Services, appeals the determination of the Assistant Commissioner, DHS, which determined that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-60 KERRI LONG, ET. AL.

The Division of Classification and Personnel Management, on behalf of the Department of Education, requests that the title scope for an examination for Examiner 2, Credentials include the non-competitive title Education Planner, and that the out-of-title work experience of Kerri Long, Craig Eskow, Michelle Herbster, Tamaysha Bryan, Melissa Orlowski, Denise Whaley, Heather Furman and William Kalyna be accepted to qualify them for a prospective promotional examination for Examiner 2, Credentials.

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

B-61 MARCO ROSADO

Union County, on behalf of Marco Rosado, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a County Police Officer with Union.

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

B-62 VIVIAN THIELE

Vivian Thiele appeals the determination of the Division of Classification and Personnel Management that her position with the Department of State is properly classified as Archivist 2. The appellant seeks an Archivist 1 job classification.

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

B-63 ELECTRICAL ENGINEER TRAINEE, MECHANICAL ENGINEER TRAINEE, AND CHEMICAL ENGINEER TRAINEE

The Division of Classification and Personnel Management recommends reallocation of the Electrical Engineer Trainee, Mechanical Engineer Trainee, and Chemical Engineer Trainee titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

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

B-64 HISTOTECHNOLOGIST, DEPARTMENT OF AGRICULTURE

The Division of Classification and Personnel Management recommends the creation of the non-competitive title of Histotechnologist.

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

B-65 NEWARK 2010 LAYOFF

The Division of Classification and Personnel Management requests that the Civil Service Commission order Newark to comply with the corrections to the November 30, 2010 layoff with regard to the titles of Police Aide and Traffic Control Officer.

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

B-66 MARCIA DAVIS

The appeal of Marcia Davis, a Communications Operator Secured Facilities, Mountainview Juvenile Correctional Facility, Department of Corrections, of her resignation not in good standing effective May 8, 2012, was heard by Administrative Law Judge Joseph A. Ascione (ALJ). At its meeting on August 15, 2013, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the resignation not in good standing. Rather, the Commission ordered that this appeal be remanded to the Office of Administrative Law (OAL).

ACTION: The Civil Service Commission adopted the decision.

B-67 MICHAEL MORRIS

The City of Trenton, represented by Vincent M. Avery, Esq., petitions the Civil Service Commission for reconsideration and a stay of the final administrative decision, rendered on April 3, 2013, in which the Commission rescinded the layoff of Michael Morris and ordered that he be returned with seniority and benefits to the position of Senior Security Guard. Additionally, Morris, represented by Jack A. Butler, Esq., petitions the Commission for enforcement of the April 3, 2013 decision, and also requests back pay and counsel fees.

ACTION: The Civil Service Commission directed that Trenton's request for reconsideration be denied and directed that Morris' request for enforcement, back pay and counsel fees be granted.

B-68 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 15, 2013.

ACTION: The Civil Service Commission adopted the minutes of its meeting of August 15, 2013.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 18, 2013, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission