



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
OCTOBER 2, 2013**

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

OCTOBER 2, 2013

A regular meeting of the Civil Service Commission was held on Wednesday, October 2, 2013, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner and Thomas J. Perna; 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.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Mark A. Chadwick, Senior Carpenter, Monmouth County, Department of Public Works, suspension.

Michael Costello, Police Sergeant, City of Hoboken, Police Department, suspension.

Stephon Dinson, Senior Medical Security Officer, Anne Klein Forensic Center, Department of Human Services, removal.

Rocco Georgio, Field Representative of Property Improvement, Atlantic City, Department of License and Inspection, suspension.

Kevin McCourt, Part-time Laborer, City of Hoboken, Department of Environmental Services, removal.

Thomas Menard, County Correction Lieutenant, Burlington County, Burlington County Jail, demotion.

Wray Neushafer, County Corrections Sergeant, Salem County, Sheriff's Department, demotion.

Scott C. Smith, Carpenter, Cape May County, Department of Facilities, release at the end of the working test period.

William Wanko, Correction Officer, Middlesex County, Department of Adult Corrections, layoff.

Michael Watts, Police Officer, Township of West Orange, Police Department, suspension.

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

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:

Iveth Emanuelli, Judiciary Clerk 2, Hudson Vicinage, Judiciary, release at the end of the working test period.

Oswald Gravesande, Motor Vehicle Operator of Elderly and Handicapped Persons, Hudson County, Department of Roads and Public Property, suspension.

John Miller, Senior Correction Officer, East Jersey State Prison, Department of Corrections, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Mary Barrett
Monmouth County
Department of Health Care Facilities
Release at the end of the working test period

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

In the Matter of Mohamed Conteh
Green Brook Regional Center
Department of Human Services
Removal

In the Matter of Janet Decker
Hunterdon Developmental Center
Department of Human Services
Suspension

In the Matter of Fatima Dukes
Trenton Psychiatric Hospital
Department of Human Services
Suspension and Removal

In the Matter of Henrietta Fraley
Ancora Psychiatric Hospital
Department of Human Services
Resignation not in good standing

In the Matter of Paul Grayson
Judiciary Essex Vicinage
Suspension

In the Matter of Takia Johnson
Camden County
Department of Corrections
Suspension

In the Matter of Wayne Lecator
Cumberland County
Department of Corrections
Suspension

In the Matter of Lucinda Kelly
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Carolyn P. Lemieux
Richard Stockton State College
Release at the end of the working test period

In the Matter of Julio Melendez
Camden County
Department of Corrections
Removal

In the Matter of Monique Smith
Northern State Prison
Department of Corrections
Suspension

In the Matter of Robert W. Young, Jr.
Bordentown Township
Police Department
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 BARRY ASHFORD

Barry Ashford, Custodial Worker, Newark School District, 15 working day suspension on charges of chronic or excessive absenteeism or lateness, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 15 working day suspension to a 45 working day suspension.

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

A-3 SCOTT CURTIS

Scott Curtis, Correction Sergeant, Mountainview Youth Correctional Facility, Department of Corrections, 60 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause and violation of the Department policy prohibiting discrimination, harassment or hostile environments in the workplace.

Recommendation of the Administrative Law Judge – Uphold the 60 working day suspension.

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

A-4 STEPHANIE WATERS

Stephanie Waters, Senior Correction Officer, South Woods State Prison, Department of Corrections, 20 working day suspension on charges of insubordination, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 20 working day suspension to a 10 working day suspension.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and upheld the 20 working day suspension.

A-5 JAMES L. BELLINGER

James L. Bellinger, Custodial Worker, Newark School District, removal effective March 31, 2013, on charges of conduct unbecoming a public employee, misuse of public property, neglect of duty, chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge - Dismiss the appeal for lack of prosecution.

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

A-6 JENNIFER BOYER

Jennifer Boyer, Court Services Supervisor 2, Superior Court of New Jersey, Essex Vicinage, removal effective March 23, 2012, on charges of insubordination, conduct unbecoming a public employee, neglect of duty, other sufficient cause, falsification and violation of code of conduct and performance of duties. It is noted that Ms. Boyer's permanent Civil Service title is Master Probation Officer. This matter was held over from the September 18, 2013, Civil Service Commission meeting for cross exceptions.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-7 FERRIS BROWN

Ferris Brown, Laborer 1, City of Newark, Department of Water and Sewer, removal effective February 21, 2013, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal for lack of prosecution.

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

A-8 TYRONE HART

Tyrone Hart, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal and resignation not in good standing effective September 20, 2012, on charges of abandonment of a job as a result of absence from work as scheduled without permission for five consecutive days and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge - Uphold the removal and resignation not in good standing.

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

A-9 TATYANA VAYNSHTEYN

Tatyana Vaynshteyn, Substance Abuse Counselor, Superior Court of New Jersey, Middlesex Vicinage, removal effective April 13, 2011, on charges of conduct unbecoming a public employee, neglect of duty 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.

SECTION B – MISCELLANEOUS MATTERS**B-1 JOSHUA BURTON, IV**

Joshua Burton, IV appeals the request by the Department of Corrections to remove his name from the Correction Officer Recruit (S9987M) eligible list for medical unfitness to perform effectively the duties of the position.

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

B-2 CRYSTAL LYNCH

Crystal Lynch appeals the request by the Department of Corrections to remove her name from the Correction Officer Recruit (S9987M) eligible list for medical unfitness to perform effectively the duties of the position.

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

B-3 SHEILA M. MIMS

Sheila M. Mims appeals the request by the Department of Corrections to remove her name from the Correction Officer Recruit (S9987M) eligible list for medical unfitness to perform effectively the duties of the position.

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

B-4 DANIEL S. BALDASSANO

Daniel S. Baldassano, represented by Robert J. DeGroot, Esq., appeals his rejection as a Police Officer candidate by Woodbridge Township and its request to remove his name from the eligible list for Police Officer (S9999M) 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-5 JACQUES COLEMAN

Jacques Coleman appeals her rejection as a Police Officer candidate by the City of Plainfield and its request to remove her name from the eligible list for Police Officer (S9999M) 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-6 DANIEL KAZMIERCZAK

Daniel Kazmierczak, represented by Catherine Elston, Esq., appeals his rejection as a Police Officer candidate by the Township of Teaneck and its request to remove his name from the eligible list for Police Officer (S9999M) 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 AARON SPIVEY

Aaron Spivey, represented by Ciro Spina, Esq., appeals his rejection as a Police Officer candidate by the City of Plainfield and its request to remove his name from the eligible list for Police Officer (S9999M) 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-8 WILLIAM B. WAGNER

William B. Wagner, represented by William D. Sayers, Esq., appeals his rejection as a Fire Fighter candidate by West Orange and its request to remove his name from the eligible list for Fire Fighter (M2578M) 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-9 JONATHAN TAYLOR

Jonathan Taylor, a Police Officer with the City of Newark, represented by Anthony Fusco, Jr., Esq., petitions the Civil Service Commission for interim relief of his indefinite suspension, commencing on June 4, 2013, pending the disposition of criminal charges.

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

B-10 REBECCA CROKE AND LORIE GUERIERI

The Department of Environmental Protection, on behalf of Rebecca Croke, a Senior Management Assistant, and Lorie Guerieri, a Principal Technician, Management Information Systems, requests a waiver of repayment of a salary overpayment, pursuant to *N.J.S.A. 11A:3-7*.

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

B-11 SHA-KEANA DAVIS

Sha-Keana Davis, a County Correction Officer with Mercer County, Department of Public Safety, represented by Paul Kleinbaum, Esq., petitions the Civil Service Commission for a hearing with respect to her 10 working day suspension effective July 1, 2013.

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

B-12 RASHEEMA HANSEN

Rasheema Hansen, a Cashier with Atlantic City, represented by Robert F. O'Brien, Esq., requests a hearing for her 180 working day suspension effective January 13, 2012 to June 3, 2012 and from February 4, 2013 to May 23, 2013.

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

B-13 DENISE FARFALLA

The Division of Classification and Personnel Management, on behalf of the Department of Law and Public Safety, requests that the provisions of *N.J.A.C.* 4A:4-1.1(c) be relaxed in order to allow Denise Farfalla to be provisionally appointed, pending promotional examination procedures, to the competitive title of Administrative Assistant 3.

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

B-14 ANGELA MCMILLON

The Division of Classification and Personnel Management, on behalf of the Department of Education, requests that Angela McMillon's out-of-title work experience be accepted to qualify her for prospective future promotional examinations for Management Assistant, Department of Education.

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

B-15 ROBERT TAPP

Beachwood Borough requests that Robert Tapp receive a retroactive date of appointment as a Police Lieutenant.

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

B-16 JOHN VOTTA

John Votta appeals the determination of the Division of Selection Services denying his request for a make-up for the oral portion of the examination for Police Captain (PM7528P), Margate.

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

B-17 JOSEPH NELSON

The Division of Classification and Personnel Management requests that the Civil Service Commission revive the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, so that Joseph Nelson's name may be certified to the appointing authority for consideration at the time of the next certification.

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

B-18 RICHARD PORBANSKY

Richard Porbansky appeals the request of the Department of Law and Public Safety to remove his name from the eligible list for Aviation Mechanic (S1023P), Statewide, on the basis that he did not meet the eligibility requirements for the subject examination.

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

B-19 WAYNE TONNESEN

Wayne Tonnesen appeals the decision of the Division of Classification and Personnel Management which found that the effective date of his position reclassification to Senior Biologist Educator with the Department of Environmental Protection was March 23, 2013. He seeks a February 23, 2013 effective date.

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

B-20 DOUGLAS (DRAGOLJUB) ILIC

Douglas (Dragoljub) Ilic, represented by Patrick Caserta, Esq., appeals the decision of the Division of Classification and Personnel Management which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (Special), City of Paterson, on the basis of having an unsatisfactory criminal record.

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

B-21 ANURADHA RAMACHANDRAN

Anuradha Ramachandran 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 Taxpayer Service Representative 1 (PS4014U), Department of the Treasury, eligible list due to her failure to respond to the Notice of Certification.

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

B-22 MARC VERO

Marc Vero, represented by Anthony J. Marinello, Esq., appeals the decision of the Division of Classification and Personnel Management, which found a sufficient basis to remove the appellant's name from the Police Officer (S9999M), Boonton, eligible list on the basis of an unsatisfactory background report.

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

B-23 ALEX BADAMO, ET AL.

Alex Badamo, Ralph Eusebio, and Samuel Torres, represented by Louis Zayas, Esq., appeal the decisions of the Division of Classification and Personnel Management that their positions with the Hoboken Fire Department are properly classified as Fire Fighter. The appellants seek Fire Captain job classifications.

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

B-24 JENNIFER CHASE

Jennifer Chase appeals the determination of the Division of Classification and Personnel Management that her position with the Office of Information Technology is properly classified as a Data Base Analyst 2. The appellant seeks a Data Base Analyst 1 job classification.

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

B-25 DOUGLAS HALTMEIER

Douglas Haltmeier appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with the Department of Health is Chemist 4. The appellant seeks a Research Scientist 1, Chemistry job classification.

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

B-26 ARLENE JONES-ALLEYNE

Arlene Jones-Alleyne appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Community Affairs is Technical Support Specialist 2. The appellant seeks a Technical Support Specialist 1 job classification.

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

B-27 KATHERINE MOLINA

Katherine Molina appeals the determination of the Division of Classification and Personnel Management that her position with the Department of the Treasury is properly classified as an Auditor 3, Taxation. The appellant seeks an Auditor 2, Taxation job classification.

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

B-28 THOMAS SANFILIPPO

Thomas Sanfilippo appeals the determination of the Division of Classification and Personnel Management that his position with the Office of Information Technology is properly classified as a Supervising Computer Operator. The appellant seeks an Operations Shift Superintendent job classification.

ACTION: The Civil Service Commission directed that this appeal be denied, and the appellant's current classification be referred to the Division of Classification and Personnel Management for further review.

B-29 SALIMAH SCOTT

Salimah Scott appeals the determination of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is properly classified as Auditor 3, Taxation. The appellant seeks an Auditor 2, Taxation job classification.

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

B-30 A. S.

A.S., a Human Services Assistant with Vineland Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner, which found that the appellant failed 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-31 C. D.-G

C. D.-G., formerly an Agent with the Motor Vehicle Commission, appeals the determination of the Equal Employment Opportunity Officer, 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-32 D. A.

D. A., a Professor with Kean University, appeals the determination of the President of Kean University, stating that there was sufficient evidence to support a finding that she had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-33 J. T.

J. T., a former Supervising Family Service Specialist 2 with the Department of Children and Families, appeals the decision of the Director of Administration and Legal Affairs, which found that the appellant did not 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-34 DEPARTMENT OF CORRECTIONS CERTIFICATIONS

The Department of Corrections (DOC) and the Division of Classification and Personnel Management request that the Civil Service Commission approve two Memoranda of Understanding, which provide for the delegation of open competitive certification processing for the title of Correction Officer Recruit, and promotional certification processing for the titles of Correction Sergeant, Correction Lieutenant and Correction Major to the DOC.

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

B-35 SOCIAL WORKER, BURLINGTON COUNTY BOARD OF SOCIAL SERVICES

The Burlington County Board of Social Services requests that the provisions of *N.J.A.C.* 4A:4-1.1(c)2 be relaxed in order to allow a promotional examination for Social Worker to be announced open to employees in the competitive and non-competitive division, who meet the open-competitive requirements and who have at least one year of continuous permanent service.

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

B-36 JOYCE MALDONADO

Joyce Maldonado, a former Clerk 3 with Berkeley Township, represented by Laura Shaw, Association President, Berkeley Township White Collar Workers Association, petitions the Civil Service Commission for reconsideration of the decision rendered on August 9, 2013, in which the Director of the Division of Appeals and Regulatory Affairs denied her request for a hearing with respect to her demotion to the position of Clerk 2.

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

B-37 JESSE SUTTOR

Jesse Suttor requests reconsideration of the final administrative determination *In the Matter of Jesse Suttor* (CSC, decided June 6, 2012) which upheld the bypass of his name on the County Correction Officer (S9999K), Passaic County eligible list.

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

B-38 RAUL YEPEZ

Raul Yepez, a Senior Correction Officer with the Juvenile Justice Commission, requests reconsideration of the final decision of the Civil Service Commission rendered on May 16, 2012, which granted him partial sick leave injury (SLI) benefits.

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

B-39 SHANNON ADAMS

Shannon Adams appeals the decision of the Division of Selection Services and Recruitment which found that she did not meet the experience requirements for the open-competitive examination for Deputy Municipal Court Administrator (M0235P), Jersey City.

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

B-40 PATRICK CALLAHAN

Patrick Callahan 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 Supervising Code Enforcement Officer (M0285R), Manasquan.

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

B-41 BARBARA COAKLEY

Barbara Coakley, a Principal Engineer, Transportation, appeals her score on the promotional examinations for Project Engineer, Construction (PS3722T); Project Engineer, Materials (PS3723T); and Project Engineer, Surface Design (PS3726T), Department of Transportation.

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

B-42 COLIN DEMONICK, JR.

Colin Demonick, Jr., appeals the determination of the former Division of Selection Services that he did not meet the license requirement for the promotional examination for Operating Engineer, Heating and Air Conditioning (PS9828K), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be denied and the matter of the appellant's position classification be referred to the Division of Classification and Personnel Management for review.

B-43 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 Administrative Analyst 1, Fiscal Management (S0931P).

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

B-44 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 Administrative Analyst 3 (S0708P).

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

B-45 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 Records Management Analyst (M0806P), East Orange.

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

B-46 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 Senior Income Maintenance Technician (S0926P).

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

B-47 SUSAN HIRSHBERG

Susan Hirshberg 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 Supervisor of Patient Accounts 1 (PS2531K), Department of Human Services.

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

B-48 HOLLY A. KELLY

Holly A. Kelly 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 Assistant Supervisor of Patient Accounts (PC0470R), Monmouth County.

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

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

B-49 WILLIAM MCDANIEL

William McDaniel appeals the determination of the Division of Selection Services and Recruitment which found that he was not eligible for the promotional examination for Coordinator of Monitoring and Evaluation (PC0216R), Essex County.

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

B-50 JOHN MORRIS AND MICHAEL HALL

John Morris and Michael Hall appeal the determinations of the former Division of Selection Services that they did not meet the experience requirement for the promotional examination for Assistant Coordinator of School Transportation Services (PM0728P), Vineland School District.

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

B-51 DANA PARRELLO

Dana Parrello 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 Violations Clerk (M0256R), West Milford.

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

B-52 KELLY VENCE

Kelly Vence appeals the determinations of the Division of Selection Services and Recruitment that she did not meet the experience requirement for the promotional examination for Assistant Public Information Officer (PM0954P), City of Elizabeth.

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

B-53 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of September 18, 2013.

ACTION: The Civil Service Commission adopted the minutes of its meeting of September 18, 2013.

VOTE:

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

B-54 JAMIE J. BROWN

Jamie J. Brown, represented by Brooke M. Barnett, Esq., appeals the decision of the Division of Classification and Personnel Management which upheld the removal of his name from the Fire Fighter (M2339H), City of Elizabeth, eligible list due to an unsatisfactory criminal record.

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

B-55 DARRYL TAYLOR

Darryl Taylor, a former Police Officer with the City of Newark, represented by Matthew D. Areman, Esq., petitions the Civil Service Commission for enforcement of the settlement agreement acknowledged by the Commission at its meeting on November 7, 2012.

ACTION: The Civil Service Commission directed that this request be granted and the City of Newark be assessed a fine of \$1,000.

B-56 NOEL BARBOSA

Noel Barbosa appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with the Department of Transportation is Engineering Technician 2. The appellant seeks an Engineering Technician 1 job classification.

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

B-57 F. P.

F. P., a former Executive Assistant 2 with South Woods State Prison, Department of Corrections, appeals the determination of the Director, Equal Employment Division, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-58 AUGUSTO CACOILO

The appeals of Augusto Cacoilo, a Senior Correction Officer with the Adult Diagnostic and Treatment Center, Department of Corrections, of his 15 working day suspension and removal, effective August 10, 2011, on charges, was heard by Administrative Law Judge Caridad F. Rigo (ALJ), who rendered her initial decision on August 5, 2013. At its meeting on September 18, 2013, the Civil Service Commission accepted the ALJ's recommendation to reverse the appellant's 15 working day suspension but did not adopt the recommendation to reverse the appellant's removal. Rather the Commission modified the penalty to a 15 working day suspension.

ACTION: The Civil Service Commission adopted the decision.

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

B-59 DAVID GHAUL

David Ghaul appeals the determination of the Division of Selection Services and Recruitment which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Records Manager (PC0359P), Burlington County.

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

B-60 JENNIFER PINEDA

Jennifer Pineda appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the promotional examination for Personnel Assistant 4 (PS5847U), Department of the Treasury.

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

B-61 CHANGE IN CLASSIFICATION PLAN – TITLE REACTIVATION

The Division of Classification and Personnel Management requests the reactivation of the Supervisor of Equipment Schedules title.

**MEMORANDUM**

DATE: September 23, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
Division of Classification and Personnel Management
SUBJECT: Change in State Classification Plan

Title Reactivation

The Division of Classification and Personnel Management requests the reactivation of the title Supervisor of Equipment Schedules (42333). The title was inadvertently inactivated during a mass inactivation of unencumbered titles in April of 2011. The title was encumbered at the time of inactivation, and is still currently in use.

We have notified union representatives of our plans to reactivate.

Following Commission approval, the effective date of this title reactivation will be retroactive to the date of inactivation, 4/9/2011.

Title Reactivation

Supervisor of Equipment Schedules
R18-42333 C * 40/12

KC/JT/BP/TL

www.state.nj.us/csc

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

B-62 CHANGE IN CLASSIFICATION PLAN – TITLE INACTIVATION

The Division of Classification and Personnel Management requests the inactivation of the Residential Services Supervisor 2, 12 Months title.

**MEMORANDUM**

DATE: September 23, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
Division of Classification and Personnel Management
SUBJECT: Change in the Classification Plan

STATE GOVERNMENT TITLE

The Division of Classification and Personnel Management requests the inactivation of an existing title.

The title of Residential Services Supervisor 2, 12 Months (10040) was created for the Department of Military and Veteran's Affairs, but it does not meet the agency's needs because it cannot supervise facility staff, due to the current bargaining unit.

In order to meet the needs of DMVA, we have modified and bifurcated job specification 04144, the Cottage Training Supervisor title, to distinguish between the DMVA and the Department of Human Services, which also uses this title. Both Appointing Authorities have approved of this action.

The effective date of the inactivation of job title 10040 will be the first pay period that follows the Commission's approval of the action.

TITLE INACTIVATION

Residential Services Supervisor 2, 12 Months
H13-10040 I Classified 4012

KC/JT/BP/LR

www.state.nj.us/csc

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

B-63 CHANGE IN CLASSIFICATION PLAN – TITLE INACTIVATION AND TITLE CREATION

The Division of Classification and Personnel Management requests the inactivation of the Quality Assurance and Control Specialist title and the creation of the Quality Assurance Officer title.

**MEMORANDUM**

DATE: September 23, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
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 one (1) State title and the creation of one (1) new State title to supersede it.

As a result of an out-of-title work appeal, an audit revealed that the existing title did not accurately describe the position's duties and necessary educational requirement. Furthermore, the title is assigned to the CWA "S" Bargaining Unit, but has no supervisory responsibility. The new title created will not have any supervisory responsibility over staff, and the educational requirements will be established with a specified bachelor's degree, per applicable State and federal regulations.

The Office of Employee Relations (OER) has notified the negotiations representative of the bargaining unit. OER indicated there were no objections.

The effective date of the title inactivation will be the first pay period that follows the Commission's approval of the action. The effective date of the new title creation will be the first pay period that follows the Commission's approval of the action.

TITLE INACTIVATION

Quality Assurance and Control Specialist
S30-55956 K Classified NL12

TITLE CREATION

Quality Assurance Officer
P27-xxxxx K Classified NL12

KC/JT/BP/LR

www.state.nj.us/csc

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

B-64 KARIN HAYNES

The appeal of Karin Haynes, a Police Aide with the City of Newark, of her removal, effective March 15, 2011, on charges, was heard by Administrative Law Judge Irene Jones (ALJ), who rendered her initial decision on August 6, 2013. At its meeting on September 18, 2013, 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)**

B-65 UMAR SALAHUDDIN

The appeal of Umar Salahuddin, Assistant Youth Opportunity Coordinator with Atlantic City, of the good faith of his demotion in lieu of layoff to the title of Community Service Aide effective May 27, 2010, was heard by Administrative Law Judge Bruce M. Gorman (ALJ), who rendered his initial decision on April 30, 2013. At its meeting on September 18, 2013, the Civil Service Commission did not adopt the ALJ's recommendation to reverse the demotion to Community Service Aide. Rather, the Commission upheld the appellant's demotion. 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)**

B-66 MICHELLE GATLING AND KIM SHARPE

Michelle Gatling, pro se, and Kim Sharpe, represented by Arnold Shep Cohen, Esq., Laboratory Technicians with the Newark School District, appeal the determinations of their layoff rights by the Division of Classification and Personnel Management.

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

B-67 EILEEN COSTELLO

Eileen Costello appeals the decision of the Division of Selection Services and Recruitment that she did not meet the experience requirements for the promotional examination for Regulatory Officer 3 (PS8099K), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be granted and the experience requirements for all Regulatory Officer titles be reviewed by CPM.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 16, 2013, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission