



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
MAY 20, 2015**

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

MAY 20, 2015

A regular meeting of the Civil Service Commission was held on Wednesday, May 6, 2015, 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 Appeals and Regulatory Affairs.

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

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 11, 2014, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEAL

The following appeal was withdrawn and removed from the hearing calendar:

Lisa A. Monahan, Technical Assistant Personnel, Trenton Psychiatric Hospital, Department of Human Services, layoff effective June 27, 2014.

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

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following case without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Laron Thomas, Technician, MIS, Mercer County, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Wayne Anderson
New Jersey City University
Suspension

Donna Caprio
Monmouth County
Sheriff's Office
Removal

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

Montaha Deeb-Ciares
City of Paterson
Department of Community Development
Layoff

Jorge Delgado
North Hudson Fire and Rescue
Fire Department
Removal

Teesher Ellis
Hudson County
Department of Roads and Public Safety
Suspension

Lenae Hairston
Ancora Psychiatric Hospital
Department of Human Services
Indefinite suspension

John Newcomb
Camden County
Department of Corrections
Suspension

Geroge Piech
Central Reception and Assignment Facility
Department of Corrections
Resignation not in good standing

Evelyn Price
Rowan University
Two resignations not in good standing

Michael Rudolph
Juvenile Justice Commission
Two suspensions

David Shenko
Mid-State Correctional Facility
Department of Corrections
Suspension

Quinton T. Wright
Department of Labor and Workforce Development
Release at end of working test period

Enosmafoh Uuzebor
Green Brook Regional Center
Department of Human Services
Resignation not in good standing

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 ALEJANDRO ALICEA-LOPEZ

Alejandro Alicea-Lopez, Sharon Allen, Elbert Arroyo, Kamesea Cannon, Lamar L. Colclough, Audrey C. Cooley, Pablo Andrzej Cynarski, J. Del Valle, Daria L. Destefano, Theresa Dunphy, Stacie Ellis, George Garcia, Steve Gernant, Desiree S. Griffin, Ruth Hillas, Tina D. Hines, John Howe, Mercedes Kolomer, Douglas Laylor, Erika Lee, Charles Mawhinney, Eric McKenzie, Gicelle Metaxas, Rosemarie Ocasio, James Ona, Melinda Powell, Matthew Roussos, Michelle Roy, Robert Scott, Victor Stewart, Richard Stoll, Daniel Vega, and Robert Zeidler, Emergency Medical Technicians, City of Paterson, Department of Fire, appeal the good faith of their layoffs effective May 16, 2011.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

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

A-3 FREDERICK BROWN

Frederick Brown, Human Services Technician, Ancora Psychiatric Hospital, Department of Human Services, removal effective May 21, 2014, 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-4 AKEISHA BURROUGHS

Akeisha Burroughs, Family Service Worker, Essex County, Department of Citizen Services, removal effective December 7, 2013, on charges of inability to perform duties, chronic and excessive absenteeism and tardiness, 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-5 MONTSHO EDU

Montsho Edu, Counselor Penal Institution, Mercer County Corrections Center, release at the end of the working test period effective October 29, 2013.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

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

A-6 CHARLES NEMETH

Charles Nemeth, Equipment Operator, Morris County, Utilities Authority, removal effective January 3, 2014, on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, misuse of public property, including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

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

A-7 JOSHUA ROSIAK

Joshua Rosiak, Correction Officer Recruit, Bayside State Prison, Department of Corrections, release at the end of the working test period effective November 2, 2013.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

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

A-8 SETTLEMENT

Rasheema Hansen
Atlantic City
Department of Revenue and Finance
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlement.

A-9 DAVID NEGRA

David Negra, Police Officer, City of East Orange, Police Department, removal effective June 25, 2014, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge and ordered a six month suspension and a new fitness for duty examination by an independent third party doctor.

SECTION B – MISCELLANEOUS MATTERS**B-1 J.D. - CSC DOCKET NO. 2015-110**

J.D., represented by Luretha A. Stribling, Esq., appeals her rejection as a County Correction Officer candidate by Essex County and its request to remove her name from the eligible list for County Correction Officer (C9979M) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-2 E.L. - CSC DOCKET NO. 2015-3

E.L. appeals her rejection as a County Correction Officer candidate by Essex County and its request to remove her name from the eligible list for County Correction Officer (C9979M) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-3 L.M. - CSC DOCKET NO. 2015-96

L.M. appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988R) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-4 CHRISTOPHER KYER – CSC DOCKET NO. 2015-1688

Christopher Kyer appeals the decision of the Division of Agency Services, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9988R), Department of Corrections eligible list on the basis of his failure to complete pre-employment processing.

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

B-5 JEFFREY RANDALL – CSC DOCKET NO. 2015-56

Jeffrey Randall appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Medical Security Officer Recruit (S2191N), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be granted, but the appellant's name be recorded as bypassed.

B-6 DEVIN ROBINSON – CSC DOCKET NO. 2015-443

Devin Robinson appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9988R), Department of Corrections, due to an unsatisfactory background report.

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

B-7 ASSISTANT EXECUTIVE DIRECTOR, OFFICE ON AGING (C0890R), UNION COUNTY

Union County requests permission not to make an appointment from the September 15, 2014 certification for Assistant Executive Director, Office on Aging (C0890R).

ACTION: The Civil Service Commission granted the appointment waiver, assessed no selection costs at this time, and referred the matter of the classification of the provisional's position to the Division Agency Services.

B-8 CLERK 3 – CSC DOCKET NO. 2015-2701

The City of Elizabeth requests permission to add Deborah Zuczek's name to the PL141522 certification for Clerk 3 (PM1620R).

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

B-9 HEATHER SCHWARTZ – CSC DOCKET NO. 2016-1899

Heather Schwartz appeals the administration of the promotional examination for Program Specialist 4 (PS8364K), Department of Human Services.

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

B-10 TERESA BUXTON – CSC DOCKET NO. 2015-2926

Teresa Buxton appeals the determination of the Division of Agency Services, which found that she was below the minimum requirements in experience for the promotional examination for Contract Administrator 2 (PS9540P), Juvenile Justice Commission.

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

B-11 DARIO DA COSTA – CSC DOCKET NO. 2015-2289

Dario Da Costa appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Administrative Analyst 3, Data Processing (PS9457U), Department of the Treasury.

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

B-12 PATRICK GALLAGHER – CSC DOCKET NO. 2015-2017

Patrick Gallagher appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for the promotional examination for Management Specialist (PC0797S), Middlesex County.

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

B-13 DONYALE HARRIS AND STACEY HAZEL – CSC DOCKET NO. 2015-1975

Donyale Harris and Stacey Hazel appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the open competitive examination for Secretarial Assistant (M0599S), East Orange.

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

B-14 KELLY KERNS – CSC DOCKET NO. 2015-2782

Kelly Kerns appeals the determination of the Division of Agency Services, which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 1, Procurement (PS9426I), Department of Corrections.

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

B-15 LAUREN SEDBERRY – CSC DOCKET NO. 2015-2861

Lauren Sedberry appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the open competitive examination for Principal Account Clerk, (M0647S), Wildwood Crest.

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

B-16 WILLIAM STADNICK III – CSC DOCKET NO. 2015-2095

William Stadnick III appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the open competitive examination for Deputy Municipal Emergency Management Coordinator (M0688S), Millville.

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

B-17 FRANK ZOTTER – CSC DOCKET NO. 2015-2515

Frank Zotter appeals the determination of the Division of Agency Services, which found that he was below the minimum requirements in experience for the open competitive examination for the dual title of Equipment Operator/Truck Driver (C0891S), Cumberland County.

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

B-18 JOSEPH BILINSKI – CSC DOCKET NO. 2015-1760

Joseph Bilinski appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with the Department of Environmental Protection is Environmental Scientist 2. The appellant seeks a Research Scientist 1 job classification.

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

B-19 CHRISTINE EMERSON – CSC DOCKET NO. 2015-2628

Christine Emerson appeals the decision of the Division of Agency Services that determined the proper classification of her position with the Department of Environmental Protection is Senior Clerk Typist. The appellant seeks a Principal Clerk Typist job classification.

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

B-20 CAROL SKELTON – CSC DOCKET NO. 2015-1647

Carol Skelton appeals the decision of the Division of Agency Services, which found that her position with Gloucester County is properly classified as a Clerk 3. The appellant seeks a Technical Assistant 3 job classification.

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

B-21 CHINERE MILLS AND RICHARD ROSA – CSC DOCKET NO. 2015-2749

The Passaic County Sheriff's Office, on behalf of Chinere Mills and Richard Rosa, requests that they be permitted to participate in the intergovernmental transfer program.

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

B-22 K.A. AND E.G. – CSC DOCKET NO. 2015-1844

K.A. and E.G., Investigator 1s, Public Defender, with the Office of Public Defender (OPD) appeal the decisions of the First Assistant Public Defender for the OPD, which found that the appellants did not present sufficient evidence 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 this appeal be denied.

B-23 D.M. – CSC DOCKET NO. 2015-1403

D.M., an Unemployment Insurance Clerk with the Department of Labor and Workforce Development (LWD), appeals the decision of the Commissioner of the LWD, 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.

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

B-24 RODNEY BACON – CSC DOCKET NO. 2015-2634

Rodney Bacon, represented by Alonzo Howard, PBA Local 105, petitions the Civil Service Commission for reconsideration of its final decision, rendered on March 4, 2015, which denied his request for a retroactive appointment date.

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

B-25 LABLON REEVES – CSC DOCKET NO. 2015-588

Lablon Reeves, represented by Robert Yaeger, Principal Staff Representative, CWA Local 1040, appeals her lateral displacement in lieu of layoff on June 27, 2014 to the same title with a different work week at Hunterdon Developmental Center.

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

B-26 KEITH GANNEY AND CHRISTOPHER ROYSTER – CSC DOCKET NO. 2015-1290

Keith Ganney and Christopher Royster, Office of Information Technology (OIT), represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032, request retroactive appointment dates to December 3, 2012 based on an oversight in forwarding their classification appeals.

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

B-27 DAVID FORBES – CSC DOCKET NO. 2015-2802

David Forbes appeals the correct answer to four questions on the examination for Principal Technician, MIS (M0851S), Lawrenceville.

ACTON: The Civil Service Commission directed that this appeal be denied, but that Question 79 be double keyed.

B-28 BARBARA GOSZKA – CSC DOCKET NO. 2015-994

Barbara Goszka appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is properly classified as Supervisor of Operations. The appellant seeks a Chief of Operations, Treasury or an Assistant Chief of Operations, Treasury job classification.

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

B-29 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of May 6, 2015.

ACTION: The Civil Service Commission adopted the minutes of its meeting of May 6, 2015

B-30 FRANK RODRIGUEZ – CSC DOCKET NO. 2015-810

Frank Rodriguez, represented by Charles M. Grossman, Esq., appeals the decision of the Division of Classification and Personnel Management, which upheld the removal of his name from the eligible list for Correction Officer Recruit (S9988R), Department of Corrections, due to the falsification of his employment application.

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

B-31 MATTHEW KRAEMER – CSC DOCKET NO. 2015-2284

Matthew Kraemer appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for the promotional examination for Network Administrator 1 (PS9190P), Law and Public Safety.

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

B-32 DAVID DOMBROWSKI – CSC DOCKET NO. 2015-2906

The Borough of North Arlington, on behalf of David Dombrowski, requests that he be permitted to participate in the intergovernmental transfer program and to complete his working test period as a Police Officer with North Arlington.

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

B-33 SALARY REGULATIONS FOR FISCAL YEAR 2015, SUPPLEMENT 2

Submitted for the Civil Service Commission's review are the Salary Regulations for Fiscal Year 2015, Supplement 2. The Supplement makes a change to Section 3 – Special Incentive Programs to modify language in paragraph C, Engineering and Other Technical Titles. The change would permit State agencies to appoint either new or current employees to the titles listed in the paragraph up to and including Step 5 without obtaining prior approval from the Chair/CEO of the Civil Service Commission and the Director of the Office of Management and Budget. Supplement 2 has been approved by Robert M. Czech, Chair/CEO, Civil Service Commission, and Charlene M. Holzbaur, Director, Division of Budget and Accounting.

ACTION: The Civil Service Commission recorded the salary regulations.

B-34 STEVEN HOTZ – CSC DOCKET NO. 2014-2640

The appeal of Steven Hotz, a Senior Correction Officer with Garden State Youth Correctional Facility, Department of Corrections, of his removal, on charges, was heard by Administrative Law Judge Patricia M. Kerins (ALJ), who rendered her initial decision on April 6, 2015. At its meeting on May 6, 2015, the Civil Service Commission (Commission), adopted the ALJ's recommendation to modify 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.

B-35 WANDA HUNT – CSC DOCKET NO. 2014-2628

The appeal of Wanda Hunt, a Senior Therapy Program Assistant at Hagedorn Psychiatric Hospital, Department of Human Services, of her removal, effective September 20, 2011, on charges, was heard by Administrative Law Judge Sara G. Crowley (ALJ), who rendered her initial decision on March 19, 2015. At its meeting on May 6, 2015, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission modified the penalty to a six-month suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-36 ROBERT RANDOLPH – CSC DOCKET NO. 2013-72

The appeals of Robert Randolph, an Assistant District Parole Supervisor with the Juvenile Justice Commission, of his 60 working day suspension and demotion to Senior Parole Officer were heard by Administrative Law Judge Barry E. Moscovitz (ALJ), who rendered his initial decision on March 30, 2015. At its meeting on May 6, 2015, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse the 60 working day suspension. However, the Commission did not adopt the ALJ's recommendation to reverse the demotions. Rather, the Commission upheld the demotions regarding violating the appointing authority's e-mail policy and the State Policy Prohibiting Discrimination in the Workplace and remanded the matter of his demotion regarding the recording of his overtime to the Office of Administrative Law. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-37 VEDALIZ SERRANO – CSC DOCKET NO. 2015-338

Vedaliz Serrano, represented by Wolodymyr P. Tyshchenko, Esq., appeals the determination of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove her name from the Correction Officer Recruit (S9988R), Department of Corrections eligible list due to an unsatisfactory background report.

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

B-38 JOSEPH LENAHAHAN – CSC DOCKET NO. 2015-2818

Joseph Lenahan appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Building Management Services Specialist 3 (PS1508K), Department of Children and Families.

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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, June 3, 2015, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission