



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
JUNE 17, 2015**

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

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:

Tyhesa Oliver, Public Safety Telecommunicator, City of Atlantic City, Department of Public Safety, suspension.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

William Armstrong, Police Officer, City of Camden, Police Department, layoff.

Robert Babnew, Police Officer, City of Camden, Police Department, layoff.

Raul Beltran, Police Officer, City of Camden, Police Department, layoff.

Herman Brown, Systems Analyst, City of Jersey City, Department of Administration, layoff.

Cheryl Campbell, Police Officer, City of Camden, Police Department, layoff.

Mitzi Collins, Police Officer, City of Camden, Police Department, layoff.

Shawn Deyo, Senior Corrections Officer, Northern State Prison, Department of Corrections, removal.

Jasmine Fowlin, Staff Nurse 12 Months, Hunterdon Developmental Center, Department of Human Services, layoff.

Santo Fucity, Staff Nurse 12 Months, Hunterdon Developmental Center, Department of Human Services, layoff.

Kelly A. Garland, Staff Nurse 12 Months, Hunterdon Developmental Center, Department of Human Services, layoff.

Penny Gracia, Police Officer, City of Camden, Police Department, layoff.

Steven Harlow, Jr., Police Officer, City of Camden, Police Department, layoff.

Mark Hoopes, Police Officer, City of Camden, Police Department, layoff.

Erayna Hoskins, Police Officer, City of Camden, Police Department, layoff.

Robert Kelly, Laborer 1, City of Newark, Department of Neighborhood and Recreation, removal.

Robert Ligowski, Staff Nurse 12 Months, Hunterdon Developmental Center, Department of Human Services, layoff.

Tyrone McEady, Police Officer, City of Camden, Police Department, layoff.

Melody Murillo, Graduate Nurse, Passaic County, Preakness Healthcare Center, suspension.

John Polcyn, Police Officer, City of Camden, Police Department, layoff.

Isidoro Reyes, Police Officer, City of Camden, Police Department, layoff.

David Richman, Police Officer, City of Camden, Police Department, layoff.

Angel Santiago, Police Sergeant, City of Bridgeton, Police Department, removal.

Angel Santiago, Police Sergeant, City of Bridgeton, Police Department, removal.

Angel Santiago, Police Sergeant, City of Bridgeton, Police Department, removal.

Vincent Saunders, Police Officer, City of Camden, Police Department, layoff.

Orlando Segarra, Police Officer, City of Camden, Police Department, layoff.

Kathy Wilson, Police Officer, City of Camden, Police Department, layoff.

Charles Zeigler, Jr., Police Officer, City of Camden, Police Department, layoff.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Sylvester Atogwe
Trenton Psychiatric Hospital
Department of Human Services
Removal

Warren Johnson
Department of Environmental Protection
Resignation not in good standing

Peter Recigno
Burlington County
Department of Corrections
Removal

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

ACTION:

A-2 MARIBEL CANDELO

Maribel Candelo, Police Officer, City of Paterson, Police Department, 180 calendar day suspension effective May 1, 2014, on charges of insubordination, other sufficient cause, and violation of departmental rules.

The appointing authority asserted that the appellant disobeyed an order to disclose medication that her primary medical doctor prescribed to her.

Recommendation of the Administrative Law Judge – Reverse the suspension.

ACTION:

A-3 MICHAEL DENHAM

Michael Denham, Police Officer, Township of Freehold, Police Department, removal effective March 23, 2014, on charges of incompetency, inefficiency or failure to perform duties; insubordination; inability to perform duties; conduct unbecoming a public employee; neglect of duty; and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-4 MICHAEL FEDYNICH

Michael Fedynich, Security Guard, Bergen County, Department of Public Safety, removal effective September 16, 2014, on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-5 ALDO GUEVARA

Aldo Guevara, Police Officer, Union City, Department of Public Safety, release at the end of working test period.

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

ACTION:

A-6 KENNETH C. JOHNSON, JR.

Kenneth C. Johnson, Jr., Senior Custodian, Newark, School District, 45 working day suspension effective October 15, 2013, on charges of conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 45 working day suspension to a 20 working day suspension.

ACTION:

A-7 SALIM KEITT

Salim Keitt, Repairer, Ancora Psychiatric Hospital, Department of Human Services, removal effective February 17, 2014, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant motion for summary decision and dismiss the charges.

ACTION:

A-8 JULIO MATEO

Julio Mateo, Senior Correction Officer, Central Medical Unit, Department of Corrections, removal on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant motion for summary decision and uphold the removal.

ACTION:

A-9 RODNEY MCMILLIAN

Rodney McMillian, County Correction Officer, Burlington County, Department of Corrections, 10 working day suspension on charges of incompetency, inefficiency or failure to perform duties, insubordination, inability to perform duties, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold 10 working day suspension.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 R.A. – CSC DOCKET NO. 2015-1878

R.A. appeals his rejection as a County Correction Officer candidate by Monmouth County and its request to remove his name from the eligible list for County Correction Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 J.E. – CSC DOCKET NO. 2014-2305

J.E., represented by John D. Feeley, Esq., appeals his rejection as a Sheriff's Officer candidate by the Bergen County Sheriff's Office and its request to remove his name from the eligible list for Sheriff's Officer (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 E.T. – CSC DOCKET NO. 2014-2059

E.T. appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to removal 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:

B-4 K.Z. – CSC DOCKET NO. 2015-998

K.Z. appeals his rejection as a Parole Officer Recruit Candidate by the State Parole Board and its request to remove his name from the eligible list for Parole Office Recruit (S0556R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-5 EDDIE ACOSTA – CSC DOCKET NO. 2015-2392

Eddie Acosta, represented by Erik C. Acosta, Esq., appeals the removal of his name from the Correction Officer Recruit (S9988R), Department of Corrections, eligible list on the basis of an unsatisfactory employment record and falsification of his employment application.

ACTION:

B-6 ERIC HANDELMAN – CSC DOCKET NO. 2015-2620

Eric Handelman, an Executive Assistant 1 with the Department of Transportation, appeals a five working day suspension issued by the Department of Transportation.

ACTION:

B-7 HOUSING COORDINATOR (M0942R), NEWARK – CSC DOCKET NO. 2015-1216

Newark requests permission not to make an appointment from the March 7, 2014 certification for Housing Coordinator (M0942R), Newark.

ACTION:

B-8 PERSONNEL OFFICER (M0010T), WILLINGBORO – CSC DOCKET NO. 2015-2555

Willingboro requests permission not to make an appointment from the February 12, 2015 certification for Personnel Officer (M0010T).

ACTION:

B-9 RECREATION SUPERVISOR (M0699R), MORRISTOWN – CSC DOCKET NO. 2015-2430

Morristown, represented by Jennifer Roselle, Esq., requests permission not to make an appointment from the January 21, 2014 certification for Recreation Supervisor (M0699R).

ACTION:

B-10 SENIOR COMMUNITY RELATIONS SPECIALIST, BILINGUAL SPANISH AND ENGLISH (M0231S), NEWARK - CSC DOCKET NO. 2015-1215

Newark requests permission not to make an appointment from the August 18, 2014 certification for Senior Community Relations Specialist, Bilingual in Spanish and English (M02131S), Newark.

ACTION:

B-11 COMPUTER SERVICE TECHNICIAN (M0871P), EWING – CSC DOCKET NO. 2015-2597

The appointing authority's failure to dispose of the certification for Computer Service Technician (M0871P), Ewing, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:

B-12 FIRE PREVENTION SPECIALIST (M0556R), MOONACHIE – CSC DOCKET NOS. 2015-1092 AND 2015-1071

The Division of Agency Services requests that Moonachie be ordered to return the November 18, 2013 certification (OL131523) of the eligible list for Fire Prevention Specialist (M0556R) for proper disposition. Walter Paul, represented by J. Andrew Kinsey, Esq., requests a retroactive appointment to the title of Fire Prevention Specialist.

ACTION:

B-13 PIOTR ZAGAJA – CSC DOCKET NO. 2015-1193

Piotr Zagaja, represented by Michael L. Prigoff, Esq., appeals the decision of the Division of Classification and Personnel Management, which upheld the bypass of his name on the Police Sergeant (PM2748L), Borough of Wallington, eligible list.

ACTION:

B-14 LINDA BONNETTE – CSC DOCKET NO. 2015-2625

Linda Bonnette appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of Environmental protection is Environmental Scientist 2. The appellant seeks a Research Scientist 1, Chemistry job classification.

ACTION:

B-15 JENNIFER CHOJNACKI – CSC DOCKET NO. 2015-1644

Jennifer Chojnacki appeals the determination of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Education is Speech/Hearing Specialist. The appellant seeks an Education Program Development Specialist 2 (10 months, Deaf Language Specialist) job classification.

ACTION:

B-16 ANDONIA CETINKAYA – CSC DOCKET NO. 2015-2781

Andonia Cetinkaya appeals the decision of the decision of the Division of Agency Services that the proper classification of her position with the Department of Labor and Workforce Development is Personnel Aide 2. The appellant seeks a Technical Assistant, Personnel job classification.

ACTION:**B-17 ALEXANDER DINKEL – CSC DOCKET NO. 2015-2735**

Alexander Dinkel appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of Environmental Protection is Environmental Specialist 2. The appellant seeks a Environmental Specialist 3 job classification.

ACTION:**B-18 SHAMEESE GAINES – CSC DOCKET NO. 2015-2779**

Shameese Gaines appeals the decision of the Division of Agency Services which found that position is properly classified as Principal Clerk Typist. The appellant seeks a Fiscal Analyst job classification.

ACTION:**B-19 KEITH GAZZARA – CSC DOCKET NO. 2015-2627**

Keith Gazzara appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of the Treasury is Taxpayer Service Representative 3. The appellant seeks a Taxpayer Service Representative 2 job classification.

ACTION:**B-20 JOHN KELLY – CSC DOCKET NO. 2015-2485**

John Kelly, represented by Steven Blader, Esq., appeals the decision of the Division of Agency Services that the proper classification of his position with the Department of the Treasury is Legislative Liaison. The appellant seeks a Chief of Operations, Treasury job classification.

ACTION:

B-21 JOYCE MALDONADO – CSC DOCKET NO. 2015-2792

Joyce Maldonado appeals the decision of the Division of Agency Services that the proper classification of her position with Berkeley Township is Clerk 2. The appellant seeks a Clerk 3 job classification.

ACTION:**B-22 THOMAS MCCARTHY – CSC DOCKET NO. 2015-2107**

Thomas McCarthy appeals the decision of the Division of Agency Services, which found that his position with the Department of Environmental Protection is properly classified as a Contract Administrator 2. The appellant seeks a Contract Administrator 3 job classification.

ACTION:**B-23 SINY SAJU – CSC DOCKET NO. 2015-2444**

Siny Saju appeals the decision of the Division of Agency Services which found that her position with the Department of the Treasury is properly classified as Technical Assistant 3. The appellant seeks a Technical Assistant 2, Treasury job classification.

ACTION:**B-24 MELODY TAMBUSI – CSC DOCKET NO. 2015-941**

Melody Tambussi appeals the decision of the Division of Agency Services, which found that her position with the Department of Environmental Protection is properly classified as a Senior Clerk Transcriber. The appellant seeks a Technical Assistant 3 job classification.

B-25 CHARLOTTE HOLDEN – CSC DOCKET NO. 2015-3049

The Department of Banking and Insurance requests that Charlotte Holden's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Administrative Analyst 2, Fiscal Management.

ACTION:

B-26 HILARY HYSER – CSC DOCKET NO. 2015-3007

Hilary Hyser appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Personnel Officer (PM0102T), Ewing.

ACTION:

B-27 ALYSSA JOYCE CSC DOCKET NO. 2015-2868

Alyssa Joyce appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Social Worker Health (C0929S), Ocean County.

ACTION:

B-28 MICHELLE KNOX – CSC DOCKET NO. 2015-2970

Michelle Knox appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Building Management Services Specialist 2 (PS9493H), Department of Health.

ACTION:

B-29 LINDSEY MASON – CSC DOCKET NO. 2015-2890

Lindsey Mason appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Administrative Analyst 1, Fiscal Management (PS94490H), Department of Health.

ACTION:

B-30 PHYLLIS REICH CSC DOCKET NO. 2015-1409

Phyllis Reich appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the promotional examination for Project Coordinator, Redevelopment (PM0717S), City Elizabeth.

ACTION:

B-31 PETER RENDINE – CSC DOCKET NO. 2015-1438

Peter Rendine appeals the determination of the Division of Selection Services that he did not meet the education requirement for the promotional examination for Superintendent Mosquito Extermination (PC0820S), Bergen County.

ACTION:**B-32 SUSAN SANNA-BARTLET AND SONYA THOMPSON – CSC DOCKET NOS. 2015-1929 AND 2015-2103**

Susan Sanna-Bartlett and Sonya Thompson appeal the determinations of the Division of Agency Services, which found that they did not meet the experience requirement for the promotional examination for Contract Administrator 2 (PS8963H), Department of Health.

ACTION:**B-33 WILLIAM MERCANTINI – CSC DOCKET NO. 2015-2773**

William Mercantini appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 1 (PS9537P), Juvenile Justice Commission.

ACTION:**B-34 JOHANNA HERNANDEZ – CSC DOCKET NO. 2015-2283**

Johanna Hernandez appeals the determination of the Division of Agency Services that, per the substitution clause for education, she was below the minimum requirements in experience for the open competitive examination for Field Representative, Senior Citizens Program, Bilingual in Spanish and English (C0806S), Hudson County.

ACTION:**B-35 ANDREW HOSONITZ – CSC DOCKET NO. 2015-2786**

Andrew Hosonitz appeals the determination of the Division of Agency Services which found that he did not meet the residency requirement for the open competitive examination for Maintenance Worker 3, Grounds (M0492S), Elizabeth.

ACTION:

B-36 TIFFINAY MAYES – CSC DOCKET NO. 2015-1300

Tiffany Mayes, a Communications Officer, Secured Facilities with the Garden State Youth Correctional Facility, requests that the Civil Service Commission reinstate her appeal of her 30-day suspension, which was dismissed based on her failure to appear for a prehearing conference.

ACTION:

B-37 CINDY TOERING – CSC DOCKET NO. 2015-2819

Cindy Toering appeals her score for the open competitive examination for Municipal Court Administrator (M0887S), Mount Holly.

ACTION:

B-38 KELLY OTTOBRE – CSC DOCKET NO. 2015-2540

Kelly Ottobre, a Grants Manager, with the Department of Law and Public Safety, requests a waiver of repayment of a salary overpayment pursuant to N.J.S.A. 11A:3-7, which provides that when an employee has erroneously received a salary overpayment, the Civil Services Commission may waive repayment based on a review of the case.

ACTION:

B-39 DENISE WORTHY – CSC DOCKET NO. 2015-1078

Denise Worthy, a Keyboarding Clerk 3 with the City of Atlantic City, petitions the Civil Service Commission for enforcement of the March 13, 2014 decision which ordered that she be awarded differential back pay from the date of her demotion to Keyboarding Clerk 1.

ACTION:

B-40 H.F. – CSC DOCKET NO. 2015-3118

The Office of Information Technology, on behalf of H.F., requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit H.F. to receive more than the 260 donated leave days allowed to a recipient.

ACTON:

B-41 PROPOSED READOPTION WITH AMENDMENTS: N.J.A.C. 4A:2

Submitted for the Civil Service Commission's review is a Notice of Proposal to readopt with amendments N.J.A.C. 4A:2, Appeals, Discipline and Separations. This rule chapter is set to expire on July 1, 2015. In accordance with N.J.A.C. 1:30-6.4(g), the expiration date will be extended by 180 days so long as the proposed readoption is filed with the Office of Administrative Law prior to July 1. N.J.A.C. 4A:2 addresses civil service appeals, including appeal processing fees, different appeal categories, major and minor discipline, resignations, and grievances. An amendment is proposed to clarify the process by which a party to an appeal may have access to an appeal file.

ACTION:**B-42 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 3, 2015.

ACTION:**B-43 A.G. – CSC DOCKET NO. 2015-1681**

A.G., represented by Curtis J. LaForge, Esq., requests reconsideration of the decision rendered on October 22, 2014, which upheld the removal of his name from the promotional list for Police Officer (PM3568M), Paterson, based on an unsatisfactory background report.

ACTION:**B-44 SCOTT RANDOLPH – CSC DOCKET NO. 2015-999**

Scott Randolph, represented by Steven A. Varano, Esq., appeals the certification of his name from the Police Sergeant (PM2590J), Township of Hazlet, eligible list.

ACTION:**B-45 KRZYZTOF WOJTYLO – CSC DOCKET NO. 2015-1217**

The Town of Dover requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the retroactive intergovernmental transfer of Krzyztof Wojtylo from the title of Sheriff Officer, Bergen County Sheriff's Department, to the title of Police Officer, Dover.

ACTION:

B-46 KITWANA WOODARD – CSC DOCKET NO. 2014-3101

Kitwana Woodard, a Senior Correction Officer, Department of Corrections, represented by Alonzo Howard, PBA Local 105, requests a retroactive date of appointment.

ACTION:

B-47 JOSEPH A. DELLAVELLA – CSC DOCKET NO. 2015-1404

Joseph A. Dellavella appeals the removal of his name from the Correction Officer Recruit (S9988R), Department of Corrections, eligible list on the basis of an unsatisfactory criminal history and falsification of his employment application.

ACTION:

B-48 SALVATORE GAETANI – CSC DOCKET NO. 2015-2717

Salvatore Gaetani, a Fire Captain with Bayonne, requests a retroactive appointment date based on “acting” duties in order to be eligible for a future promotional examination for Battalion Fire Chief.

ACTION:

B-49 SCOTT JANSSENS, SR., CSC DOCKET NO. 2015-2928

Scott Janssens, Sr. appeals his score for the open competitive examination for Inspector Fire Safety (S0144T), Statewide.

ACTION:

B-50 ADITI KHADKIKAR – CSC DOCKET NO. 2015-2843

Aditi Khadkikar, a Principal Physical Therapist, requests placement on Special Reemployment Lists for Supervisor of Physical Therapy for locations not originally selected by her in the layoff resulting from the closure of the North Jersey Developmental Center, effective June 27, 2014.

ACTION:

B-51 KIM LIEDEL, *ET AL.* - CSC DOCKET NO. 2015-2578

Kim Liedel, Brenda Moyd, and Darnell Williams appeal the determinations of the Division of Agency Services which found that they did not meet the experience requirements for the open competitive examination for Judiciary Clerk (S0945S), Statewide.

ACTION:**B-52 ELSIE VARGAS – CSC DOCKET NO. 2015-2904**

Elsie Vargas appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the promotional examination for Assistant Fiscal Officer (PM1209S), North Bergen.

ACTION:**B-53 PROPOSED READOPTION WITH AMENDMENTS: N.J.A.C. 4A:7**

Submitted for the Civil Service Commission's review is a Notice of Proposal to readopt with amendments N.J.A.C. 4A:7, Equal Employment Opportunity and Affirmative Action. This rule chapter is set to expire on July 1, 2015. In accordance with N.J.A.C. 1:30-6.4(g), the expiration date will be extended by 180 days so long as the proposed readoption is filed with the Office of Administrative Law prior to July 1. N.J.A.C. 4A:7 addresses implementation of the State Policy Prohibiting Discrimination in the Workplace. Technical amendments would be proposed to correct terminology related to the Civil Service Commission and the Chair/CEO of the Commission, and also to correct grammatical errors.

ACTION: