



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
JULY 31, 2013**

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter Celina Brown
Greystone Park Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Akeisha Burroughs
Essex County
Department of Citizens Services
Suspension

In the Matter of Shanika Finley
Hudson County
Department of Corrections
Suspensions (2)

In the Matter of Thomas Kaminsky
Borough of Carteret
Police Department
Removal

In the Matter of Hugh Bodie May
City of Bridgeton
Department of Public Works
Removal

In the Matter of Tisa Rodriguez
Hunterdon Developmental Center
Department of Human Services
Suspension

In the Matter of Daniel Valentine
Department of Family Services
Suspension

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

ACTION:

A-2 DALE ARCHIE

Dale Archie, Laborer 1, Atlantic City, Department of Utilities Authority, 30 working day suspension on charges of insubordination, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 30 working day suspension.

ACTION:

A-3 ERIC GANDY

Eric Gandy, Senior Correction Officer, Bayside State Prison, Department of Corrections, 120 working day suspension on charges of incompetency or failure to perform duties, other sufficient cause, leaving assigned work area without permission creating a danger to persons or property, violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Modify the 120 working day suspension to a 30 working day suspension.

ACTION:

A-4 WANDA MINCH

Wanda Minch, County Correction Officer, Union County, Department of Correctional Services, 22 working day suspension on charges of conduct unbecoming a public employee, discrimination that affects equal employment opportunity, including sexual harassment, other sufficient cause and violation of County harassment policy.

Recommendation of the Administrative Law Judge – Dismiss the appeal with prejudice.

ACTION:

A-5 SHAWN PRESSLEY

Shawn Pressley, Assistant Family Service Worker 3, Department of Children and Families, release at the end of the working test period effective November 9, 2011. This matter was held over from the June 5, 2013, Civil Services Commission meeting for exceptions.

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

ACTION:

A-6 PURVIS RICKS

Purvis Ricks, County Correction Officer, Burlington County, County Jail, 30 working day suspension on charges of neglect of duty, other sufficient cause and violation of County policy and procedure regarding attendance verification.

Recommendation of the Administrative Law Judge – Uphold the 30 working day suspension.

ACTION:

A-7 ROBIN BOWMAN

Robin Bowman, Senior Building Maintenance Worker, Montclair State University, removal effective March 31, 2011, on the charge of other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-8 AH'KALEEM FORD

Ah'Kaleem Ford, County Correction Officer, Hudson County, Department of Corrections, 132 working day suspension and removal effective September 25, 2012, on charges of insubordination, conduct unbecoming a public employee, neglect of duty, other sufficient cause and inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the 132 working day suspension and reverse the removal.

ACTION:

A-9 SHAWN PRESSLEY

Shawn Pressley, Assistant Family Service Worker 3, Department of Children and Families, removal effective December 7, 2011, on charges of incompetency, inefficiency, or failure to perform duties, insubordination, neglect of duty, conduct unbecoming a public employee and misuse of State property, including motor vehicles.

Recommendation of the Administrative Law Judge – Modify the removal to a three-day suspension.

ACTION:

A-10 BRANDIS PURYEAR

Brandis Puryear, Police Officer, City of Irvington, Police Department, removal effective July 23, 2012 on charges of conduct unbecoming a public employee, other sufficient cause, truthfulness, neglect of duty, failure to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

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

The Division of Classification and Personnel Management requests the consolidation of the Planner title series and to restructure the title series to make the State titles common.

**MEMORANDUM**

DATE: July 12, 2013
TO: The Civil Service Commission
FROM: Kenneth Connolly, Director *Kenneth Connolly*
Division of Classification & Personnel Management
SUBJECT: Change in the State Classification Plan

PLANNER TITLES

The Division of Classification and Personnel Management requests structural revisions to the Planner title series. This restructuring includes making State titles common and consolidating local titles into those made common.

Titles possessing similar duties, responsibilities and experience requirements were identified to determine the practicality and appropriateness of title consolidation.

All titles are currently in the competitive service, and will remain as such.

The unions were notified of these changes on July 1, 2013, in accordance with N.J.A.C 4A:3-3.3(f) and have voiced no objections. The impacted state and local Appointing Authorities were given the opportunity to review this proposal and all articulated issues have been reviewed and addressed.

For those titles being consolidated, upon the successful completion of the consolidation process, the identified titles will be inactivated. Any existing eligibility lists for these titles shall be processed as follows:

- An incomplete list containing no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- Any employee currently on active military duty will be afforded all applicable rights under Federal and State law upon their release from active duty and given the opportunity to apply and compete for any announcements for which they would otherwise have been eligible but for their military service.
- Eligibility lists for affected titles and unit scopes which have expired will be revived as necessary to address unanticipated situations which may arise.
- Local employees on regular or special reemployment lists for the title to be consolidated will have their names retained on such lists for the replacement title.

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TITLE CONSOLIDATION & MOVEMENT OF INCUMBENTS:

Effective: Changes will be effective the first pay period following the Commission's approval.

FROM:

TO:

Assistant Planner
 P-20-16489 * (S) 40/12

Assistant Planner
 P-20-16489 * COMMON 40/12

Assistant Planner
 00645 (L)

Senior Planner
 P-23-16490 * (S) 40/12

Senior Planner
 P-23-16490 * COMMON 40/12

Senior Planner
 03510 (L)

Senior Planner Economic Development
 04569 (L)

Senior Planner Land Development Review
 05397 (L)

Senior Planner Parks
 05656 (L)

Senior Planner Transportation
 P-23-12493 O (S) 40/12

Senior Planner Transportation
 P-23-12493 O COMMON 40/12

Senior Planner Transportation
 03511 (L)

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Principal Planner
 R-26-16491 * (S) 4E12

Principal Planner
 R-26-16491 * COMMON 4E12

Principal Planner
 02837 (L)

Principal Planner Community Development Program
 05335 (L)

Principal Planner Land Development Review
 05395 (L)

Principal Planner Transportation
 R-26-12494 O (S) 4E12

Principal Planner Transportation
 R-26-12494 O COMMON 4E12

Principal Planner Transportation
 02839 (L)

Supervising Planner
 S-28-16492 * (S) N412

Supervising Planner
 S-28-16492 * COMMON N412

Supervising Planner
 05137 (L)

Supervising Planner Land Development Review
 05400 (L)

Supervising Planner Parks
 05659 (L)

Supervising Planner Transportation
 S-29-12495 O (S) N412

Supervising Planner Transportation
 S-29-12495 O COMMON N412

Supervising Planner Transportation
 05515 (L)

ACTION:

B-2 DANNYS E. UBILLA

Dannys E. Ubilla appeals his rejection as a Police Officer candidate by the North Bergen Police Department and its request to remove his name from the eligible list for Police Officer (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-3 THELMA A. SCOTT**

The Department of Environmental Protection, on behalf of Thelma A. Scott, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Scott, who is participating in the donated leave program, to receive more than the 260 donated leave days allowed to a recipient.

ACTION:**B-4 SUSAN SANTIAGO**

Susan Santiago, a Program Technician with the Department of Children and Families, represented by William J. O'Brien, Director, Public Affairs and Staff Representative, CWA Local 1039, 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 Service Commission may waive repayment based on a review of the case.

ACTION:**B-5 JOSEPH NAPOLEONE**

The Superior Court of New Jersey, Appellate Division, has remanded the matter of Joseph Napoleone to the Civil Service Commission to reconsider its decision to award counsel fees to Napoleone in light of the transcripts of proceedings on May 5 and 6, 2008 in *Joseph Napoleone v. City of Clifton*, Docket No. PAS-L-2624-05.

ACTION:

B-6 BRIAN J. CONNOLLY

Brian J. Connolly petitions the Civil Service Commission to accept his untimely application for the promotional examination for Administrative Analyst 1 (PS8077K), Department of Children and Families.

ACTION:

B-7 DAVID FLICKINGER

David Flickinger requests that he be assigned a retroactive appointment date to the Correction Lieutenant title for record purposes.

ACTION:

B-8 STEPHEN MILLS, SEWER REPAIRER (PM0849J)

Middle Township requests that the eligible list for Sewer Repairer (PM0849J) be revived to record the permanent appointment of Stephen Mills effective September 12, 2007.

ACTION:

B-9 ANTHONY GIACONA

Anthony Giacona appeals his disqualification by the Division of Selection Services and Recruitment for the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-10 YVONNE CROSBY

Yvonne Crosby appeals the decision of the former Division of State and Local Operations, which upheld the removal of her name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to the falsification of her employment application.

ACTION:

B-11 JOHN FALCONI

John Falconi 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 County Correction Officer (C9970M), Passaic County, eligible list on the basis of an unsatisfactory background report.

ACTION:

B-12 DERRICK L. W. HARRIS

Derrick L. W. Harris appeals the determination of the Division of Selection Services and Recruitment that he was not eligible for the promotional examination for Family Service Specialist 1 (PS3420K), Department of Children and Families, because his application was received after the closing date of the examination announcement.

ACTION:

B-13 KATHLEEN LAFLIN

Kathleen Laflin appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of the Treasury is Supervising Pensions Benefits Specialist. The appellant seeks an Administrative Analyst 1 job classification.

ACTION:

B-14 G. G.

G. G., an Administrative Analyst 4 with the Department of Human Services (DHS), appeals the determination of the Assistant Commissioner of DHS, stating that there was sufficient evidence to support a finding that he had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-15 J. S.

J. S., a Research Scientist 1, Department of Health, appeals the determination of the Chief of Staff, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-16 ASSISTANT VIOLATIONS CLERK, TYPING (M0277P), BOROUGH OF ELMWOOD PARK

The Borough of Elmwood Park requests permission not to make an appointment from the August 20, 2012 certification for Assistant Violations Clerk, Typing (M0277P).

ACTION:

B-17 CLAIMS ADJUDICATOR TRAINEE (S0346P) AND CLAIMS ADJUDICATOR TRAINEE, BILINGUAL SPANISH/ENGLISH (S0431P)

The Department of Labor and Workforce Development requests the extension of the eligible lists for Claims Adjudicator Trainee (S0346P) and Claims Adjudicator Trainee, Bilingual Spanish/English (S0431P).

ACTION:

B-18 COMMUNITY SERVICE WORKER (C0004N), OCEAN COUNTY BOARD OF HEALTH

The Division of Classification and Personnel Management requests that Ocean County Board of Health be ordered to return the January 2, 2012 certification for Community Service Worker (C0004N) for proper disposition.

ACTION:

B-19 COORDINATOR OF MONITORING AND EVALUATION (M0828P), PASSAIC CITY

Passaic City requests permission not to make an appointment from the March 11, 2013 certification for Coordinator of Monitoring and Evaluation (M0828P).

ACTION:**B-20 EMPLOYMENT SPECIALIST TRAINEE (S0347P) AND AUDITOR ACCOUNTANT TRAINEE (S0344P), DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**

The Department of Labor and Workforce Development requests the extension of the eligible lists for Employment Specialist Trainee (S0347P) and Auditor Accountant Trainee (S0344P), Department of Labor and Workforce Development.

ACTION:**B-21 RECREATION PROGRAM COORDINATOR (M0240P), TEANECK**

Teaneck requests permission not to make an appointment from the January 14, 2013 certification for Recreation Program Coordinator (M0240P).

ACTION:**B-22 ARTHUR AHR**

The appeal of Arthur Ahr, a former County Correction Officer with Mercer County, of his 20 working day suspension, on charges, was heard by Administrative Law Judge Linda M. Kassekert (ALJ), who rendered her initial decision on May 20, 2013. At its meeting on July 17, 2013, the Civil Service Commission adopted the ALJ's recommendation to uphold the appellant's 20 working day suspension. However, the Commission found it necessary to address the exceptions filed on behalf of the appellant. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-23 MICHAEL ANZIVINO

Michael Anzivino appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-24 KAYODE ADEEKO

Kayode Adeeko appeals the determination of the Division of Selection Services and Recruitment that he did not meet the experience requirement for the promotional examination for Program Development Specialist 1 Mental Health Services (PS3978K), Department of Human Services.

ACTION:

B-25 JUAN AVILES

Juan Aviles appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-26 STEPHEN CARRIG, ET AL.

Stephen Carrig, Stacy Lyons and Richard Muller appeal the determinations of the Division of Selection Services and Recruitment which found that they did not meet the experience requirements for the promotional examination for Assistant Supervisor Public Works (PM0090R), Teaneck.

ACTION:

B-27 MELISSA CLOUGH

Melissa Clough appeals the determination of the Division of Selection Services and Recruitment which found that she is below the minimum requirements in experience for the promotional examination for Assistant Business Manager 1 (PS6064K), Hunterdon Developmental Center.

ACTION:

B-28 GEORGE CONROY

George Conroy appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-29 DAVID DEPIERRO

David DePierro appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-30 DAWN EBERHARD

Dawn Eberhard appeals the determination of the Division of Selection Services and Recruitment that she did not meet the education and experience requirements for the open competitive examination for Superintendent Parks and Forestry 4 (S0859P).

ACTION:

B-31 BRAD FLEISCHMAN

Brad Fleischman appeals his score for the oral portion of the promotional examination for Fire Captain (PM5240N), Rahway.

ACTION:

B-32 NICOLI GEORGIEFF

Nicoli Georgieff appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-33 ANTHONY GERACI

Anthony Geraci appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-34 KEVIN HENNESSEY

Kevin Hennessey appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-35 MARK D. KELLY AND JAMES TOTO

Mark D. Kelly and James Toto appeal the determinations of the Division of Selection Services and Recruitment which found that they were not eligible for the promotional examination for Supervisor, Public Works (PM0041Q), Ocean City.

ACTION:

B-36 CAROL LAMANNA

Carol LaManna appeals the determination of the Division of Selection Services and Recruitment which found that she is below the minimum requirements in experience for the promotional examination for Municipal Court Administrator (PM0863P), Hazlet.

ACTION:

B-37 ROBERT LATHAM

Robert Latham, a Subcode Official with the Department of Community Affairs (DCA), appeals the determination of the Division of Selection Services and Recruitment that he did not meet the experience requirements for the open competitive examination for Construction Official (S1035P) and its decision to remove him from the eligible list for Construction Official (PS4611D), DCA.

ACTION:

B-38 NATASHA MCNEIL

Natasha McNeil appeals the determination of the Division of Selection Services and Recruitment which found that she is below the minimum requirements in experience for the promotional examination for Purchasing Assistant (PS6379K), Department of Children and Families.

ACTION:

B-39 KEVIN MCSORLEY

Kevin McSorley appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-40 TIMOTHY MINOR

Timothy Minor appeals the determination of the Division of Selection Services and Recruitment that he did not meet the experience requirement for the open competitive examination for Superintendent Parks and Forestry 4 (S0859P).

ACTION:

B-41 PATRICK MURPHY

Patrick Murphy appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-42 JULIO ORTIZ

Julio Ortiz appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-43 THOMAS PILOVSKY

Thomas Pilovsky appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-44 MARIE RAFFAY

Marie Raffay appeals the determination of the Division of Selection Services and Recruitment that she did not meet the education and experience requirements for the open competitive examination for Superintendent Parks and Forestry 4 (S0859P).

ACTION:

B-45 KATHRYN RAGNO

Kathryn Ragno appeals the determination of the Division of Selection Services and Recruitment which found that she was below the minimum requirements in experience for the promotional examination for Human Services Specialist 3 (PC0019Q), Hunterdon County.

ACTION:

B-46 KEITH RAYMOND

Keith Raymond appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-47 MIGUEL RIOS

Miguel Rios appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-48 CARMINE RIZZI

Carmine Rizzi appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-49 MICHAEL RUGGIERI

Michael Ruggieri appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-50 CHARLES RYAN

Charles Ryan appeals his oral score on the promotional examination for Deputy Police Chief (PM0918P), Bayonne.

ACTION:

B-51 CLARIMONDO SARNI

Clarimondo Sarni appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-52 DEXTER SMITH

Dexter Smith appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

ACTION:

B-53 RAHAMAN THORPE

Rahaman Thorpe appeals his score for the oral portion of the promotional examination for Fire Captain (PM5240N), Rahway.

ACTION:

B-54 JOSHUA UNDERWOOD

Joshua Underwood appeals the application of his score from the open competitive examination for Correction Officer Recruit (S9988R), Statewide to the Entry Level Law Enforcement Examination (S9999R), Statewide.

ACTION:

B-55 KEVIN T. WILLIAMS

Kevin T. Williams 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 Heavy Equipment Operator (PC0015Q), Atlantic County.

ACTION:

B-56 RODNEY WILLIAMS

Rodney Williams appeals the test administration and his score for the oral portion of the promotional examination for Fire Lieutenant (PM5195N), Plainfield.

ACTION:

B-57 MELISSA A. ASHMEN

Melissa A. Ashmen 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 Habilitation Plan Coordinator (S0847P).

ACTION:

B-58 JOHN CARR, ET AL.

John Carr, Angelo Giuffre, Louise Panebianco, Shenoda Shehata and Edward Taylor appeal the determinations of the Division of Selection Services and recruitment that found that they did not meet the experience, or education and experience, requirements for the open-competitive examination for Sales Representative 2, State Lottery (S0066R), Department of the Treasury.

ACTION:

B-59 MICHAEL FORCUM

Michael Forcum appeals his score for the oral portion of the promotional examination for Fire Captain (PM5226N), Hoboken.

ACTION:

B-60 JOHN HENDERSHOTT

John Hendershott appeals his score for, and the test administration of, the oral portion of the promotional examination for Fire Lieutenant (PM5202N), Vineland.

ACTION:

B-61 APRYL HUGGINS-ANIS

Apryl Huggins-Anis 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 Habilitation Plan Coordinator (S0847P).

ACTION:

B-62 MATTHEW MARKEY

Matthew Markey appeals his score for the oral portion of the promotional examination for Fire Captain (PM5226N), Hoboken.

ACTION:

B-63 KEVIN ROBINSON

Kevin Robinson appeals his score for the oral portion of the promotional examination for Fire Captain (PM5226N), Hoboken.

ACTION:

B-64 SAM TORRES

Sam Torres appeals his score for the oral portion of the promotional examination for Fire Captain (PM5226N), Hoboken.

ACTION:

B-65 INSURANCE ANALYST TRAINEE, INSURANCE EXAMINER TRAINEE, AND FINANCIAL EXAMINER TRAINEE

The Division of Classification and Personnel Management recommends reallocation of the Insurance Analyst Trainee, Insurance Examiner Trainee, and Financial Examiner Trainee titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

ACTION:

B-66 INTERIM PUBLIC HEALTH RECOVERY DIVISION, DEPARTMENT OF HEALTH

The Division of Classification and Personnel Management seeks Civil Service Commission approval to make temporary unclassified appointments to various career service titles in order to allow expedited staffing of the interim Public Health Recovery Division, Department of Health.

ACTION: