



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor

Allison Chris Myers
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION**

AUGUST 23, 2023

**Allison Chris Myers, Chairperson
Dolores Gorczyca
Daniel O'Mullan
Diomedes Tsitouras
Christina Mongon**

AUGUST 23, 2023

A regular meeting of the Civil Service Commission was held on Wednesday, August 23, 2023, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Allison Chris Myers, Chairperson; Members Dolores Gorczyca, Daniel O'Mullan, Diomedes Tsitouras and Christina Mongon; Levi Klinger-Christiansen, Deputy Attorney General; Nicholas F. Angiulo, Director, Division of Appeals and Regulatory Affairs; Annemarie Ragos, Commission Secretary. All individuals listed participated via teleconference.

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 23, 2022, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 2, 2023.

ACTION: The Civil Service Commission adopted the minutes of its meeting of August 2, 2023.

VOTE:

Allison Chris Myers	(Yes)
Dolores Gorczyca	(Yes)
Daniel O'Mullan	(Abstain)
Diomedes Tsitouras	(Yes)
Christina Mongon	(Yes)

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Timothy Butler, Human Services Specialist 2, Cumberland County, Department of Social Services, suspension and removal.

Janitqua Days, County Correctional Police Officer, Cumberland County, Department of Corrections, removal.

William Goines, Senior Food Service Handler, Green Brook Regional Center, Department of Human Services, release at the end of the working test period.

Brian Hoagland, Emergency Medical Technician, Gloucester County, Department of Emergency Response, suspension.

Michael Nolan, Inspector 1, Fire Safety, Department of Community Affairs, removal and resignation not in good standing.

Thomas Sher, Margate, Fire Department, removals (2).

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

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:

Rory Smith, Juvenile Detention Officer, Essex County, Department of Citizen Services, release at the end of the working test period.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Hasana Adams
Union County
Department of Corrections
Suspension

Gavin Evans
Hunterdon Developmental Center
Department of Human Services
Removal

Nicole Rondon (Consolidated)
Newark
Department of Children and Wellbeing
Suspension and Removal

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 ALEXIS ANDERSON – CSC DOCKET NO. 2021-1449

Alexis Anderson, Investigator 1, Child Protection, Department of Children and Families, 20 working day suspension, on charges of incompetency, inefficiency or failure to perform duties, insubordination, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 20 working day suspension.

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

VOTE:

Allison Chris Myers	(Yes)
Dolores Gorczyca	(Recuse)
Daniel O’Mullan	(Yes)
Diomedes Tsitouras	(Yes)
Christina Mongon	(Yes)

A-3 ANA CASTILLO – CSC DOCKET NO. 2020-577

Ana Castillo, Fire Fighter, Passaic City, Department of Public Safety, six working day suspension, on charges of conduct unbecoming a public employee and other sufficient cause.

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

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

A-4 JOHN DADURA – CSC DOCKET NOS. 2022-1148 and 2022-1150 (Consolidated)

John Dadura, Police Officer, Wildwood City, Department of Public Safety and Public Affairs, seven and 60 working day suspensions on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 60 working day suspension to a 30 working day suspension.

ACTION: The Civil Service Commission rejected the Administrative Law Judge’s recommendation and affirmed the 60 working day suspension.

A-5 CARISTINA NUNEZ – CSC DOCKET NO. 2021-1024

Caristina Nunez, Clerk 1, Bilingual in Spanish and English, Trenton, Department of Housing as Economic Development, removal, effective December 22, 2020, on charges incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-6 RASHON TYSON-BUTLER – CSC DOCKET NO. 2021-1441

Rashon Tyson-Butler, County Correctional Police Officer, Hudson County, Department of Corrections, removal, effective January 19, 2021, on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 30 working day suspension.

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

A-7 DODI ZORRILLA – CSC DOCKET NO. 2023-1250

Dodi Zorrilla, Police Officer, Paterson, Police Department, 90 calendar day suspension, on charges of violating various departmental regulations.

Recommendation of the Administrative Law Judge – Modify the 90 calendar day suspension to a two working day suspension.

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

SECTION B – MISCELLANEOUS MATTERS

B-1 N.R. – CSC DOCKET NO. 2022-2387

N.R., represented by Christopher L. Perkes, Esq., appeals his rejection as a Fire Fighter candidate by Clifton and its request to remove his name from the eligible list for Fire Fighter (M1813W) 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-2 ABEL IYAMU – CSC DOCKET NO. 2023-197

Abel Iyamu appeals the decision of the Department of Human Services to remove his name from the eligible list for Cottage Training Technician (PS5321K), Hunterdon Developmental Center, based on an unsatisfactory employment record.

ACTION: The Civil Service Commission directed that this appeal be granted and the appellant's name be recorded as bypassed for appointment from the subject certification.

B-3 N.P. – CSC DOCKET NO. 2022-3302

N.P., represented by Lynsey A. Stehling, Esq., appeals the removal of his name from the Fire Fighter (M1873W), Teaneck, eligible list, on the basis of an unsatisfactory background report.

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

B-4 DAWN GRANT – CSC DOCKET NO. 2023-566

Dawn Grant appeals the administration of the examination for Family Service Supervisor (PC4847C), Essex County.

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

B-5 A.A. – CSC DOCKET NO. 2023-2060

A.A., an Assistant District Parole Supervisor with the State Parole Board, appeals the determination of the Chairman which was unable to substantiate that she was subject to discrimination in violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-6 B.R. – CSC DOCKET NO. 2022-3112

B.R., a Senior Correctional Police Officer with the Department of Corrections appeals the determinations of the Director of the Equal Employment Division, stating that the appellant failed to present sufficient evidence to support findings that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-7 JOSEPH WYSOCKI – CSC DOCKET NO. 2022-3284

Joseph Wysocki, a former Fire Fighter with Pennsauken, represented by Daniel E. Rybeck, Esq., petitions the Civil Service Commission for interim relief regarding his removal.

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

B-8 FABIO COLOGNA, ET AL. – CSC DOCKET NOS. 2023-1728, ET AL.

Fabio Cologna, Kevin Robinson, Stephen Scrivani, and Andrew Frey appeal their non-appointments from the December 28, 2022, certification of the Fire Captain (PM1039V), Hoboken, eligible list.

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

B-9 MOHAMAED CONTEH – CSC DOCKET NO. 2023-1991

Mohamed Conteh requests that the Civil Service Commission determine the back pay and seniority entitled to him in *In the Matter of Mohamed Conteh* (CSC, decided September 21, 2022).

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

B-10 WANDA DOWNING – CSC DOCKET NO. 2023-2832

The Irvington Housing Authority, represented by Jennifer L. Barnes, Esq., requests reconsideration of *In the Matter of Wanda Downing* (CSC, decided May 3, 2023).

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

B-11 VENAIR HEYWARD – CSC DOCKET NO. 2021-1859

Venair Heyward, an Attendance Counselor with the Newark School District, requests that the Civil Service Commission reinstate the appeal of her 15 working day suspension, which was dismissed on the basis of her failure to appear at a scheduled status conference.

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

B-12 QUAN JOHNSON – CSC DOCKET NO. 2023-2672

Quan Johnson, represented by Sean Thom, Staff Representative CWA Local 1040, requests that the Civil Service Commission determine that his back pay award not be reduced by overtime pay that he earned during his separation period.

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

B-13 MICHELE O’CONNELL – CSC DOCKET NO. 2023-2669

The Middletown Township Public Library and Michele O’Connell request that O’Connell receive a retroactive date of permanent appointment to the title of Senior Library Assistant.

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

B-14 PEMBERTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY – CSC DOCKET NO. 2024-113

Pemberton requests that the former employees of the Pemberton Township Municipal Utilities Authority be recorded as permanent employees with Pemberton, effective January 1, 2020.

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

B-15 AVIATION MECHANIC AND MASTER AVIATION MECHANIC – CSC DOCKET NO. 2024-282

The Division of Agency Services requests reallocation of the Aviation Mechanic and Master Aviation Mechanic titles to the non-competitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2.

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

B-16 OVERTIME PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY – CSC DOCKET NO. 2023-2422

The Division of Agency Services, on behalf of the Department of Law and Public Safety, Division of State Police, Office of Forensic Sciences, requests that the provisions of *N.J.A.C.* 4A:3-5.3 be relaxed to provide individuals in the non-limited, non-exempt (NE) titles of Forensic Scientist 1, DL&PS and Forensic Scientist 2, DL&PS, cash compensation at one and one-half times the regular rate for hours worked between 35 and 40 hours.

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

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 20, 2023, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



Allison Chris Myers
Chairperson
Civil Service Commission