



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
JANUARY 25, 2012**

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

January 25, 2012

A regular meeting of the Civil Service Commission was held on Wednesday, January 25, 2012, 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 Merit System Practices and Labor Relations.

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

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 28, 2011, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CONFIDENTIAL APPOINTMENTS

The Civil Service Commission recorded the following Confidential Appointment under *N.J.S.A.* 11A:3-4(h):

Tomi-Anne Nolino, appointed as a Confidential Assistant, Department of Law and Public Safety, effective January 3, 2012, salary of \$85,000.00 per annum.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Robert J. Brockman
City of Hoboken
Department of Environmental Services
Suspension and Demotion

In the Matter of Batina Counts
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Gary Degree
Burlington County
County Jail
Suspensions (2)

In the Matter of Dennis DiAngelo
Camden County
Municipal Utilities Authority
Removal

In the Matter of Katie Dunn
City of East Orange
Police Department
Removal

In the Matter of Deborah Fitzpatrick
Monmouth County
Corrections and Youth Services
Suspension

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

In the Matter of Michael Fowlkes
Cumberland County
Department of Corrections
Removal

In the Matter of Kimberly Grube
Hunterdon Developmental Center
Department of Human Services
Return to permanent title at the end of the working test period

In the Matter of Shante Harris
City of Newark
Police Department
Suspension

In the Matter of Deborah Johnson-McCall
Atlantic County
Department of Human Services
Removal

In the Matter of James Kriegner
Mercer County
Department of Public Safety
Removal

In the Matter of Barbara E. Lee
Trenton Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Leslie Manning
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Kim Stewart
Greenbrook Regional Center
Department of Human Services
Removal

In the Matter of Emmanuel Unegbu
Greenbrook Regional Center
Department of Human Services
Removal

In the Matter of Angela Waite
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Patrick Walker
Union County
Runnells Hospital
Release at the end of the working test period

In the Matter of Christopher Wilson
Middlesex County
Department of Adult Corrections
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 JEFFREY EATON

Jeffrey Eaton, Senior Correction Officer, Albert C. Wagner Youth Correctional Facility, Department of Corrections, 120 working day suspension on charges of neglect of duty, other sufficient cause and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the 120 working day suspension.

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

A-3 KEISHA MCGEE

Keisha McGee, Senior Correction Officer, Northern State Prison, Department of Corrections, 60 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause and falsification.

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

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

A-4 JODY PITTMAN

Jody Pittman, Secretarial Assistant Typing, Newark School District, 30 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

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

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

A-5 TONYA COLEMAN

Tonya Coleman, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, two removals effective February 16, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, failure or excessive delay in carrying out an order which would not result in danger to persons or property, falsification, insubordination, violation of administrative procedures and/or regulations involving safety and security, and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-6 CHRISTOPHER EDMONDSON

Christopher Edmondson, Emergency Medical Technician, Township of North Bergen, Department of Public Safety, removal effective May 24, 2011, on charges of incompetency, inefficiency or failure to perform duties, insubordination, neglect of duty, misuse of public property, including motor vehicles 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-7 KENNETH MERRIMAN

Kenneth Merriman, Senior Correction Officer, Southern State Correctional Facility, Department of Corrections, 15 working day suspension, removal, effective May 2, 2011 and removal effective May 19, 2011, on charges of chronic or excessive absenteeism or lateness, unsatisfactory attendance and job abandonment.

Recommendation of the Administrative Law Judge – Modify the 15 working day suspension and the removals to a resignation in good standing.

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

A-8 CHRISTOPHER THWEATT

Christopher Thweatt, Street Repairer, City of Hackensack, Department of Public Works, removal effective October 12, 2010, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, violation of Federal guidelines concerning alcohol and drug use and other sufficient cause.

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

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

A-9 PAULA WATKINS

Paula Watkins, Security Guard, City of Jersey City School District, removal effective June 27, 2011, on charges of 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-10 DHOLEA WHEATON

Dholea Wheaton, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, removal effective August 21, 2008, on charges of physical or mental abuse of a patient, client, resident, verbal abuse of a patient, client, resident, inappropriate physical contact or mistreatment of a patient, client, resident, violation of a rule, regulation, policy, procedure, order or administrative decision, conduct unbecoming a public employee and other sufficient cause.

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

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

A-11 GLORIA WILLIAMS

Gloria Williams, Senior Therapy Program Assistant, North Jersey Developmental Center, Department of Human Services, removal effective February 17, 2011, on charges of verbal abuse of a patient, client, resident, or employee, inappropriate physical contact or mistreatment of a patient, client, resident, or employee, falsification, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 The Division of State and Local Operations requests the inactivation of 25 State titles.



1/16/12
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MEMORANDUM

DATE: December 22, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations *[Signature]*
SUBJECT: Change in the State Classification Plan

TITLE INACTIVATIONS

The Division of State and Local Operations requests inactivation of the following State titles. The titles are unencumbered and there are no future plans for use.

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

Effective date: The effective date of the inactivations will be the first day of the first pay period that follows the Commission's approval of this change in the State Classification plan.

TITLES TO BE INACTIVATED

ASSISTANT ADMINISTRATOR OF FISCAL AND MANAGEMENT OPERATIONS CBVI
M29-62516 C P NL12

ASSISTANT EXECUTIVE SECRETARY BOARD OF MEDICAL EXAMINERS
S24-35255 C C NL12

ASSISTANT EXECUTIVE SECRETARY NEW JERSEY BOARD OF NURSING
R27-03985 C C NL12

CABLE TELEVISION PLANNING SPECIALIST
P20-56823 C * NE12

CHIEF BUREAU OF TRAINING AND STAFF DEVELOPMENT
M32-61127 C W NL12

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CHIEF OCCUPATIONAL HEALTH CONSULTATION SERVICES
M32-55914 C L NL12

CHIEF SUPERVISOR OFFICE OF WEIGHTS AND MEASURES
M29-33260 C C NL12

CHIEF UNEMPLOYMENT DISABILITY INSURANCE PROGRAMS
M30-65086 C L NL12

COMMUNITY EMPLOYMENT SERVICE WORKER
H13-64844 C L NE12

COMMUNITY PROGRAM ANALYST I ENERGY CONSERVATION
R23-64184F C * NE12

COMMUNITY SERVICE OFFICER I ADDICTIONS DEAF LANGUAGE SPECIALIST
R26-63154C C P NL12

COORDINATOR STATE AND LOCAL PLANNING CATV
R26-56826 C * NL12

DIRECTOR OF AGENCY OPERATIONS
M37-51079 C * NL12

ENERGY CONSERVATION PROGRAM REVIEWER I
P28-56632 C * NL12

LIBRARIAN I LIBRARY FOR THE BLIND AND HANDICAPPED
R25-74084G C * NL12

LOCAL AID ANALYST
P20-13723 C O 4012

PROGRAM ASSISTANT MENTAL HEALTH
P25-60385 C P NL12

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RECEPTIONIST
A06-20132 C * 3512

SENIOR RESEARCH ASSOCIATE NEW JERSEY HISTORICAL COMMISSION ETHNIC
HISTORY
P26-74254C C E NL12

SENIOR TECHNICAL OPERATIONS ANALYST CATV
P21-15304 C * NE12

SUB CODE OFFICIAL
R25-15100 C * NE12

SUB CODE OFFICIAL PUBLIC SAFETY
R26-15092C C L 4012

SUPERVISING COMMUNITY INVOLVEMENT INFORMATION SPECIALIST
R24-54533 C * NL12

SUPERVISING PUBLIC SAFETY TELECOMMUNICATOR STATE
R21-03865 C C N412

SUPERVISOR TRANSACTION AUDIT
S22-57692 C D NL12

KC/JMM/BP/DN

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

- B-2** The Division of State and Local Operations requests the consolidation of various local government titles within Occupational Group 81 (Occupations in Infrastructure and Structural Repair and Maintenance).



MEMORANDUM

DATE: December 21, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in State Classification Plan

OCCUPATIONAL GROUP 81 – ROAD REPAIRER SERIES

The Division of State and Local Operations requests the consolidation of various local government titles within Occupational Group 81 (Infrastructure and Structural Repair and Maintenance), specifically, those titles responsible for performing generic road repair and maintenance work. This consolidation will provide local jurisdictions with the flexibility needed to more efficiently meet their responsibilities, while also providing employees with enhanced career advancement opportunities.

Titles possessing similar duties, responsibilities and experience requirements were identified to determine the practicality and appropriateness of title consolidation.

The definitions, requirements, knowledge, skills and abilities sections of the title specifications have been modified to accommodate the proposed title consolidation. As a result, the proposed title specifications are broader and more general, allowing for greater flexibility across jurisdictions.

The title series will be numbered in accordance with current practices, with the numerical suffix "1" representing the lowest level (entry level) to "2" representing the experienced worker (senior level) and so on.

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

Upon successful completion of the consolidation process, the consolidated titles involved will be inactivated. Any existing eligibility lists for these titles shall be processed as follows:

- Promotional and open competitive lists issued from pending announcements for any affected title in which employees with provisional appointments are serving will be certified for one time use only in order to effect permanent appointment(s) and will be declared expired upon disposition of the certification.

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- A complete list that has never been used and contains no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- A complete list which contains employees with current provisional appointments for the title and jurisdiction specified (with the exception of such employees currently on active military duty) will be processed for one time use and will be declared expired upon the disposition of the certification.
- An incomplete list containing no employees with current provisional appointments for the title and jurisdiction specified shall be declared expired.
- Any employee currently on active military duty will be afforded all applicable rights under Federal and State law upon their release from active duty and given the opportunity to apply and compete for any announcements for which they would otherwise have been eligible but for their military service.
- Eligibility lists for affected titles and jurisdictions which have expired will be revived as necessary to address unanticipated situations which may arise.

Local Appointing Authorities have been given the opportunity to review this proposal and all articulated issues have been reviewed and resolved.

VERBIAGE CHANGE

Effective date: The verbiage change will become effective the first pay period following the Commission's approval.

FROM:

Road Repairer
03090 Career Local

Senior Road Repairer
03567 Career Local

Assistant Supervisor Roads
06655 Career Local

Supervisor Roads
06654 Career Local

Road Superintendent
03091 Career Local

TO:

Road Repairer 1
03090 Career Local

Road Repairer 2
03567 Career Local

Road Repairer 3
06655 Career Local

Road Repair Supervisor
06654 Career Local

Road Repair Superintendent
03091 Career Local

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CONSOLIDATION OF TITLE SERIES

Effective date: The consolidation will become effective the first pay period following the Commission's approval.

FROM:

Level 1(Entry level)

Road Repairer
03090 Career Local

Street Repairer
03800 Career Local

Level 2 (Senior level)

Senior Road Repairer
03567 Career Local

Senior Street Repairer
06305 Career Local

Level 3 (Assistant Supervisor level)

Assistant Supervisor Roads
06655 Career Local

Assistant Supervisor Streets
06529 Career Local

Supervisor Level

Supervisor Roads
06654 Career Local

Supervisor Streets
06528 Career Local

Assistant General Supervisor Roads
06657 Career Local

Assistant Street Superintendent
00716 Career Local

Assistant Road Superintendent
00687 Career Local

Supervisor Asphalt
06575 Career Local

TO:

Road Repairer 1
03090 Career Local

Road Repairer 2
03567 Career Local

Road Repairer 3
06655 Career Local

Road Repair Supervisor
06654 Career Local



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Superintendent Level
Road Superintendent
03091 Career Local

Road Repair Superintendent
03091 Career Local

Street Superintendent
03803 Career Local

Assistant County Supervisor of Roads
00446 Career Local

KC/JMM/BP/PM

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

- B-3** The Division of State and Local Operations requests the renaming of the Property Clerk/Word Processing Operator to Property Clerk/Keyboarding Clerk 1 to more accurately reflect the duties of the position.



MEMORANDUM

DATE: December 21, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in State Classification Plan

TITLE CONSOLIDATION INITIATIVE

The Division of State and Local Operations requests the renaming of one local government title. This action is part of the process of consolidating and renaming titles concerning 'word processing' to 'keyboarding.' This will more accurately reflect the duties of the position.

The change in nomenclature, and corresponding verbiage changes in the title specification are the only alterations.

TITLE CONSOLIDATION & MOVEMENT OF INCUMBENTS:

FROM:		TO:
Property Clerk/Word Processing Operator 05927 Career (C)		Property Clerk/Keyboarding Clerk 1 05927 Career (C)

KC/JMM/LR

www.state.nj.us/csc

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

B-4 IDA SOTO CASTRO

Ida Soto Castro, a Child Care Quality Assurance Inspector 2 with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

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

B-5 GEORGE GROOM

George Groom, a Senior Correction Officer at Mountainview Youth Correctional Facility, Department of Corrections, represented by J. Scott DeMasi, Esq., appeals the denial of sick leave injury (SLI) benefits.

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

B-6 WILLIAM HOLMES

William Holmes, a Senior Correction Officer with 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 WENDY SUMMA

Wendy Summa, a Repairer with Ancora Psychiatric Hospital, 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 RICKY URGO

Ricky Urgo, a Senior Correction Officer with South Woods 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 in part.

B-9 DONNA WALTON

Donna Walton, a Principal Clerk Typist with the Department of Education, represented by Dennis Reiter, Staff Representative, Communications Workers of America, Local 1033, appeals the denial of sick leave injury (SLI) benefits.

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

B-10 CARLOS OLIVENCIA

Carlos Olivencia appeals the removal of his name from the Electrician (M0245K), Jersey City School District eligible list on the basis that he failed a urinalysis examination.

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

B-11 AGRIPINO FIGUEROA

Agripino Figueroa, a Fire Captain with the Fire Department, City of Camden, represented by Mitesh M. Patel, Esq., appeals the determination of his layoff rights by the Division of State and Local Operations.

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

B-12 KIM MUCHOWSKI

Kim Muchowski, a Clerk 1 with Mount Laurel Township, represented by Thomas Fagan, Staff Representative, Communications Workers of America Local 1036, requests relief from the Civil Service Commission regarding her layoff from the Department of Administration and Finance effective May 20, 2011.

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

B-13 ZACHARY VON LANGEN

The Township of Scotch Plains requests relaxation of *N.J.A.C. 4A:4-7.1A(c)* so as to permit the intergovernmental transfer of Zachary Von Langen from the title of Sheriff's Officer, Union County Sheriff's Office, to the title of Police Officer, Scotch Plains.

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

B-14 VLADIMIR J. CHRISTOPHE

Vladimir J. Christophe, represented by Joseph Pinizzotto, 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 Correction Officer Recruit (S9999K), Department of Corrections, eligible list on the basis of an unsatisfactory criminal record.

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

B-15 HATEM GHANDOUR

Hatem Ghandour, represented by Richard J. Sapinski, Esq., appeals the decision of the Division of State and Local Operations, which upheld the removal of his name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list on the basis that he falsified his preemployment application.

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

B-16 MARVIN HARRISON

Marvin Harrison appeals the removal of his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of an unsatisfactory background report.

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

B-17 JACQUELINE GONZALEZ

Passaic County requests that Jacqueline Gonzalez, an Employee Benefits Clerk, be transferred from the Administrator's Department to the Finance Department.

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

B-18 TED JASINSKI

Atlantic County requests that Ted Jasinski be provided with a retroactive date of permanent appointment as a Program Development Specialist, Aging, effective October 26, 1998.

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

B-19 JOHN R. MALINOWSKI, JR.

The City of Wildwood requests that John R. Malinowski, Jr., be provided with a retroactive date of appointment, effective March 5, 2003, from the special reemployment list for Supervisor, Water Meter Reading/Supervisor, Water Meter Repair. This matter was held over at the January 11, 2012 Commission meeting.

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

B-20 JOSEPH OLESZKIEWICZ

Joseph Oleszkiewicz, a Police Sergeant with the Borough of Lake Como, represented by Richard C. Sciria, Esq., requests that the Civil Service Commission order the appointing authority to appoint him as a Police Lieutenant.

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

B-21 KRISTEN COLBRY

Kristen Colbry appeals the determination of the Division of State and Local Operations that her position with the Department of Human Services is properly classified as Accountant 2. The appellant seeks an Administrative Analyst 2, Accounting classification.

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

B-22 ROSAMOND GLOVER

Rosamond Glover appeals the determination of the Division of State and Local Operations that her position with the Department of Law and Public Safety is properly classified as a Senior Clerk Typist. The appellant seeks a Legal Secretary 2 classification.

ACTION: The Civil Service Commission directed that this appeal be denied, but the matter of the current classification of the appellant's position be referred to the Division of State and Local Operations for further review.

B-23 GLORIA GRANT

Gloria Grant appeals the determination of the Division of State and Local Operations that the proper classification of her position with the Department of Environmental Protection is Environmental Specialist 4, Site Remediation. The appellant seeks an Environmental Scientist 1 classification.

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

B-24 MARGUERITE HUBSCHER

Marguerite Hubscher appeals the determination of the Division of State and Local Operations that her position with the Mercer County Clerk's Office is properly classified as a Principal Clerk Typist. The appellant seeks a Principal Word Processing Operator classification.

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

B-25 ADVOCATE VICTIM WITNESS PROGRAM (C0173K), HUDSON COUNTY

The Division of State and Local Operations petitions the Civil Service Commission for enforcement of the decision rendered on September 2, 2009, wherein the Commission ordered that the appointing authority properly dispose of June 30, 2008 certification (OL081133) of the eligible list for Advocate Victim Witness Program (C0173K), Hudson County.

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

B-26 CLERK 3 (PC1119L), MERCER COUNTY BOARD OF SOCIAL SERVICES

The Mercer County Board of Social Services requests that the promotional list for Clerk 3 (PC1119L) be revived in order to make permanent appointments from the list.

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

B-27 FIRE ALARM OPERATOR (M0468M), PATERSON

The appointing authority's failure to dispose of the certification for Fire Alarm Operator (M0468M), Paterson, 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 appointees, properly dispose of the certification and pay compliance costs.

B-28 KEYBOARDING CLERK 2 (PC0610M) AND KEYBOARDING CLERK 2, BILINGUAL IN SPANISH/ENGLISH (PC0611M), CAMDEN COUNTY PROSECUTOR'S OFFICE

The Camden County Prosecutor's Office requests that the promotional lists for Keyboarding Clerk 2 (PC0610M) and Keyboarding Clerk 2, Bilingual in Spanish/English (PC0611M) be revived in order to make permanent appointments from the lists.

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

B-29 SUPERVISOR 1, MOTOR VEHICLES (PS3685T), MOTOR VEHICLE COMMISSION

In In the Matter of Supervisor 1, Motor Vehicles (PS3685T), Motor Vehicle Commission (MSB, decided May 21, 2008), the appointing authority's request for an appointment waiver from the November 9, 2007 certification was granted and no selection costs were assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Civil Service Commission.

ACTION: The Civil Service Commission directed that no selection costs be assessed.

B-30 TENNISE EZEKIEL AND NICOLE GRIFFIN

Tennise Ezekiel and Nicole Griffin, Senior Medical Security Officers with the Ann Klein Forensic Center, Department of Human Services, represented by George T. Daggett, Esq., appeal the determinations of the Assistant Commissioner, which found that the appellants failed to support a finding that they had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-31 NICHOLAS MANLA

The appeal of Nicholas Manla, a Cottage Training Technician with North Jersey Developmental Center, Department of Human Services, of his removal, effective November 23, 2010, on charges, was heard by Administrative Law Judge Jesse H. Strauss (ALJ), who rendered his initial decision on November 7, 2011. At its meeting on January 11, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to modify the removal to a 20 working day suspension. 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-32 CHRISTOPHER P. TANG, JR.

The appeal of Christopher P. Tang, Jr., a Family Services Specialist 2 with the Department of Children and Families, of his release at the end of the working test period, effective April 15, 2011, was before Administrative Law Judge Beatrice S. Tylutki (ALJ), who rendered her initial decision on November 14, 2011. At its meeting on January 11, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to acknowledge the settlement agreement between the parties. 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-33 KRISTIN HANSEN

Kristin Hansen requests reconsideration of the decision rendered on July 13, 2011, which upheld the determination of the Division of State and Local Operations that the proper classification of her position with the Department of Environmental Protection is Principal Environmental Specialist, Water Resources.

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

B-34 KIM MUCHOWSKI

Kim Muchowski, a Clerk 1 with Mount Laurel Township, Department of Administration and Finance, represented by Thomas Fagan, Staff Representative, Communications Workers of America Local 1036, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on August 5, 2011, in which the Director of the Division of Merit System Practices and Labor Relations denied her request for a hearing with respect to the good faith of her layoff.

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

B-35 JOANNE BRIHN

Joanne Brihn appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Administrative Analyst 2, Data Processing (PS2536G), Department of Environmental Protection.

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

B-36 SALARY REGULATIONS, FY 2012

Submitted for the Civil Service Commission's review are the Salary Regulations for Fiscal Year 2012. These include the following: Aligned Salary Regulation, Non-Aligned Salary Regulation, Management Salary Regulation, Attachment B – Special Provisions, Emergency Conditions Salary Regulation, Special Incentive Salary Regulation, and Miscellaneous Salary Regulations. They have been approved by Robert M. Czech, Chair/CEO, Civil Service Commission, and Charlene M. Holzbaur, Director, Division of Budget and Accounting. It is recommended that the Commission record these salary regulations.

ACTION: The Civil Service Commission recorded the regulations.

B-37 PROPOSED AMENDMENTS: N.J.A.C. 4A:3-3.7, TRAINEE, APPRENTICE, RECRUIT AND INTERN TITLES; AND N.J.A.C. 4A:3-4.5, ANNIVERSARY DATES: STATE SERVICE

Submitted for the Commission's approval is a Notice of Adoption to amend *N.J.A.C. 4A:3-3.7*, Trainee, Apprentice, Recruit and Intern Titles; and *N.J.A.C. 4A:3-4.5*, Anniversary Dates: State Service. The amendment to *N.J.A.C. 4A:3-3.7*, which currently only references trainees, is intended to codify the existing program regarding trainees, apprentices, recruits and interns in both State and local service. The amendment to *N.J.A.C. 4A:3-4.5* would address adjustments of anniversary dates in State service for employees advancing to a primary title from a trainee, apprentice, recruit or intern title. No comments were received during the comment period. It is recommended that this proposal be adopted without change.

ACTION: The Civil Service Commission adopted the amendments.

B-38 PROPOSED AMENDMENT: N.J.A.C. 4A:4-4.8, DISPOSITION OF A CERTIFICATION

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:4-4.8*, Disposition of a certification. In accordance with *N.J. Ct. R. 1:34-3*, the amendment would require an appointing authority to provide verification in its certification disposition report to the Civil Service Commission of the approval by an Assignment Judge of an appointment to the career service titles of Municipal Court Administrator and Deputy Municipal Court Administrator. 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-39 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of January 11, 2012.

ACTION: The Civil Service Commission adopted the minutes of its meeting of January 11, 2012.

B-40 EARLY SETTLEMENTS

In the Matter of Charlie Hurst
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Katrina J. Johnson
New Lisbon Developmental Center
Department of Human Services
Removals (2)

In the Matter of Anifatu Kargbo
Ancora Psychiatric Hospital
Department of Human Services
Removals (2)

ACTION: The Civil Service Commission acknowledged the settlements.

B-41 SAAD RADWAN EID

The appeal of Saad Radwan Eid, a Custodial Worker with a Low Pressure License with the Borough of Carteret, of his four removals, effective September 18, 2009, on charges, was heard by Administrative Law Judge Jesse H. Strauss (ALJ), who rendered his initial decision on November 23, 2011. At its meeting on January 11, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse two removals, modify one removal to a fine equal to a maximum of 20 working days' pay and modify one removal to a resignation in good standing. 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-42 MICHAEL MERCOGLIANA

The appeal of Michael Mercogliana, a Sheriff's Officer with Cumberland County Sheriff's Office, of his 10 working day suspension, on charges, was heard by Administrative Law Judge Edgar R. Holmes, (ALJ), who rendered his initial decision on November 17, 2011. At its meeting on January 11, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to modify the 10 working day suspension to a 5 working day suspension. 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-43 EDWARD SANTIAGO

The appeal of Edward Santiago, Police Chief, City of Plainfield, of the good faith of his demotion to Police Captain in lieu of layoff effective April 11, 2008, for reasons of economy and efficiency, was heard by Administrative Law Judge Caridad F. Rigo, (ALJ), who rendered her initial decision on November 29, 2011. At its meeting on January 11, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to grant the appointing authority's motion to dismiss the appellant's appeal. Rather, the Commission remanded the matter to the Office of Administrative Law for further proceedings. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-44 MARZETTIE SHAMBERGER

The appeal of Marzettie Shamberger, a Senior Correction Officer at Northern State Prison, Department of Corrections, of his removal, effective June 3, 2010, on charges, was heard by Administrative Law Judge Barry E. Moscowitz, (ALJ), who rendered his initial decision on August 23, 2011. At its meeting on January 11, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a written reprimand. Rather, the Commission modified the removal to a 30 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, February 8, 2012, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission