

A-6



STATE OF NEW JERSEY

In the Matter of Dana Chijindu
Office of the Public Defender

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC DKT. NO. 2014-2375
OAL DKT. NO. 6351-14

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ISSUED: SEPTEMBER 17, 2014 BW

The Civil Service Commission, at its meeting of September 17, 2014, acknowledged the attached settlement in the above matter.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
SEPTEMBER 17, 2014

A handwritten signature in blue ink, reading "Robert M. Czech", written over a horizontal line.

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Unit H
P. O. Box 312
Trenton, New Jersey 08625-0312

attachments



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

EARLY SETTLEMENT PROGRAM

OAL DKT. NO. CSV 6351-14

AGENCY DKT. NO. 2014-2375

**IN THE MATTER OF DANA CHIJINDU,
OFFICE OF THE PUBLIC DEFENDER.**

Robert Regan, Representative, CWA Local 1037, for appellant pursuant to
N.J.A.C. 1:1-5.4(a)(6)

Regina A. Reeder, Employee Relations Coordinator, for respondent pursuant to
N.J.A.C. 1:1-5.4(a)(2)

Record Closed: August 22, 2014

Decided: August 28, 2014

BEFORE BEATRICE S. TYLUTKI, ALJ t/a:

This matter concerns the appeal of Dana Chijindu, from the action of the appointing authority. Upon receipt of appellant's hearing request, the matter was transmitted to the Office of Administrative Law for determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

As a result of a settlement conference, the parties agreed to a settlement of all issues in dispute and have prepared a settlement agreement which is attached and fully incorporated herein.

I have reviewed the record and the terms of settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures.
2. The settlement fully disposes of all issues in controversy.

I **CONCLUDE** that this matter is no longer a contested case before the Office of Administrative Law. It is **ORDERED** that the parties comply with the settlement terms and that these proceedings be **CONCLUDED**.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

August 28, 2014
DATE

Beatrice S. Tylutki
BEATRICE S. TYLUTKI, ALJ t/a

Date Received at Agency:

Date Mailed to Parties:

September 2, 2014

/cad

Dana Chijindu
Appellant

v.

New Jersey Office of the Public Defender
Respondent.

OAL Docket #CSV 06351-20145
Agency Reference No. 2014-2375
(Judge Beatrice Tylutki)

SETTLEMENT AGREEMENT

RECEIVED

2014 AUG 22 A 11:15

STATE OF NEW JERSEY
OFFICE OF ADMIN LAW

The parties hereto agree to settle this matter in accordance with the following terms:

1. Appellant Dana Chijindu indicates her wish to resign from the New Jersey Office of the Public Defender, effective March 20, 2014, and the parties agree that her resignation will be in good standing, effective March 20, 2014.
2. Appellant Dana Chijindu agrees to withdraw her appeal in connection with the Notice of Termination at End of Working Test Period, dated March 20, 2014.
3. Respondent New Jersey Office of the Public Defender agrees to withdraw the Notice of Termination, dated March 20, 2014. From Appellant's Personnel file.
4. The parties agree that the Appellant will not receive any back pay, benefits, counsel fees, costs or any other monetary relief as a result of this settlement.
5. The parties agree that this Settlement Agreement fully disposes all issues in controversy between them with regard to this matter.
6. The parties further agree that this Settlement Agreement shall not constitute a precedent in any other matter involving another employee.
7. Appellant Dana Chijindu waives all claims, suits or actions, whether known, unknown, vested or contingent, civil, criminal or administrative, in law or equity against the State of New Jersey, the New Jersey Office of the Public Defender, their employees, agents, or assigns, including but not limited to those which have been or could have been made or prosecuted on account of any conduct of any party occurring at any time with respect to the events, information or disputes giving rise to this action up to the date of this agreement,

including but not limited to all claims under Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Americans with Disabilities Act, the Family Leave Act, the Family and Medical Leave Act, the New Jersey Law Against Discrimination, New Jersey Family Leave Act, the Equal Pay Act, the Conscientious Employee Protection Act, the Age Discrimination in Employment Act, Title 11A - the Civil Service Act, the Handicapped, Blind or Deaf Persons Civil Service Act, the Developmental Disabled Rights Act, the Alcoholism, Treatment and Rehabilitation Act, the Older Workers Benefits Protection Act, the Occupational Safety and Health Act, the Public Employee Occupational Safety and Health Act, the Right to Know Act, the New Jersey Smoking Act, New Jersey wages and hours law, public works statutes, unemployment compensation laws, disability benefits laws, the US Constitution, the New Jersey Constitution, any workers compensation or common law claims and any contract express or implied.

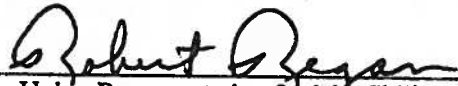
8. Nothing in this Settlement Agreement shall be deemed to be an admission of liability on behalf of either party.
9. The parties have read and understand this Settlement Agreement and freely and voluntarily agree to comply with its terms.

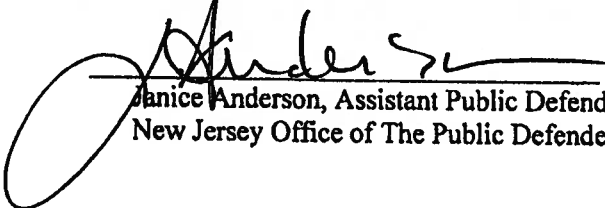
8/19/14
Dated: _____

8/19/14
Dated: _____

8/20/14
Dated: _____

x 
Dana Chijindu, Appellant


Union Representative for Ms. Chijindu


Janice Anderson, Assistant Public Defender
New Jersey Office of The Public Defender

CERTIFICATION

I, Dana Chijindu, certify that I have reviewed this Settlement Agreement and discussed its terms with my representative and I fully understand its meaning and terms. I am satisfied with my representation and I enter into this Settlement Agreement voluntarily. I understand that this Settlement Agreement will terminate all claims and further appeal against the State of New Jersey, Office of the Public Defender.

8/19/2014
Dated: _____

x 
Dana Chijindu, Appellant