



STATE OF NEW JERSEY

In the Matter of Janeen McNally,
Bergen County, Sheriff's Office

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2023-741
OAL Docket No. CSV 09396-22

ISSUED: AUGUST 2, 2023

The appeal of Janeen McNally, County Correctional Police Officer, Bergen County, Sheriff's Office, 10 working day suspension, on charges was heard by Administrative Law Judge Nanci G. Stokes (ALJ), who rendered her initial decision on June 8, 2023. Exceptions were filed on behalf of the appointing authority and a reply to exceptions was filed on behalf of the appellant.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, including a thorough review of the exceptions and reply filed by the parties, the Civil Service Commission (Commission), at its meeting on August 2, 2023, adopted the ALJ's Findings of Fact and Conclusions and her recommendation to modify the 10 working day suspension to a written reprimand.¹

As mentioned above, the Commission has thoroughly reviewed the exceptions filed in this matter and finds them unpersuasive in all respects. The exceptions contend that the ALJ misinterpreted its policy by ascribing the progressive disciplinary schedule in its General Order GO-10-1.83 to the current situation. The Commission rejects this assertion. In this regard, whether the ALJ relied on the progressive discipline penalty schedule, the Commission's review of the proper penalty in a disciplinary matter is *de novo*. As such, the Commission is not bound by the appointing authority's penalty schedule in determining the proper penalty. See *In the Matter of Gregory McDaniel*, Docket No. A-5583-02T2 (App. Div. May 24, 2004);

¹ The ALJ indicates the penalty as a "written warning" in the initial decision. However, the minimum penalty that is considered disciplinary in nature under Civil Service law and rules is a written reprimand. See *N.J.A.C. 4A:2-3.1(a)*.

In the Matter of Leonard Wilson (MSB, decided April 6, 2005); *In the Matter of Patricia Everingham* (MSB, decided March 13, 2003); *In the Matter of George Roskilly* (MSB, decided November 20, 2002). In this matter, based on the reasoning presented by the ALJ and the mitigating factors presented, the Commission finds that a written reprimand is the proper penalty.

Since the suspension has been modified, the appellant is entitled to 10 working days of back pay, benefits, and seniority pursuant to *N.J.A.C.* 4A:2-2.10. However, she is not entitled to counsel fees. *N.J.A.C.* 4A:2-2.12(a) provides for the award of counsel fees only where an employee has prevailed on all or substantially all of the primary issues in an appeal of a major disciplinary action. The primary issue in the disciplinary appeal is the merits of the charges. See *Johnny Walcott v. City of Plainfield*, 282 *N.J. Super.* 121,128 (App. Div. 1995); *In the Matter of Robert Dean* (MSB, decided January 12, 1993); *In the Matter of Ralph Cozzino* (MSB, decided September 21, 1989). In the case at hand, although the penalty was modified by the Commission, charges were sustained, and discipline was imposed. Consequently, as appellant has failed to meet the standard set forth at *N.J.A.C.* 4A:2-2.12, counsel fees must be denied.

ORDER

The Civil Service Commission finds that the action of the appointing authority in disciplining the appellant was justified. The Commission therefore modifies the 10 working day suspension to a written reprimand. The Commission further orders that the appellant be granted 10 working days of back pay, benefits and seniority. The amount of back pay awarded is to be reduced as provided for in *N.J.A.C.* 4A:2-2.10(d)3. Proof of income earned shall be submitted by or on behalf of the appellant to the appointing authority within 30 days of issuance of this decision.

Counsel fees are denied pursuant to *N.J.A.C.* 4A:2-2.12.

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

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 2ND DAY OF AUGUST, 2023



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. CSV 09396-22

AGENCY DKT. NO. 2023-741

**IN THE MATTER JANEEN McNALLY,
COUNTY OF BERGEN, SHERIFF'S OFFICE,**

Valerie Palma DeLuisi, Esq. on behalf of appellant (Law Offices of Nicholas J. Palma, Esq. P.C.)

Bria M. Hak, Esq. on behalf of respondent (Eric M. Bernstein & Associates, LLC)

Record Closed: May 8, 2023

Decided: June 8, 2023

BEFORE Nanci G. Stokes, ALJ:

STATEMENT OF THE CASE

McNally used 2.770 hours of sick leave that she did not have on March 26, 2022, leading to the Bergen County Sheriff's Office's (BCSO) finding that she abused her sick leave and was on "no-pay status. Should the resulting ten-day suspension stand? No. The BCSO's General Order (G.O.) 10-1.83 includes a progressive discipline schedule for sick leave policy abuses, noting a written warning as the first penalty for BCSO's determination that an employee abused sick leave.

PROCEDURAL HISTORY

On April 13, 2022, the BCSO served McNally with a Preliminary Notice of Disciplinary Action (PNDA). In its notice, BCSO charged McNally with chronic and excessive absenteeism in violation of N.J.A.C. 4A:2-2.3(a)(4); General Order (G.O.) rule violations regarding sick leave abuse (3:4.4), obedience to rules (3:1.1), and absences without leave (AWOL) (3:4.1); and other sufficient cause in violation of N.J.A.C. 4A:2-2.3(a)(12).

In that notice, BCSO specified that on March 28, 2022¹, McNally, a correctional officer, called out sick without adequate accrued sick leave. Thus, BCSO placed her on "no pay status" for 2.77 hours representing the sick time she did not accrue before this date. The PNDA sought discipline of a ten-day working suspension.

On June 2, 2022, BCSO conducted a departmental hearing. On August 19, 2022, the hearing officer decided to sustain all charges and recommend a ten-day suspension.

A Final Notice of Disciplinary Action (FNDA) dated September 8, 2022, sustained the charges, corrected the date that McNally called out sick, and suspended her for ten days.

On October 3, 2022, McNally appealed the FNDA.

On October 11, 2022, the Civil Service Commission transmitted the case to the Office of Administrative Law (OAL) under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the act establishing the OAL, N.J.S.A. 52:14F-1 to -23, for a hearing under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6. On October 19, 2022, the OAL filed the appeal.

¹ The PNDA notes the incorrect date. Instead, the correct date is March 26, 2022.

On December 5, 2022, I held a prehearing conference under N.J.A.C. 1:1-13.1 to discuss hearing availability, the nature of the proceeding, and any evidentiary problems. I permitted additional time for discovery.

On May 8, 2023, I conducted the hearing. Per the parties, I accepted oral summations, and closed the record.

FINDINGS OF FACT

Based upon the testimony provided and my assessment of its credibility, together with the documents submitted and my assessment of their sufficiency, I make the following **FINDINGS of FACT²**:

The BCSO employed McNally as a Bergen County Corrections Officer for approximately eighteen years. McNally mainly worked in the custody and care of inmates in that position.

Warden Nicholas Grella and Lieutenant David Mulvaney acknowledge that no discipline schedule applies to AWOL violations under G.O. Section 3:4-1 and that progressive discipline applies to multiple AWOL offenses. Commonly, a ten-day suspension would follow a three-day suspension for AWOL violations. Progressive discipline decisions involve consideration of the violation's circumstances and the employee's past record.

However, an employee's abuse of sick leave does have a discipline schedule. Abuse of sick leave under G.O. Section 3:4-4, paragraph three, advises that employees abusing sick time are considered "no pay status" and AWOL, subject to discipline under G.O. 10-1.83. Specifically, G.O.10-1.83 states that the BCSO's policy "is to set forth specific guidelines" for employees regarding the appropriate use of sick leave and what the BCSO expects from its employees regarding that use. Notably, Section VI advises that employees found guilty of an abuse of sick leave are subject to progressive

² The parties presented a joint stipulation of facts.

discipline, describing seven levels of increasing penalties for continuing violations. However, a ten-day suspension is not on the list, ranging from a written warning for the first abuse to termination, covering multiple instances of abuse within one year. Further, should an employee return to duty for a year without any further sick leave abuse, that employee reverts to the previous stage of progressive discipline.

On January 11, 2017, the BCSO issued McNally a written reprimand for using more vacation time than she earned in 2016 and eight hours in 2015. McNally signed the reprimand on January 18, 2017. Notably, vacation time and sick leave are different, although employees earn both throughout the year. An employee can take vacation time before accrued with the proviso that the employee gets approval and reaches enough time by the end of the year to cover that absence. If the employee ends the year without adequate time, the employee is considered AWOL for the unaccrued days.

On September 15, 2017, the BCSO issued a notice of minor discipline for a three-day suspension to McNally. On August 24, 2017, McNally used eight hours of vacation time more than she accrued in 2017, and BCSO considered her AWOL or "no-pay status" for that day, resulting in the discipline imposed. McNally similarly signed off on the suspension.

On February 5, 2021, Captain Grella, now Warden Grella, issued a memorandum to all corrections personnel regarding accrued leave time. The document clarifies that employees cannot use more leave time than accrued. Grella's memo acknowledged that BCSO was lenient during the COVID pandemic but that the BCSO would now strictly enforce its sick leave policy, and employees may be subject to discipline. That change recognized the decrease in COVID and the need to return to operational soundness. However, Grella acknowledges that the BCSO may not impose discipline based on management's discretion and consideration of the circumstances. Grella's memo highlights that G.O. 3:4.4 of the Employee Rules and Regulations provides that:

Employees are not permitted lies to utilize time which they have not accrued with the exception of vacation time. Employees who are considered in "no pay status" will be considered AWOL, except in the absence is pursuant to New Jersey Family Leave Act, the Federal family leave that, or the employee's respective collective bargaining agreement.

[J-2.]

On August 29, 2021, McNally called out sick without having accrued enough time to cover her eight-hour shift. McNally placed her mother in hospice and was without less than an hour of sick leave that day. To be sure, an officer can use sick leave to care for an immediate family member under G.O. 1:4.54. In response to payroll's report of inadequate sick leave, Mulvaney completed an "employee discipline form" dated September 11, 2021, discussing that absence, which McNally did not sign or see. With any violation, Mulvaney must complete the form, make a recommendation for discipline, and forward the document up his chain of command. Notably, Mulvaney does not determine if discipline will follow a violation. Mulvaney recommended no discipline for this infraction, and the BCPO imposed none.

On September 4, 2021, the BCSO advised its employees that, effective September 30, 2021, it would no longer provide paid administrative leave to employees required to isolate because of a positive COVID test or contact with a person testing positive for COVID. Instead, an employee needed to use accrued leave or unpaid administrative leave. McNally contracted COVID while working in the inmate quarantine unit and was out from work from January 4, 2022, until February 21, 2022, during which she used much of her accrued sick leave. After her return, the Bergen County jail lacked adequate staffing, and the BCSO required officers to work frequent mandatory overtime. Before her sick leave, McNally worked one hour of overtime on March 20, 2022, and four hours on March 24, 2022. (J-3 at 2.)

Still tired from her illness, McNally called out sick on March 25 and 26, 2022. Because she had sick leave covering that day, even in part, the BCSO would have had

to obtain coverage for her shift. A physician's note supports her sick leave for March 25 and 26, 2022, advising she could return to work without restrictions on March 27, 2022. However, McNally's regular days off were March 27, 2022, and March 28, 2022. When McNally returned to work on March 29, 2022, she provided Mulvaney with the doctor's note. However, Mulvaney already completed the discipline form, noting an AWOL violation. Although Mulvaney agrees that the note provides McNally with an excused absence from work, McNally still cannot use sick time she did not accrue. The BCSO considers the doctor's note irrelevant to McNally's AWOL status. Indeed, Mulvaney and Grella testified that they thought McNally was AWOL rather than having abused sick leave. However, the FNDA charges her with violating both policies. (Emphasis added.)

On December 8, 2021, the BCSO advised employees of a new online payroll system, POSS, to keep track of scheduling, overtime, and leave. Although the BCSO anticipated going live with the system on December 26, 2021, for the first time pay period in 2022, POSS was not fully operational until 2023. Thus, employees continued using the Unicorn or ICON system.

For the pay period March 20, 2022, to April 2, 2022, the ICON payroll system showed McNally used 13.230 sick leave hours and 2.770 "no-pay status" hours. (J-3 at 3; P-2.) Yet, the ICON materials supplied by the BCSO also indicate that after using 13.230 hours during the pay period ending with the "payment date" of April 2, 2022, and a "check date" of April 8, 2022, McNally had a balance of 4.612 hours of time off accrued. (J-3 at 6.) Notably, the prior pay period with a "payment date" of March 19, 2022, and a "check date" of March 25, 2022, showed a balance of 16.610 hours of leave accrued. Notably, no 2022 pay period reflects a negative balance after considering the sick leave "hours used."

However, POSS showed different information than ICON concerning pay periods and sick time available to McNally around her March 2022 leave. (P-3.) In other words, the payroll systems were confusing, and McNally complained about the inaccuracies. McNally believed she had enough sick time when calling out and had more than five hours of sick leave available that day. Still, if McNally had questions, payroll only works

on weekdays and would be unavailable on Saturday, March 26, 2022. Payroll may also not have updated ICON to reflect the time used on Friday, March 25, 2022, by March 26, 2022. Mulvaney and Grella agree that POSS and ICON could note differences and that several officers complained about the discrepancies when McNally took leave. Yet, the BCSO expects employees to keep track of their time, and the BCSO largely used POSS for scheduling rather than payroll. The BCSO regularly advised employees that POSS was inaccurate before it was operational.

McNally believed that abusing sick time meant not having a doctor's note. Undeniably, the sick leave policy does not support that belief. Indeed, sick leave abuse includes more than an absence unexcused by a doctor's note, including "the use of more sick time" than earned. Still, McNally does not dispute that she used 2.770 hours of sick time on March 26, 2022, for which she cannot receive pay. In other words, she was on "no pay status." Still, I **FIND** that McNally, ill at the time, made an honest mistake regarding her sick leave on March 26, 2022.

McNally served her ten-day suspension concurrently. Although the BCSO often spread-out suspensions over time, the BCSO did not do that for charges involving an employee's AWOL status. Further, the BCSO's rules do not require that an employee receive courtesy regarding suspensions.

LEGAL ANALYSIS AND CONCLUSIONS OF LAW

Discipline

A civil service employee who commits a wrongful act related to their duties or for other just cause may be subject to major discipline. N.J.S.A. 11A:2-6; N.J.S.A. 11A:2-20; N.J.A.C. 4A:2-2.2. Indeed, "[t]here is no constitutional or statutory right to a government job." State-Operated Sch. Dist. of Newark v. Gaines, 309 N.J. Super. 327, 334 (App. Div. 1998).

Under N.J.A.C. 4A:2-1.4(a), in appeals concerning major disciplinary action, the appointing authority bears the burden of proof. That burden of proof is by a preponderance of the evidence, Atkinson v. Parsekian, 37 N.J. 143, 149 (1962), and the hearing as to both guilt and the penalty is de novo, Henry v. Rahway State Prison, 81 N.J. 571, 579 (1980); West New York v. Bock, 38 N.J. 500 (1962). The evidence must be such as to lead a reasonably cautious mind to a given conclusion. Bornstein v. Metro. Bottling Co., 26 N.J. 263 (1958). One can describe preponderance as the greater weight of credible evidence in the case, not necessarily dependent on the number of witnesses but having the greater convincing power. State v. Lewis, 67 N.J. 47 (1975).

Police officers and correction officers are held to a higher standard of conduct than other citizens due to their roles in the community. In re Phillips, 117 N.J. 567 (1990). They represent "law and order" to public and must show "personal integrity and dependability" to earn the public's respect. Moorestown v. Armstrong, 89 N.J. Super. 560, 566 (App. Div. 1965), certif. denied, 47 N.J. 80 (1966).

The BCSO charged McNally with conduct unbecoming a public employee in violation of N.J.A.C. 4A:2-2.3(a)(6); chronic and excessive absenteeism in violation of N.J.A.C. 4A:2-2.3(a)(4); and other sufficient cause in violation of N.J.A.C. 4A:2-2.3(a)(12).

"Conduct unbecoming a public employee" is an elastic phrase encompassing conduct that adversely affects the morale or efficiency of a governmental unit or that tends to destroy public respect for governmental employees and confidence in the delivery of governmental services. Karins v. City of Atl. City, 152 N.J. 532, 554 (1998). Further, misconduct does not require that the employee violate the criminal code, a written rule, or a policy. In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960). The complained-of conduct and its attending circumstances need only "be such as to offend publicly accepted standards of decency." Karins, 152 N.J. at 555 (quoting In re Zeber, 156 A.2d 821, 825 (1959)). Because BCSO changed how it handled COVID-related

time, McNally had no paid administrative time to cover the time she needed to return to work after her illness, leaving her minimal accrued sick leave remaining. McNally was ill and took an extra 2.77 hours of sick leave on March 26, 2022, which she had not earned but believed she had. The two payroll systems used by the BCSO showed discrepancies. Thus, I **CONCLUDE** a preponderance of the evidence does **NOT** exist to conclude that McNally conducted herself in an unbecoming or offensive way. Instead, I found that McNally made a mistake.

Under N.J.A.C. 4A:2-2.3(a)(4), an employee may be disciplined for chronic or excessive absenteeism. Good v. Northern State Prison, 97 N.J.A.R.2d (CSV) 529, 531. While no precise number constitutes "chronic," it is generally understood that chronic conduct is conduct that continues over a long time or recurs frequently. Ibid. Courts consistently hold that employers need not accommodate excessive absenteeism and that attendance is essential to most jobs. "We do not expect heroics, but 'being there,' i.e., appearing for work on a regular and timely basis, is not asking too much." Gaines, 309 N.J. Super. at 333. However, McNally's absences were not typical, reflecting frequent sick time abuse or regular AWOL events. Thus, I **CONCLUDE** that a preponderance of the evidence does **NOT** exist to conclude that McNally was chronically or excessively absent.

The New Jersey Administrative Code does not define "other sufficient cause." Other sufficient cause generally encompasses conduct that violates the implicit standard of good behavior for an individual who stands in the public eye. Often, this charge addresses violations of policies and procedures established by the employer, such as BCSO's rules and orders concerning adherence to rules (3:1.1), absence without leave (3:4-1), and abuse of sick leave (3:4-4). Notably, a charge of other sufficient cause is not supported when "respondent has not given any substance to the allegation." Simmons v. City of Newark, CSV 9122-99, Initial Decision (February 22, 2006), adopted, Comm'r (April 26, 2006), <http://njlaw.rutgers.edu/collections/oal/>. Undeniably, McNally did not follow the sick leave policy and used sick leave that she did not have. The abuse of sick leave policy considers an individual abusing sick leave

AWOL, subject to a progressive discipline schedule. Thus, I **CONCLUDE** that a preponderance of the credible evidence supports that McNally violated BCSO's rules in failing to follow the sick leave abuse policy and exceeded her earned sick leave of 2.770 hours on March 26, 2022. However, while AWOL encompasses all unauthorized absences, the abuse of sick leave policy under Rule 3:4-4 considers that abuse as AWOL and "no-pay status." Therefore, I **CONCLUDE** that the abuse of sick leave policy covers McNally's improper actions on March 26, 2022, and that the AWOL charge for the same conduct is duplicative and incorporated within the sick leave policy.

Penalty

Once a determination is made that an employee has violated a statute, regulation, or rule concerning his employment, progressive discipline requires consideration. W. New York v. Bock, 38 N.J. 500 (1962). Where the underlying conduct is egregious, however, imposing a penalty up to and including removal is appropriate, regardless of an individual's disciplinary record. In re Herrmann, 192 N.J. 19 (2007). In determining the reasonableness of a sanction, the employee's past record and any mitigating circumstances provide guidance. Bock, 38 N.J. 500.

Indeed, the Civil Service Commission may increase or decrease the penalty under progressive discipline. N.J.S.A. 11A:2-19; In re Carter, 191 N.J. 474, 483-86 (2007). Thus, an employee's prior disciplinary record is relevant to determining an appropriate penalty for a subsequent offense, and the question upon appellate review is whether such punishment is "so disproportionate to the offense, in the light of all the circumstances, as to be shocking to one's sense of fairness," Ibid. at 483-84 (quoting In re Polk, 90 N.J. 550, 578, (1982) (internal quotes omitted)).

McNally urges that her mitigating circumstances warrant less discipline than a ten-day suspension and that the abuse of sick leave policy sets forth a schedule applicable to sick leave absences that the BCSO should follow. Notably, while McNally

was AWOL in 2017, she had no unauthorized leave for nearly four years. The BCSO gave McNally no written warning for her first sick leave deficit on August 29, 2021, and made no finding of abuse. From August 2021 until March 26, 2022, McNally received no discipline.

The BCSO seeks to penalize McNally more than its progressive discipline schedule under its sick leave abuse policy, designed to alert employees on the appropriate use of sick time and the consequences for improper use. Instead, the BCSO urges that the violation be treated as any other AWOL situation. Absent a sick leave abuse determination from August 29, 2021, and a written warning notifying McNally of discipline, the schedule states that the penalty for the March 26, 2022, violation is a written warning as the first finding of McNally's sick leave abuse. Even if I sustained the duplicative charge for AWOL, despite the BCSO's sick leave abuse policy's apparent reference and consideration of AWOL, I **CONCLUDE** that the penalty imposed is excessive under the circumstances.

Here, I found that McNally made a mistake regarding only 2.770 hours of unearned sick leave, not a chronic or excessive misuse of that time. The BCSO's withdrawal of its leniency towards COVID put McNally in a precarious situation regarding her sick leave, even though that policy change is understandable and reasonable. Undeniably, BCSO disciplined McNally for abusing vacation time twice in 2017, and the last penalty was a three-day suspension. A third violation regarding McNally's unauthorized use of vacation time (AWOL) might warrant a ten-day suspension under progressive discipline, given the discipline discretion afforded to the BCSO. However, the BCSO created an abuse of sick leave policy, including a specific progressive discipline schedule. McNally's use of unearned sick time is an abuse of that policy. The abuse of sick leave policy allows for reversion to earlier discipline levels if an employee does not abuse their sick leave within a year of another abuse. In other words, the BCSO treats abuses of sick leave differently. The sick leave policy advises employees that they "shall be subject" to the progressive discipline schedule if found guilty of an abuse of sick leave. Thus, I **CONCLUDE** that McNally should receive a

written warning under the mitigating circumstances surrounding her sick leave abuse on March 26, 2022, and per the BCSO's abuse of sick leave progressive discipline schedule. Therefore, I **CONCLUDE** that the ten-day suspension should be **REVERSED**, and that the BCSO should instead issue McNally a written warning for the BCSO's first determination that McNally abused its sick leave policy.

ORDER

Based on my findings of fact and conclusions of law, I **ORDER** that McNally's ten-day suspension for abusing the BCSO's sick leave policy be **REVERSED**. Instead, I **ORDER** that the BCSO issue McNally a written warning under the progressive discipline schedule under that policy.

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.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.



June 8, 2023

DATE

NANCI G. STOKES, ALJ

Date Received at Agency:

June 8, 2023

Date Mailed to Parties:

June 8, 2023

ljb

APPENDIX

WITNESSES:

For Appellant:

Janeen McNally

For Respondent:

Warden Nicholas Grella

Lt. David Mulvaney

EXHIBITS

For Appellant:

P-1 Doctor's Note

P-2 Unicorn "ICON" Printout

P-3 POSS Printout

P-4 December 8, 2021, Memo Re: POSS Transition

P-5 Not admitted

P-6 September 4, 2021, Memo Re: Ending COVID Administrative Leave

For Respondent:

None

Joint:

J-1 Final Notice of Disciplinary Action (FNDA) (31-B), dated September 8, 2022

J-2 Memorandum from Captain Nick Grella to All Corrections Personnel, dated February 5, 2021

J-3 Payroll/Time and Attendance Record-Janeen McNally

- J-4 BCSO Employee Rules & Regulations-GO-00-1.2, effective dated March 14, 2020
- J-5 BCSO General Order-Sick Leave Policy-GO-10-1.83, effective June 7, 2020
- J-6 Notice of Minor Disciplinary Action, dated September 15, 2017
- J-7 Written Reprimand Notice, dated January 11, 2017
- J-8 Employee Discipline Form, dated September 11, 2021