



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
AUGUST 15, 2013**

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

DISMISSAL FOR FAILURE TO APPEAR

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

Eric Bryant, Identification Officer, City of Newark, Police Department, suspension.

Nekeida Gallagher, Senior Correction Officer, Northern State Prison, Department of Corrections, removal.

Joel Smith, Senior Youth Worker, Department of Children and Families, removal.

Monique C. Walker, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Lathelia C. Anglin, *et al.*, Youth Worker Supervisor, Department of Children and Families, layoff.

Zoraida Dixon, Senior Correction Officer, South Woods State Prison, Department of Corrections, removal.

Jeffery A. Dowd, Mechanical Equipment Specialist, Department of Treasury, suspension.

John Fano, Senior Police Officer, Central Office Police, Department of Human Services, suspension.

Michelle Ferran, Clerk 3, Jersey City, Department of Administration, layoff.

Abdul Majied, Youth Worker, Juvenile Justice Commission, Department of Law & Public Safety, suspension.

Arthur Montana, Counselor Juvenile-Family Crisis Intervention, Cape May County, Department of Youth Shelter, suspension.

Katherine Paskett, Principal Clerk Typist, Southern State Correctional Facility, Department of Corrections, return to prior title at the end of working test period.

Nicholas Procaccini, County Correction Officer, Atlantic County, Department of Public Safety, suspension.

Linda Richardson, Teacher Aide of Handicap Program, Newark School District, suspension.

Darryl Taylor, Police Officer, City of Newark, Police Department, suspension.

John Tufano, Senior Youth Worker, Juvenile Justice Commission, Department of Law and Public Safety, suspension.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter James W. Bainbridge, Sr.
Department of Treasury
Removal

In the Matter of Blanca Batista-Perez
Judiciary, Superior Court of New Jersey
Mercer Vicinage
Suspension

In the Matter of Pierre Germain
Greenbrook Regional Center
Department of Human Services
Removal

In the Matter of Michael Harvey
City of Millville
Department of Public Safety
Demotion

In the Matter of Jesse Hric
Warren County
Department of Long Term Services
Suspension

In the Matter of James Kernan
Hudson County
Department of Health and Human Services
Suspension

In the Matter of Trent Norman
Northern State Prison
Department of Human Services
Suspension

In the Matter of Linda Pierce
Cumberland County
Department of Juvenile Detention
Removal

In the Matter of Calvin Plummer
City of East Orange
Police Department
Suspension

In the Matter of Sarah Skoglund
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Lorpue Suah
Trenton Psychiatric Hospital
Department of Human Services
Removal

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

ACTION:

A-2 MELISSA BROWN

Melissa Brown, Senior Building Maintenance Worker, Montclair State University, release at the end of the working test period effective May 8, 2011.

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

ACTION:

A-3 MARCIA DAVIS

Marcia Davis, Communications Operator Secured Facilities, Mountainview Juvenile Correction Facility, Department of Corrections, resignation not in good standing effective May 8, 2012, on the charge of abandonment of job as a result of being absent from work as scheduled without permission for five consecutive work days.

Recommendation of the Administrative Law Judge – Reverse the resignation not in good standing.

ACTION:

A-4 VINCENT J. PEDULLA

Vincent J. Pedulla, Senior Carpenter, Monmouth County, Department of Public Works Buildings and Grounds, three-month suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, other sufficient cause and violation of County policy regarding employee conduct, work rules and business ethics and conduct.

Recommendation of the Administrative Law Judge – Uphold the three-month suspension.

ACTION:

A-5 FRANK DANIZIK

Frank Danizik, Emergency Service Patrol Operator, Department of Transportation, removal effective March 9, 2012, on charges of other sufficient causes, guidelines for employee conduct and discipline, and theft or misappropriation.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-6 KATHY GRAYSON

Kathy Grayson, Police Communication Clerk, City of Newark, Police Department, removal effective April 17, 2012, on charges of violation of criminal law and conduct in public and private.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-7 DENNIS LEWIS

Dennis Lewis, Senior Correction Officer, East Jersey State Prison, Department of Corrections, removal effective October 10, 2012, on charges of conduct unbecoming a public employee, other sufficient cause, violation of a rule, regulation, policy, procedure, order or administrative decision, undue familiarity, improper or unauthorized contact with inmates, parolees, their families, or friends and falsification. This matter was held over from the July 17, 2013, Civil Services Commission meeting for exceptions.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-8 MARK MEDAL

Mark Medal, Police Officer, City of Jersey City, Police Department, removal effective July 14, 2010 on charges of conduct unbecoming a public employee, violation of substance abuse drug testing policy and violation of rule regarding narcotics use.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot.

ACTION:

A-9 GARY SINGER

Gary Singer, Custodial Worker, Township of Woodbridge, Department of Public Works, removal effective October 9, 2012, on the charge of incompetency, inefficiency or failure to perform duties, and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 CHANGE IN CLASSIFICATION PLAN – TITLE CREATION**

The Division of Classification and Personnel Management requests the creation of the dual title Supervising Code Enforcement Officer/Zoning Officer.

**MEMORANDUM**

DATE: July 19, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
Division of Classification and Personnel Management
SUBJECT: Change in State Classification Plan

DUAL TITLE CREATION REQUEST

The City of Clifton, Office of Regulatory Affairs, requests the creation of the dual title Supervising Code Enforcement Officer/Zoning Officer.

The City of Clifton responds to a large number of requests to conduct inspections involving Housing and Zoning issues. The jurisdiction plans to combine the Zoning Office with the Housing Division to better manage this situation, and for fiscal efficiency. This action will allow for inspection cross-training on Zoning and Housing issues.

The title of Supervising Code Enforcement Officer/Zoning Officer would be responsible for processing applications and directing applicants to ensure that they conform to city ordinances, while also overseeing and directing inspectors to address property maintenance and housing issues.

Supervision of Code Enforcement Officers was formerly handled by the Program Director Housing Assistance who retired on January 1, 2013; this function will now be handled by the new dual title.

The effective date for the change will be January 1, 2013 to coincide with the Municipal Council of the City of Clifton's adopted ordinance to create the new title.

TITLE TO BE CREATED

Supervising Code Enforcement Officer/Zoning Officer
Local Competitive

KC/JT/BP/DC

ACTION:

B-2 CHANGE IN CLASSIFICATION PLAN – TITLE INACTIVATION

The Division of Classification and Personnel Management requests the Compensation Analyst title be inactivated.



MEMORANDUM

DATE: July 26, 2013
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
Division of Classification and Personnel Management
SUBJECT: Title Inactivation

TITLE INACTIVATION

The Division of Classification and Personnel Management requests the inactivation of the title Compensation Analyst (65528).

This title has been recently vacated and there are no plans to fill the position in the future.

The action will become effective the first pay period following adoption by the Civil Service Commission.

KC/JT/BP/KP

ACTION:

B-3 CHANGE IN CLASSIFICATION PLAN

The Division of Classification and Personnel Management requests title verbiage changes to the Unemployment Insurance Technician title series.

**MEMORANDUM**

DATE: July 24, 2013

TO: Civil Service Commission

FROM: Kenneth Connolly, Director
Classification and Personnel Management

SUBJECT: Change in State Classification Plan

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The Division of Classification and Personnel Management requests title verbiage changes to the Unemployment Insurance Technician series. The specifications are being modified and updated to make them more current and broad to provide the flexibility needed by the Agency to more effectively meet its responsibilities. The title series is currently assigned to the Department of Labor and Workforce Development (LWD).

The series is being renumbered to conform to current practices, with '1' being the lowest level and '3' being the highest. No changes are being made to the requirements. There are no changes in class code or salary.

Review of the job specification of the supervising level (level 4) shows that it functions as a first line supervisor. We have confirmed this with the Agency. There is no supervisory experience requirement as none of the lower levels provide the opportunity to gain such experience. Therefore, the Office of Employee Relations (OER) was requested to review and reassign the bargaining unit of this level from an 'S' to 'R'. The request was approved; a copy of the decision is attached.

Collective negotiation representatives have been notified. A copy of the notice is attached.

The effective date of all actions listed below will be the beginning of the first pay period that follows the Commission's approval of the change in the State Classification plan.

Civil Service Commission
July 24, 2013

VERBIAGE CHANGE

FROM

Supervising Unemployment Insurance Technician
56105 - S 28 Career L NL12

Unemployment Insurance Technician 1
56104 - P 25 Career L NE12

Unemployment Insurance Technician 2
56103 - P 22 Career L 3512

Unemployment Insurance Technician 3
56102 - P 19 Career L 3512

TO

Unemployment Insurance Technician 4
56105 - R 28 Career L NL12

Unemployment Insurance Technician 3
56104 - P 25 Career L NE12

Unemployment Insurance Technician 2
56103 - P 22 Career L 3512

Unemployment Insurance Technician 1
56102 - P 19 Career L 3512

KC/JT/BP/PM

ACTION:

B-4 ROBERT GUTIERREZ

Robert Gutierrez 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 (S9987M) on the basis of medical unfitness to perform effectively the duties of the position.

ACTION:

B-5 LLOYD J. REYNOLDS, JR.

Lloyd J. Reynolds, Jr., appeals the request by the City of Atlantic City to remove his name from the Fire Fighter (M2321H) eligible list for medical unfitness to perform effectively the duties of the position.

ACTION:

B-6 REGINA PIERCE

Regina Pierce, an Information Technology Analyst 3 with the Judiciary, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-7 KYLE BOWMAN

Kyle Bowman, a Police Officer with Newark, represented by Anthony J. Fusco, Jr., Esq. and Darryl M. Saunders, Esq., seeks resolution of a dispute concerning mitigated back pay and counsel fees.

ACTION:

B-8 RAYMOND CIVITELLA

Raymond Civitella petitions the Civil Service Commission for a make-up of the promotional examination for Assistant Administrative Supervisor of Income Maintenance (PC0935P), Camden County Board of Social Services.

ACTION:

B-9 SHERRY HICKMAN

Sherry Hickman petitions the Civil Service Commission for a make-up of the promotional examination for Keyboarding Clerk 4 (PC0762P), Camden County Board of Social Services.

ACTION:

B-10 WILLIAM MOLEINS

William Moleins, a former Correction Major with the Department of Corrections appeals the determination to place him on step nine of salary range 4-27, upon his return to his permanent title of Correction Captain.

ACTION:

B-11 JASON PIKE

Jason Pike, a Police Sergeant with the City of Camden, represented by Stuart Alterman, Esq., requests that the Civil Service Commission reinstate his appeal of his 20-day suspension effective March 1, 2013, which was dismissed based on the attorneys representing both parties failing to appear at the scheduled settlement conference.

ACTION:

B-12 MARK PITCHELL

Mark Pitchell, a Superintendent, Parks and Forestry 1, appeals the decision of the Department of Environmental Protection to reassign him, effective December 17, 2011.

ACTION:

B-13 REGINALD BETHEA

The Department of Children and Families requests that Reginald Bethea's out-of-title work experience be accepted to qualify him for a lateral title change to Network Administrator 1.

ACTION:

B-14 MAUREEN DANIELS

Long Beach Township requests that the provisions of *N.J.A.C. 4A:4-7.1A(b)* be relaxed in order to permit the retroactive Intergovernmental Transfer of Maureen Daniels from the title of Deputy Municipal Court Administrator, Egg Harbor City, to the title of Deputy Municipal Court Administrator, Long Beach.

ACTION:

B-15 MICHAEL CARR

Perth Amboy, represented by Robert J. Merryman, Esq., appeals the decision of the Division of Classification and Personnel Management, that it did not properly dispose of certification OL12109 for Senior Planner (Special Reemployment List), when it requested the removal of Michael Carr from the list due to an unsatisfactory employment record.

ACTION:

B-16 EUGENE GALLMAN

Eugene Gallman appeals the amended decision of the Division of Classification and Personnel Management which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list on the basis of an unsatisfactory employment record and an unsatisfactory background report.

ACTION:

B-17 MECAL JONES

Mecal Jones appeals the decision of the former Division of State and Local Operations, which upheld the removal of his name from the Police Officer (S9999K), City of Newark, eligible list due to his unsatisfactory criminal record.

ACTION:

B-18 KENYA WILBERT

Kenya Wilbert appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list on the basis of an unsatisfactory criminal record and falsification of her employment application.

ACTION:

B-19 LORETTA BLAKE

Loretta Blake, represented by Karl L. Walko, President, Camden County Council Number 10, appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with Camden County is Senior Environmental Specialist, Public Health. The appellant seeks a Principal Environmental Health Specialist, Public Health, job classification.

ACTION:

B-20 R. J.

R. J., an Institutional Trade Instructor 1, Cooking, with the Department of Corrections, represented by Telissa K. Lindsey, Esq., appeals the determination of the Assistant Director of the Equal Employment Division, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-21 COMPUTER SERVICE TECHNICIAN (C0562M)

Middlesex County requests that the October 2, 2012 certification for Computer Service Technician (C0562M) be cancelled.

ACTION:

B-22 DIRECTOR OF AUTOMOTIVE SERVICES (M0131R)

The Director, Division of Selection Services and recruitment, on behalf of North Bergen Township, requests that the eligible list for Director of Automotive Services (M0131R) be cancelled.

ACTION:

B-23 TAX CLERK/TELEPHONE OPERATOR (M2432N), LAKEWOOD

The matter of whether Lakewood should be granted permission not to make an appointment from the certification for Tax Clerk/Telephone Operator (M2432N) has been referred to the Civil Service Commission for review.

ACTION:

B-24 JOYCE SUNKETT

Joyce Sunkett petitions the Civil Service Commission for reconsideration of its final decision, rendered on April 17, 2013, which upheld the removal of her name from the Correction Officer Recruit (S9987M), Department of Corrections eligible list on the basis that she did not complete pre-employment processing.

ACTION:

B-25 WENDY SZELINGOWSKI

Wendy Szelingowski requests reconsideration of the final administrative determination *In the Matter of Wendy Szelingowski, Department of Law and Public Safety* (CSC, decided May 1, 2013) which determined that her position is properly classified as Senior Clerk Typist.

ACTION:

B-26 MUSTAFA AL-MUTAZZIM

Mustafa Al-Mutazzim appeals his score for the oral portion of the promotional examination for Fire Captain (PM5234N), Newark.

ACTION:

B-27 CATHERINE ANTISKAY

Catherine Antiskay appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the promotional examination for Senior Housing Assistance Technician (PC1298P), Hunterdon County.

ACTION:

B-28 BRITTANY ASPROMONTI

Brittany Aspromonti appeals the determination of the Division of Selection Services and Recruitment that she did not meet the experience requirements for the open competitive examination for Social Worker 2, Corrections (S0998P).

ACTION:

B-29 BYRON BELCHER, JR., ET AL.

Byron Belcher, Jr., Robert Brozon and Rhonda Hobson appeal the decisions of the Division of Selection Services and Recruitment that they did not meet the experience requirements for the promotional examination for Quality Assurance Specialist Health Services (PS4519K), Department of Human Services.

ACTION:

B-30 KIM BLACKMON

Kim Blackmon appeals the determination of the Division of Selection Services and Recruitment which found that, per the substitution clause for education, she was below the minimum requirements in experience for the open competitive examination for Rehabilitation Counselor, Mental Health (S0805P).

ACTION:

B-31 WILLIAM CALDWELL

William Caldwell appeals the determination of the Division of Selection Services and Recruitment which found that he was below the minimum requirements in experience for the promotional examination for Supervisor, Public Works (PM0909P), Linden.

ACTION:

B-32 JOSEPH DELIKAT

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

ACTION:

B-33 HECTOR DIOSES, ET AL.

Hector Dioses, Tiffany Gulbranson, Evi Hopf, Jennifer Kramer, George Mieczkowski, Sara Mirkovic, Rakesh Puri and David Morel appeal the determinations of the Division of Selection Services and Recruitment which found that they did not meet the minimum experience requirements for the promotional examination for Supervisor 1 MVC (PS3710T), Motor Vehicle Commission.

ACTION:

B-34 MADALINE GREENE AND MAZHAR PAROYA

Madaline Greene and Mazhar Paroya appeal the determinations of the Division of Selection Services and Recruitment which found that they were below the minimum requirements in education for the promotional examination for Project Engineer, Maintenance (PS3712T), Department of Transportation.

ACTION:

B-35 SHARRON GREGORY

Sharron Gregory appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the open competitive examination for Administrative Analyst 4, Data Processing (S0900P), Statewide.

ACTION:

B-36 EUNICE HIRYA

Eunice Hirya appeals the determination of the Division of Selection Services and Recruitment which found that she did not meet the educational requirements for the promotional examination for Director of Professional/Residential Services (PS3649K), Woodbridge Developmental Center.

ACTION:

B-37 THOMAS JENKINS

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

ACTION:

B-38 JANISA LOVELACE

Janisa Lovelace appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the open competitive examination for Employment Counselor (C0974P), Burlington County.

ACTION:

B-39 ERNEST LUNETTA

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

ACTION:

B-40 LUIS MARQUEZ AND LEWIS ODDO

Luis Marquez and Lewis Oddo appeal the determinations of the Division of Selection Services and Recruitment which found that they were below the minimum requirements in experience for the open competitive examination for Maintenance Repairer/Mechanic (C0993P), Bergen County.

ACTION:

B-41 JEROME MORGAN

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

ACTION:

B-42 RICHARD PENTIMONE

Richard Pentimone appeals the determination of the Division of Selection Services and Recruitment that he did not meet the requirements for the open competitive examination for Construction Official (S1035P).

ACTION:

B-43 KARLA PERLA

Karla Perla appeals the determination of the Division of Selection Services and Recruitment which found that she was not eligible for the promotional examination for Assistant Administrative Analyst (PC1074P), Atlantic County.

ACTION:

B-44 DAVID ROGERS

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

ACTION:

B-45 THOMAS W. SZEDLMAYER

Thomas W. Szedlmayer appeals the decision of the Division of Selection Services and Recruitment which found that he failed to meet the residency requirements for the open competitive examination for Senior Engineer Civil (S0274R), Statewide.

ACTION:

B-46 ANTHONY TARR

Anthony Tarr appeals the determination of the Division of Selection Services and Recruitment which found that he did not meet the experience requirements for the promotional examination for Section Supervisor, Fiscal Resources (PS7118K), Department of Human Services.

ACTION:

B-47 JOHN TRAINELLO

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

ACTION:

B-48 MICHAEL VELARDI

Michael Velardi appeals the decision of the Division of Selection Services and Recruitment which found that he failed to meet the residency requirements for the open competitive examination for Subcode Official (S0306R), Statewide.

ACTION:

B-49 JEROME WALKER

Jerome Walker appeals the determination of the Division of Selection Services and Recruitment which found that he was not permanent in the title to which the examination was open for the promotional examination for Supervisor of Accounts (PS5240K), Department of Children and Families.

ACTION:

B-50 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 31, 2013.

ACTION:

B-51 E. C.

E. C., a Human Resource Consultant 3 with the Civil Service Commission, appeals the determination of the Director of the Division of Equal Employment Opportunity/Affirmative Action, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-52 ERIC GANDY

The appeal of Eric Gandy, a Senior Correction Officer at Bayside State Prison, Department of Corrections, of his 120 working day suspension on charges, was heard by Administrative Law Judge Damon G. Tyner, who rendered his initial decision on June 28, 2013. At its meeting on July 31, 2013, the Civil Service Commission ordered that this matter be remanded to the Office of Administrative Law. The proposed decision is now submitted for the Commission's review.

ACTION:

B-53 ANGELICA BARAHONA, ET AL.

Angelica Barahona, Emerlyn Liriano, Natasha Wesley and Kiara Virden appeal the determinations of the Division of Selection Services denying their requests for make-up examinations for the open competitive examination for Judiciary Clerical Series (S0291P), Statewide.

ACTION: