



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
NOVEMBER 22, 2011**

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

November 22, 2011

The regular meeting of the Civil Service Commission was rescheduled from Wednesday, November 16, 2011 due to a lack of quorum and was held on Tuesday, November 22, 2011, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members 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 7, 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 Janette Bennett
Edna Mahan Correctional Facility
Department of Corrections
Removal

In the Matter of Rasheedah S. Brown
Burlington County Board of Social Services
Removal

In the Matter of Barbara Cain
Cumberland County
Manor
Removal

In the Matter of Israel Caraballo
City of Newark
Police Department
Suspension

In the Matter of Juanita Casiano
City of Passaic
Police Department
Suspension

In the Matter of Kason Cheeks
City of Newark
Police Department
Removal

In the Matter of Sharon Cordova
New Jersey Veteran's Memorial Home Vineland
Department of Military and Veteran's Affairs
Removal

In the Matter of Kevin Diamond
New Lisbon Development Center
Department of Human Services
Removal

In the Matter of Daniel Dow
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of St. Clair Edwards
Hudson County
Department of Corrections
Removal

In the Matter of Grace Ehanire
Hunterdon Developmental Center
Department of Human Services
Removal

In the Matter of Bessie Faison
Newark School District
Suspension

In the Matter of Lori Feldmus
Department of Labor and Workforce Development
Release at the end of the working test period

In the Matter of Tyrone Green
Ancora Psychiatric Hospital
Department of Human Services
Resignation not in good standing and Removal

In the Matter of Demetrius Hobson
North Jersey Developmental Center
Department of Human Services
Removal

In the Matter of Alexina Marjory Jean
New Jersey Veteran's Memorial Home Paramus
Department of Military and Veteran's Affairs
Removal

In the Matter of Regina Johnson
New Jersey Veteran's Memorial Home Paramus
Department of Military and Veteran's Affairs
Removal

In the Matter of Karol-Ann Kemenosh, et al.
Cumberland County
Various Departments
Layoff

In the Matter of Terell Lewis
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of James Lopez
City of Newark
Police Department
Suspension

In the Matter of Manuel Martinez
Bergen County
Sheriff's Department
Removal

In the Matter of Marilyn Muniz
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Wanda Pardo
City of Passaic
Police Department
Suspension

In the Matter of Diandra Parker
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of Sandra Petersen
Hudson County
Department of Corrections
Removal

In the Matter of Qianna Robinson
Adult Diagnostic and Treatment Center
Department of Corrections
Removal

In the Matter of Crystal Singletary
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Yakima Smith
Juvenile Justice Commission
Department of Law and Public Safety
Suspension

In the Matter of Peter Spencer
North Jersey Development Center
Department of Human Services
Resignation not in good standing

In the Matter of Brian Stigliano
City of Linden
Department of Public Works
Suspension

In the Matter of Johnathan Taylor
City of Newark
Police Department
Suspension

In the Matter of Christopher Wasnesky
Township of Jackson
Police Department
Removal

In the Matter of Kimberly Williams
Woodbridge Developmental Center
Department of Human Services
Suspension

In the Matter of Shelleen Williams
Ancora Psychiatric Hospital
Department of Human Services
Removal

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 MARTIN CLEARY, ET AL.

Martin Cleary et al., City of Jersey City, various Departments, appeal the good faith of their temporary layoff/furlough effective December 24, 2009, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge - Dismiss the appeals of Jeffrey Grapes, Godfrey Deleon, Joseph Snyder, George Shershanovich, Lissette Morales, and Kenneth E. Carey, Sr., with prejudice for failure to appear and dismiss the appeals of Steven White and Martin Cleary as moot.

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

A-3 DAYLE SWANSON

Dayle Swanson, Library Assistant, Borough of Clementon, Administrative and Executive Department, appeals the good faith of her layoff effective July 3, 2010, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge - Uphold the layoff.

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

A-4 CHARLES WEST

Charles West, Correction Lieutenant, East Jersey State Prison, Department of Corrections, 15 working day suspension on charges of neglect of duty and serious mistake due to carelessness which may result in danger to persons or property.

Recommendation of the Administrative Law Judge - Reverse the 15 working day suspension.

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

A-5 CHRISTOPHER CZIKORA

Christopher Czikora, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, removal effective September 4, 2007, on charges of conviction of criminal offense, 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 DAVID PHELAN

David Phelan, Fire Protection Sub-Code Official, Township of North Bergen, Department of Public Works, removal effective September 22, 2009, on charges of insubordination, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge - Modify the removal to the equivalent of a five-day suspension.

ACTION: The Civil Service Commission modified the recommendation of the Administrative Law Judge to a 60-hour suspension.

A-7 CRUZ VALCARCEL

Cruz Valcarcel, Senior Food Service Handler, Vineland Development Center, Department of Human Services, removal effective January 19, 2010, on charges of verbal abuse of an employee, fighting or creating a disturbance on State property, threatening, intimidating, coercing or interfering with a fellow employee on State property, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge - Grant the appointing authority's motion to dismiss appellant's appeal as moot.

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

A-8 DANIEL WILKINSON

Daniel Wilkinson, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective September 24, 2008, on charges of conduct unbecoming a public employee, other sufficient cause and violation of a policy.

Recommendation of the Administrative Law Judge - Reverse the removal.

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

Agenda Item A-8 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 clients at a State facility since the matter would constitute unwarranted invasions of individual privacy. The Commission subsequently reconvened the public meeting.

SECTION B – MISCELLANEOUS MATTERS

B-1 The Division of State and Local Operations requests the re-evaluation and consolidation of several titles utilized by the Department of Children and Families in its Office of Licensure.



MEMORANDUM

DATE: October 21, 2011
TO: Robert M. Czech, Chair/Chief Executive Officer
Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations *Kenneth Connolly*
SUBJECT: Change in State Classification Plan

DEPARTMENT OF CHILDREN & FAMILIES

The Department of Children & Families (DCF) plans to restructure the Office of Licensure by consolidating the duties and responsibilities of several titles performing similar functions into the Child Care Quality Assurance Inspector series (CCQA). This restructuring involves title consolidation, an upward salary reevaluation, and title creation.

The Child Care & Youth Residential Licensing unit is responsible for determining the licensure eligibility of facilities which provide care to children (child care centers, family day care homes, etc). The Resource Family Licensing unit is responsible for determining the licensure eligibility of resource parents (adoptive families, foster families, etc.). The revised CCQA series combines the licensure, inspection and enforcement functions performed by both units.

An upward salary reevaluation is requested at all levels based on an increase in the knowledge requirements.

We ask that two archaic titles be created to hold current incumbents harmless. These titles are needed because the function is used elsewhere. The archaic titles will be eliminated once all incumbents vacate. No new appointees are permitted.

These title actions will be processed as a consolidation; appointment type to appointment type, with retention of existing status, without promotional procedures. Salary will be administered in accordance with salary regulation FY10 Section W (I).

The Child Care Quality Assurance Inspector series is restricted to use by DCF. Employees in other agencies will not be impacted by this action.

The bargaining unit changes made to the Child Care Quality Assurance Inspector 2 and Supervisor titles were approved by the Office of Employee Relations, and reflect current supervisory responsibility.

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

Robert M. Czech, Chair
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This action will become effective the first full pay period following the Commission's approval.

TITLE RE-EVALUATION

FROM:

Child Care Quality Assurance Inspector 1
P21-62226 Competitive G NE/12

Child Care Quality Assurance Inspector 2
R24-62227 Competitive G NE/12

Supervisor, Child Care QA Inspections
S27-62228 Competitive G NL/12

CROSSWALK OF INCUMBENTS

FROM:

Child Care Quality Assurance Inspector 1
P21-62226 Competitive G NE/12

Residential Services Specialist 2
P22-04183 Competitive * NE/12

Child Care Quality Assurance Inspector 2
R24-62227 Competitive G NE/12

Residential Services Specialist 1
R25-04184 Competitive * NL/12

Supervisor, Child Care QA Inspections
S27-62228 Competitive G NL/12

Supervising Residential Services Specialist
S28-04185 Competitive * NL/12

TITLE CREATION (ARCHAIC)

Quality Assurance Specialist, Health Services (DCF)
P26-##### Competitive G NL/12

Quality Assurance Coordinator (DCF)
R29-##### Competitive G NL/12

KC/JMBP

TO:

Child Care Quality Assurance Inspector 1
P22-62226 Competitive G NE/12

Child Care Quality Assurance Inspector 2
P25-62227 Competitive G NE/12

Supervisor, Child Care QA Inspections
R28-62228 Competitive G NL/12

TO:

Child Care Quality Assurance Inspector 1
P22-62226 Competitive G NE/12

Child Care Quality Assurance Inspector 2
P25-62227 Competitive G NE/12

Supervisor, Child Care QA Inspections
R28-62228 Competitive G NL/12

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

B-2 The Division of State and Local Operations requests the inactivation of two Special Operations Group titles used by the Department of Corrections.



MEMORANDUM

DATE: October 27, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director *[Signature]*
State and Local Operations
SUBJECT: Change in the Classification Plan

STATE GOVERNMENT TITLES

The Division of State and Local Operations requests the inactivation of two (2) titles used by the Department of Corrections.

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

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

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

TITLE INACTIVATIONS

CHIEF SPECIAL OPERATIONS GROUP
30470 Classified NL State

ASSISTANT CHIEF SPECIAL OPERATIONS
GROUP
30471 Classified NL State

KC/JMM/BP/TL

www.state.nj.us/csc

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

B-3 The Division of State and Local Operations requests the inactivation of 11 Employment Services Specialists and 3 Occupational Analyst titles used by the Department of Labor and Workforce Development.



MEMORANDUM

DATE: October 31, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations *Kenneth Connolly*
SUBJECT: Change in State Classification Plan

DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT

The Division of State and Local Operations requests inactivation of the following titles. Currently, there are no incumbents in these titles.

The affected agencies and the appropriate negotiations representatives have been notified.

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

TITLE INACTIVATIONS

Employment Services Trainee, Bilingual Spanish/English
P95-10248c C L NE/12

Employment Services Trainee, Bilingual Spanish/English
P95-64790c C L 35/12

Employment Services Specialist 3
P18-64611 C * 35/12

Employment Services Specialist 3, Bilingual Spanish/English
P18-64611d C * 35/12

Employment Services Specialist 2
P21-64612 C L 35/12

Employment Services Specialist 2, Bilingual Spanish/English
P21-64612d C L 35/12

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Employment Services Specialist 2, Account Executive
P21-64612c C L 35/12

Employment Services Specialist 1
R24-64613 C L 3E/12

Employment Services Specialist 1, Account Executive
R24-64613c C L 3E/12

Supervising Employment Services Specialist
S27-64614 C L NL/12

Supervising Employment Services Specialist Account Executive
S27-64614c C L NL/12

Occupational Analyst
P19-64892 C L NE/12

Senior Occupational Analyst
P22-64893 C L NE/12

Principal Occupational Analyst
R25-64894 C L NL/12

KC/JMM/BP/PM

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

B-4 The Office of Legislature Services requests the establishment of a new unclassified title, Acting Section Chief, OLS. In accordance with *N.J.S.A. 11A:3-4.c*, State Unclassified Service, employees in the Legislative Branch of State Government shall be in the unclassified service.



MEMORANDUM

DATE: November 3, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations *Kenneth Connolly*
SUBJECT: Change in the Classification Plan

Legislature

The Office of Legislative Services (OLS) requests the following establishment of new unclassified titles.

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

The use of this title will be restricted to OLS.

CREATE TITLE EFFECTIVE SEPTEMBER 24, 2011

Acting Section Chief, OLS (NL) X98

Attachment
KC/JMM/SR

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

B-5 LEE BRITTON

Lee Britton, an Electrical Mechanic with the Department of Transportation, represented by Laurence P. Bafundo, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-6 MARGARET DICKINSON

Margaret Dickinson, a Senior Correction Officer at Bayside State Prison, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-7 THOMAS R. FLOYSTROP

Thomas R. Floystrop, a Repairer at 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 granted.

B-8 ERIC GANDY

Eric Gandy, a Senior Correction Officer with Bayside State Prison, Department of Corrections, represented by Adam M. Kotlar, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-9 ROBERT LOPER

Robert Loper, a Senior Correction Officer at Bayside 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-10 HERBERTINA MCKEEVER

Herbertina McKeever, a former Senior Therapy Program Assistant with Hunterdon Developmental Center, Department of Human Services, represented by Danielle S. Chandonnet, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-11 HECTOR MENDEZ

Hector Mendez, a Postal Clerk with the Motor Vehicle Commission, appeals the denial of sick leave injury (SLI) benefits.

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

B-12 ARISTIDES ROBLES, JR.

Aristides Robles, Jr., a Senior Correction Officer with Edna Mahan Correctional Facility for Women, 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-13 MELVIN SMITH

Melvin Smith, a Senior Correction Officer with 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-14 BRIAN COBB

Brian Cobb, represented by Mitesh M. Patel, Esq., appeals the bypass of his name on the Police Officer (S9999K), Ridgewood eligible list.

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

B-15 JOHNETTA LOVE

Johnetta Love appeals the bypass of her name on the Supervising Family Service Specialist 2 (PS6051K), Department of Children and Families, eligible list.

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

B-16 YOBANY MARTI AND RYAN HILES

Yobany Marti and Ryan Hiles, represented by Stuart J. Alterman, Esq., appeal the bypass of their names on the County Correction Sergeant (PC2666J), Cumberland County eligible list.

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

B-17 EARL DEAN

Earl Dean, a Fire Official with Butler, represented by Anthony J. Fusco, Jr., Esq., appeals his immediate suspension, effective August 26, 2010.

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

B-18 ATLANTIC CITY 2010 TEMPORARY LAYOFFS

The Government Workers Union requests relief from the Civil Service Commission regarding the temporary layoffs of employees of Atlantic City which took place in 2010.

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

B-19 CLIFFORD FENIMORE

Clifford Fenimore, a Truck Driver with Mount Holly Township, Public Works Department appeals the determination of his layoff rights.

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

B-20 CHIEF INVESTIGATOR, SECURED FACILITIES

The Department of Corrections requests the reallocation of the title of Chief Investigator, Secured Facilities, from the career to the unclassified service, pursuant to *N.J.A.C. 4A:3-1.3(a)5*.

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

B-21 STATE PROMOTIONAL LISTS

The Division of State and Local Operations requests the discontinuation of the automatic extension of all State promotional lists for one year beyond their original expiration dates or until new lists are promulgated, whichever occurs first, as established in *In the Matter of State Promotional Lists* (MSB, decided October 24, 2007).

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

B-22 PAUL BIRKENSTAMM

Paul Birkenstamm appeals the decision of the Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Assistant Business Manager 1 (S0718L), Department of Human Services, eligible list on the basis of an unsatisfactory background report.

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

B-23 LORRAINE KHAN

Lorraine Khan appeals the decision of the Division of State and Local Operations which upheld the removal of her name from the Human Services Specialist 1 (C0895L), Atlantic County, eligible list due to her unsatisfactory employment record.

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

B-24 DOMINIC SPINA

Dominic Spina, represented by Ciro A. Spina, III, Esq., appeals the decision of the Division of State and Local Operations, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Officer (S9999K), Essex County, eligible list on the basis of an unsatisfactory background report.

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

B-25 TAN TON

Tan Ton appeals the decision of the Division of State and Local Operations, which removed the appellant's name from the Receptionist Bilingual in English and Vietnamese (C1218L), Camden County Board of Social Services, employment list.

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

B-26 PATRICK CASTELLANO

On behalf of Patrick Castellano, the Fire Chief of the City of Asbury Park appeals the determination of the Division of Selection Services which denied Mr. Castellano's admittance to the promotional examination for Fire Captain (PM5207N), Asbury Park.

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

B-27 FREDY ROLDAN

Fredy Roldan appeals the determination of the Division of Selection Services which denied his admittance to the promotional examination for Fire Captain (PM5219N), Elizabeth.

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

B-28 VINCENT SPANO

Vincent Spano appeals the determination of the Division of Selection Services which found that he filed a late application for the promotional examination for Groundskeeper (PC0334N), Bergen County.

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

B-29 KENNETH DAVIS

The Motor Vehicle Commission requests that Kenneth Davis' out-of-title experience be accepted to qualify him for a prospective promotional examination for Inventory Control Specialist 2.

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

B-30 PATRICK FORREST, ET AL.

The Director, Division of State and Local Operations, on behalf of the Township of Teaneck, requests that the Civil Service Commission record the appointments of Patrick Forrest, John Garland, and Gerard Rosano to Police Sergeant effective August 16, 2011.

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

B-31 ROBERT FRETT, ET AL.

Robert Frett, a former Police Lieutenant with the City of Camden, William Frett and Anthony Moffa, Police Officers with Camden, and Kevin Strickland, a former Police Sergeant with Camden, represented by Mark W. Catanzaro, Esq., request that they be permanently appointed to the titles of Police Captain and Police Lieutenant, respectively. The appellants also request a stay of their return of their permanent titles, pending the outcome of their request.

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

B-32 RACHEL JACKSON

Rachel Jackson, a former Judiciary Clerk 4, with the Judiciary, Morris/Sussex Vicinage, represented by Chris Westrick, Esq., requests that the Civil Service Commission reinstate her appeal of her removal effective March 9, 2011, which was dismissed based on her failure to appear at her scheduled settlement conference.

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

B-33 RASHAWN JOHNSON

The Motor Vehicle Commission requests that Rashawn Johnson's out-of-title experience be accepted to qualify her for a prospective lateral title change pending qualifying examination to the title of Records Technician 2, Motor Vehicles.

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

B-34 UWE MALAKAS

Uwe Malakas, represented by Jonathan I. Nirenberg, Esq., appeals the determination of the Division of Selection Services denying his request for a make-up examination for County Police Chief (PC0220N), Bergen County.

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

B-35 ROBERT CHEW, ET AL.

Robert Chew, William Frampton, Christopher Frucci, Joseph Hoffman, Michael Hughes, Vincent McCalla, Pedro Perez, John Polcyn, Ella Roberts, Vincent Robinson and Randy Smith, Police Officers with the City of Camden, represented by Mary Beth Clark, Esq., petition the Civil Service Commission for reconsideration of the final decision, rendered on February 2, 2011, which denied their requests to revive the Police Sergeant (PM2650G), Camden, eligible list in order to effectuate their appointments. The above named appellants and Vincent Saunders, also a Police Officer with Camden, represented by Mary Beth Clark, Esq., request counsel fees.

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

B-36 DATA CONTROL CLERK (C0515L), BURLINGTON COUNTY

Burlington County requests reconsideration of that part of the decision rendered on September 15, 2010 by the Civil Service Commission in *In the Matter of Data Control Clerk (C0515L), Burlington County*, which assessed partial costs of the selection process in the amount of \$1,024.

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

B-37 RANDY DIAKUNCZAK

Kean University requests reconsideration of the final administrative decision, rendered on May 18, 2011, which granted Randy Diakunczak's request for sick leave injury (SLI) benefits.

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

B-38 GROUNDSKEEPER/MAINTENANCE REPAIRER (C0745L), BURLINGTON COUNTY

Burlington County requests reconsideration of that part of the decision rendered on September 15, 2010 by the Civil Service Commission in *In the Matter of Groundskeeper/Maintenance Repairer (C0745L), Burlington County*, which assessed partial costs of the selection process in the amount of \$1,024.

ACTION: The Civil Service Commission directed that the request for reconsideration be granted and no selection costs presently be assessed.

B-39 JAMILIA JAMES

Jamilia James petitions the Civil Service Commission for reconsideration of the decision, rendered on June 15, 2011, which denied her appeal regarding her ineligibility for the open competitive examination for Habilitation Plan Coordinator (S0774M), Statewide.

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

B-40 JAMES JOYCE

James Joyce requests reconsideration of the decision rendered on June 1, 2011, which upheld the determination of the Division of State and Local Operations that the proper classification of his position is State Investigator 3, Law and Public Safety.

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

B-41 CARLA LANE

Carla Lane, an Investigator with Middlesex Vicinage, Judiciary, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on July 26, 2011, in which the Director of the Division of Merit System Practices and Labor Relations denied her request for a hearing with respect to her seven working day suspension.

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

B-42 MICHAEL OGNOWSKI

Michael Ogonowski, a County Correction Officer with Mercer County, represented by Christopher D'Amore, Esq., petitions the Civil Service Commission for reconsideration of the final decision, rendered on June 1, 2011, which modified a fine equal to 60 days' pay to a fine equal to 20 days' pay.

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

B-43 PROBATE CLERK (BILINGUAL IN SPANISH AND ENGLISH) (C1833J), CUMBERLAND COUNTY

Cumberland County requests reconsideration of that part of the decision rendered on September 15, 2010 by the Civil Service Commission in *In the Matter of Probate Clerk (Bilingual in Spanish and English) (C1833J), Cumberland County*, which ordered it to remit \$500 in compliance costs since it failed to properly dispose of the September 25, 2007 certification.

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

B-44 ARTHUR RICE

Union County, represented by Denise Errico Esmerado, Esq., requests that the Civil Service Commission enforce the final administrative decision, rendered on February 16, 2011, which acknowledged a settlement agreement between Arthur Rice, a former County Correction Officer, and Union County.

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

B-45 PATRICK CARR

Patrick Carr appeals the decision of the Division of State and Local Operations that the proper classification of his position with the Department of Environmental Protection is Supervising Biologist, Wildlife Management. The appellant seeks a Research Scientist 1 classification.

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

B-46 ROBERT MORRIS

Robert Morris appeals the decision of the Division of State and Local Operations which found that his position with the Department of the Treasury is properly classified as Senior Clerk. The appellant seeks a Technical Assistant 3 classification.

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

B-47 ADRIANE NEIS

Adriane Neis appeals the April 6, 2010 and July 18, 2011 decisions of the Division of State and Local Operations which found that her position with the Department of Children and Families is correctly classified as Communications Systems Technician 2. The appellant seeks a Technical Support Specialist 1 classification.

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

B-48 KATHLEEN SINGLETARY

Kathleen Singletary appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Transportation was Personnel Assistant 2. The appellant seeks an Executive Assistant 3 classification.

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

B-49 SUSAN SPIRIDIGLIOZZI

Susan Spiridigliozzi, represented by Robert O. Yaeger, Principal Staff Representative, CWA Local 1034, appeals the decision of the Division of State and Local Operations that the effective date of reclassification of her position from Medical Services Assistant to Medical Records Technician was January 30, 2010.

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

B-50 CARMEN ACEVEDO

Carmen Acevedo, a Head Clerk with the Division of Youth and Family Services, Department of Children and Families, appeals the determination of the Director of Administration, 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.

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

B-51 LINDA BROOKS

Linda Brooks, a former Administrator 2 with the Casino Control Commission, represented by Michelle J. Douglass, Esq., appeals the determination of the Chair of the Casino Control Commission, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-52 MICHAEL CHIANESE

Michael Chianese, a Construction Management Specialist 1 with the Department of Law and Public Safety, appeals the determination of the Director, Governor's Office of Employee Relations, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-53 PHILIP FOWLKES

Philip Fowlkes, a Youth Worker with the Juvenile Justice Commission, Department of Law and Public Safety, appeals the determination of the Chief of Staff, Office of the Attorney General, which found that the appellant did not 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-54 LISA KING

Lisa King, a Sergeant (112 Day Pay Status) with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Chief of Staff, Office of the Attorney General, 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.

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

B-55 BUILDING INSPECTOR (M9110J) AND (M0876L), JERSEY CITY

The appointing authority's failure to dispose of the certification for Building Inspector (M9110J) and (M0876L), Jersey City, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-56 BUILDING INSPECTOR (M0159M), TOWNSHIP OF LONG BEACH

The appointing authority's failure to dispose of the certification for Building Inspector (M0159M), Township of Long Beach, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-57 ELECTRICAL SUBCODE OFFICIAL (M0144L), POINT PLEASANT BOROUGH

The appointing authority's failure to dispose of the certification for Electrical Subcode Official (M0144L), Point Pleasant Borough, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-58 FIELD REPRESENTATIVE, HEALTH EDUCATION (M1046L), EAST ORANGE

The Division of State and Local Operations requests that East Orange be ordered to return the January 4, 2010 certification of the eligible list for Field Representative, Health Education (M1046L) for proper disposition.

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

B-59 KEYBOARDING CLERK 2 (PC0783M), CAMDEN COUNTY

Camden County requests permission not to make an appointment from the January 5, 2011 certification for Keyboarding Clerk 2 (PC0783M).

ACTION: The Civil Service Commission granted the appointment waiver and assessed no selection costs at this time.

B-60 MANAGER 1, INFORMATION PROCESSING (M0255K), NEWARK

The appointing authority's failure to dispose of the certification for Manager 1, Information Processing (M0255K), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-61 MUNICIPAL COURT ADMINISTRATOR (M0274L), RAHWAY

The appointing authority's failure to dispose of the certification for Municipal Court Administrator (M0274L), Rahway, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-62 POLICE COMMUNICATIONS CLERK (M0938L), JERSEY CITY

The appointing authority's failure to dispose of the certification for Police Communications Clerk (M0938L), Jersey City, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-63 PROJECT SPECIALIST AND PROJECT SUPPORT SPECIALIST

The Department of Health and Senior Services requests that it be permitted to use the unclassified titles of Project Specialist and Project Support Specialist for a period of two years.

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

B-64 PURCHASING ASSISTANT (M1234L), CITY OF CLIFTON

The City of Clifton requests permission not to make an appointment from the October 25, 2010 certification for Purchasing Assistant (M1234L).

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

B-65 SECURITY GUARD (C1182L), HUDSON COUNTY SHERIFF'S OFFICE

The appointing authority's failure to dispose of the certification for Security Guard (C1182L), Hudson County Sheriff's Office, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, make an appointment from the certification and pay compliance costs.

B-66 SUPERVISING SECURITY GUARD (PM0128M), WEST NEW YORK

The appointing authority's failure to dispose of the certification for Supervising Security Guard (PM0128M), West New York, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to either remove the provisional appointee or permanently appoint him from the certification, and pay compliance costs.

**B-67 SUPERVISOR INFORMATION TECHNOLOGY HELP DESK (C1251L),
MONMOUTH COUNTY**

Monmouth County requests permission not to make an appointment from the March 2, 2011 certification for Supervisor Information Technology Help Desk (C1251L).

ACTION: The Civil Service Commission granted the appointment waiver and assessed no selection costs at this time.

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

**B-68 TECHNICAL ASSISTANT, CONTRACT ADMINISTRATION (M0604L),
BEVERLY**

The appointing authority's failure to dispose of the certification for Technical Assistant, Contract Administration (M0604L), Beverly while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to properly dispose of the certification and pay compliance costs.

B-69 VIOLATIONS CLERK (M0375L), BOROUGH OF SEASIDE PARK

The Borough of Seaside Park requests permission not to make an appointment from the November 4, 2009 certification for Violations Clerk (M0375L).

ACTION: The Civil Service Commission granted the appointment waiver and assessed partial selection costs in the amount of \$1,024.

B-70 LORELEI ALDEN, ET AL.

The appeals of Lorelei Alden, Susan Carroll, and Robin Ripa, former Senior Clerk Typists with the Town of Hammonton, of their layoffs, effective July 27, 2009, were heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on September 28, 2011. At its meeting on November 2, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the good faith of their layoffs. 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-71 LUIS LOPEZ

The appeal of Luis Lopez, a Sanitation Worker with the North Bergen Municipal Utilities Authority, of his removal, effective May 12, 2008, on charges, was heard by Administrative Law Judge Caridad F. Rigo (ALJ), who rendered her initial decision on September 23, 2011. At its meeting on November 2, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the 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-72 ELSIE VEGA MEDINA

The appeal of Elsie Vega Medina, a Police Officer with the City of Trenton, of her removal, effective June 11, 2010, on charges, was heard by Administrative Law Judge Tiffany M. Williams (ALJ), who rendered her initial decision on September 6, 2011. At its meeting on November 2, 2011, the Civil Service Commission (Commission) modified the ALJ's recommendation and acknowledged the settlement agreement between the parties, which imposed a written reprimand. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-73 BRAD WITTJE

The appeal of Brad Wittje, a Human Services Assistant with Ancora Psychiatric Hospital, Department of Human Services, of his removal, effective September 28, 2010, on charges, was heard by Administrative Law Judge Elia A. Pelios (ALJ), who rendered his initial decision on September 1, 2011. At its meeting on November 2, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse the removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-74 SUZANNE CONWAY

Suzanne Conway appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Permit Coordination Officer 2 Environmental Protection (PS1787G), Department of Environmental Protection.

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

B-75 STUART FRIEDMAN

Stuart Friedman appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 1, Data Processing (PS8407G), Department of Environmental Protection.

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

B-76 CARRIE HYLTON AND IGHO OJUKWU

Carrie Hylton and Igho Ojukwu appeal the determinations of the Division of Selection Services which found that Igho Ojukwu did not meet the experience requirements, and Carrie Hylton did not meet the experience requirements per the substitution clause for education, for the promotional examination for Program Development Specialist 1 Mental Health Services (PS9559K), Greystone Park Psychiatric Hospital.

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

B-77 RONDA JONES AND JAMIE MCCLOSKEY

Ronda Jones and Jamie McCloskey appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Habilitation Plan Coordinator (S0744M), Statewide.

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

B-78 WILLIAM KIRKPATRICK

William Kirkpatrick appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Project Manager Data Processing (C0164N), Bergen County.

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

B-79 BETH LARKIN

Beth Larkin 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 Supervisor, Records Management (PS1751P), Division of State Police, Department of Law and Public Safety.

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

B-80 PETER MIDGLEY

Peter Midgley appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Youth Opportunity Coordinator (C0037N), Hudson County.

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

B-81 JAMES MILLER

James Miller appeals the determination of the Division of Selection Services which found that he was below minimum requirements in experience for the open competitive examination for Fire Official (M2151N), Rockaway Township.

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

B-82 BARBARA HURBANIS NOVICK

Barbara Hurbanis Novick appeals the determination of the Division of Selection Services which found that she was not eligible for the promotional examination for Social Work Supervisor (PC0076N), Gloucester County, because she was not permanently serving in a title to which the examination was open.

ACTION: The Civil Service Commission directed that this appeal be granted and the appellant's effective date of appointment as a Social Work Specialist be recorded as January 17, 2005.

B-83 JAMES SCHULTZ

James Schultz appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Technical Support Specialist 1 (PS1412P), Division of State Police.

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

B-84 ANGELA SFORZA

Angela Sforza appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the open-competitive examination for Assistant Buyer (C2045N), Burlington County.

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

B-85 LUIS WALKER

Luis Walker appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Director of Welfare (PC0774K), Cumberland County.

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

B-86 LORETTA L. WILSON

Loretta L. Wilson appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Principal Clerk (PM0173N), Jersey City School District.

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

B-87 JAMES WYROUGH

James Wyrough 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 Assistant Municipal Recycling Coordinator (PM0918M), Hamilton Township.

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

B-88 JENESSLEE CISCO AND MARSULLY GONZALEZ

Jenesslee Cisco appeals the administration of the examination for Investigator (S0049N), Statewide and Marsully Gonzalez appeals the test administration of the examination for Investigator Bilingual in Spanish and English (S0050N), Statewide.

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

B-89 MONICA GALIANESE

Monica Galianese appeals the denial of her request for make-up examinations for the open-competitive examinations for Investigator (S0049N), Statewide and Human Services Specialist 1 (C0063N), Monmouth County.

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

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

B-90 MOHAMMAD HATEFI

Mohammad Hatefi appeals his score on the examination for Deputy Fire Chief (PM0908M), Atlantic City.

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

B-91 JAMES MULLINS

James Mullins appeals his score on the examination for Deputy Fire Chief (PM3646L), Kearny.

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

B-92 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of November 2, 2011.

ACTION: The Civil Service Commission adopted the minutes of its meeting of November 2, 2011.

B-93 EARLY SETTLEMENT

In the Matter of Valerie Rosa-Weaver
Department of the Treasury
Release at the end of the working test period

ACTION: The Civil Service Commission acknowledged the settlement.

B-94 RAHMAUN HORTON

Rahmaun Horton, a Police Officer with Newark, represented by Bette R. Grayson, Esq., petitions the Civil Service Commission for a stay of his six-month suspension, commencing on September 1, 2011, pending the outcome of his appeal before the Commission.

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

B-95 DORIAN BEARFIELD

The Middlesex County Sheriff's Office, on behalf of Dorian Bearfield, requests that he be permitted to participate in the intergovernmental transfer program and to complete the remainder of his working test period as a Sheriff's Officer with the Sheriff's Office.

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

B-96 JOSEPH SANGER

Joseph Sanger, represented by Bette R. Grayson, Esq., petitions the Civil Service Commission for a determination with regard to the back pay and counsel fees awarded in the decision *In the Matter of Joseph Sanger* (CSC, decided December 16, 2009).

ACTION: The Civil Service Commission granted back pay in the amount of \$57,717.45 and counsel fees in the amount of \$26,990.

B-97 INSPECTOR 3, MULTIPLE DWELLINGS

The Department of Community Affairs requests permission to utilize the special reemployment lists for Sub-Code Official, Construction Code Inspector 2, Construction Code Inspector 1, and Construction Code Inspector, New Home Warranty Program, for appointments to Inspector 3, Multiple Dwellings.

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

B-98 SUPERVISING GEOLOGIST, ENVIRONMENTAL PROTECTION AND GEORGE BLYSKUN

The Department of Environmental Protection requests relief on behalf of incumbents in the Supervising Geologist, Environmental Protection title and Renee Bancroft, a Principal Geologist, Environmental Protection. George Blyskun appeals the determination of the Division of State and Local Operations that his position in the Department of Environmental Protection is properly classified as a Principal Geologist, Environmental Protection. Blyskun seeks a Supervising Geologist, Environmental Protection classification.

ACTION: The Civil Service Commission directed that this request for relief for incumbents in the Supervising Geologist, Environmental Protection title and Renee Bancroft be granted. The Civil Service Commission directed that the appeal of George Blyskun be denied.

B-99 PROPOSED CIVIL SERVICE COMMISSION MEETING DATES FOR 2012

The proposed Civil Service Commission meeting dates are submitted for approval.

ACTION: The Civil Service Commission adopted the Civil Service Commission meeting dates for 2012.

B-100 PROPOSED AMENDMENT: N.J.A.C. 4A:3-4.10, DEMOTIONAL PAY ADJUSTMENTS: STATE SERVICE

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:3-4.10*, Demotional pay adjustments: State service. The proposed amendment would delete language prohibiting an employee from receiving a "salary advantage" in certain voluntary demotional situations and replace it with a statement prohibiting the rule to be used to gain a "salary increase," unless one of two exceptions is met. A further change to the rule would prevent some individuals from "gaming" the system by taking a demotion after serving only four months in a title in order to receive a higher salary than the employee had earned when previously serving in the demotional title. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION: The Civil Service Commission approved the proposal for publication.

B-101 PROPOSED AMENDMENT: N.J.A.C. 4A:6-1.3, SICK LEAVE

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:4-6-1.3, Sick leave. The amendment is intended to more clearly state that the only proper reasons for using sick leave are indicated in subsections (g) and (h). Subsection (g) states that sick leave may be used by employees unable to work due to personal illness or injury, exposure to contagious disease, care of a seriously ill immediate family member, and death in the immediate family. Subsection (h) states that sick leave may be used by an employee with a disability for absences related to acquiring or using certain disability aids. A further change to *N.J.A.C.* 4A:6-1.3(g) would recognize the practice of using sick leave for wellness and preventative care appointments. A new subsection (i) would state that sick leave shall not be used for any reasons other than those specified in the rule. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

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

B-102 PROPOSED AMENDMENT: N.J.A.C. 4A:4-7.1A, INTERGOVERNMENTAL TRANSFERS

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:4-7.1A, Intergovernmental transfers. An amendment to the rule would expand the time frame, to one year from the current 90 days, within which a laid-off civil service employee may receive an intergovernmental transfer. Additionally, *N.J.A.C.* 4A:4-7.1A(b)1 would be changed, in light of the new New Jersey residency law, to state that a civilian transferring employee will be subject to the law if the employee has been laid off for a period of more than seven days. No amendment regarding residency is necessary for police and fire positions because these are already subject to a New Jersey residency requirement. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION: The Civil Service Commission approved the proposal for publication.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, December 7, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

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