



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
MARCH 13, 2014**

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Sophonie Bien-Aime
Atlantic County
Department of Human Services
Removal

In the Matter of Brenda Byron
Department of Military and Veterans Affairs
Removal

In the Matter of Joseph Herzberg
Bordentown Township Fire District 2
Removal

In the Matter of Steven J. Hicks
Atlantic County
Office of the Prosecutor
Release at the end of working test period

In the Matter of Conrad Huggins
Jersey City
Public School District
Department of Removal

In the Matter of Timothy H. Naji
Atlantic City
Department of Public Works
Suspension

In the Matter of Victoria N. Sharpe
Passaic County Preakness Healthcare Center
Removal

In the Matter of Alida Thomas
Middlesex County
Department of Adult Corrections
Suspension

In the Matter of Mary Torrey
Verona Public Library
Release at the end of working test period

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

ACTION:

A-2 KATHLEEN CARR

Kathleen Carr, Personnel Assistant 1, Trenton Psychiatric Hospital, Department of Human Services, 20 working day suspension and demotion to the position of Personnel Assistant 2, on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, other sufficient cause, falsification, violation of a rule, regulation, policy, procedure, order or administrative decision and intentional abuse or misuse of authority or position.

Recommendation of the Administrative Law Judge – Uphold the 20 working day suspension and demotion to the position of Personnel Assistant 2.

ACTION:

A-3 KATHLEEN CARR

Kathleen Carr, Personnel Assistant 1, Trenton Psychiatric Hospital, Department of Human Services, removal effective August 5, 2011, on charges of failure or excessive delay in carrying out orders which did not result in danger to persons, insubordination, conduct unbecoming a public employee, other sufficient cause and divulging confidential information without proper authority.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-4 DAWN DEAN

Dawn Dean, County Correction Officer, Mercer County, Department of Corrections, 10 working day suspension, on charges of conduct unbecoming a public employee, other sufficient cause, violation of a rule, regulation, policy, procedure, order or administrative decision and insubordination.

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

ACTION:

A-5 ZINA HUGER

Zina Huger, Human Service Specialist 2, Burlington County, Board of Social Services, removal effective December 14, 2012, on charges of incompetency, chronic or excessive absenteeism or lateness, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-6 SHAQUAYA LANE (REMAND)

Shaquaya Lane, Senior Building Maintenance Worker, Trenton Psychiatric Hospital, Department of Human Services, removal and resignation not in good standing, effective March 4, 2011, on charges of unreasonable excuse for lateness more than 15 minutes, chronic lateness, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the resignation not in good standing and uphold the removal.

ACTION:

A-7 DENISE WORTHY

Denise Worthy, Registrar Vital Statistics, Atlantic City, demotion to the position of Clerk Typist effective April 26, 2010, on charges of failure to perform duties, insubordination, inability to perform duties, conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge – Demotion to the position of Principal Clerk Typist and award differential back pay.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 LUKASZ KULIS**

Lukasz Kulis, represented by Wieslaw S. Krajewski, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 ANTONIO F. TAMBORRA

Antonio F. Tamborra, represented by Alex W. Klein, Esq., appeals his rejection as a Fire Fighter candidate by the City of Hoboken and its request to remove his name from the eligible list for Fire Fighter (M2537M) on the basis of medical unfitness to perform effectively the duties of the position.

ACTION:

B-3 DAVID HOPKINS

David Hopkins, represented by Christopher A. Gray, Esq., seeks resolution of a dispute concerning back pay, benefits, and counsel fees arising from the decision of the Civil Service Commission, *In the Matter of David Hopkins* (CSC, decided June 1, 2011), which reversed his removal as a County Correction Sergeant with Mercer County.

ACTION:

B-4 ANIFATU KARGBO

Anifatu Kargbo, a former Practical Nurse with the Ancora Psychiatric Hospital, Department of Human Services, represented by William B. Hildebrand, Esq., petitions the Civil Service Commission for enforcement of the June 13, 2013 decision which ordered her reinstatement, back pay, benefits, seniority, and counsel fees.

ACTION:

B-5 MONICA BROCK

Monica Brock, a Public Safety Telecommunicator/Clerk 3 with Atlantic City, requests a retroactive appointment date based on a correction of her eligibility status for the examination for Public Safety Telecommunicator/Clerk 3 (PM0569P), Atlantic City.

ACTION:

B-6 JOHN CRESCIO

The City of Asbury Park seeks acknowledgement of the settlement agreement which provides John Crescio with a retroactive appointment to the title of Police Lieutenant, effective September 30, 2011.

ACTION:

B-7 ROBERT MCKANE

Robert McKane, a Sub-Code Official with the Department of Community Affairs, appeals the denial of his November 15, 2012 grievance requesting additional compensation and a promotion to offset the cost associated with the appointing authority's denial of his request for use of a State vehicle.

ACTION:

B-8 LUCY VASQUEZ

The Paterson Housing Authority and Lucy Vasquez, represented by Seth Gollin, New Jersey Council 52, AFSCME, request that Ms. Vasquez's work experience with Paterson be accepted to qualify her for a prospective examination for Program Monitor.

ACTION:

B-9 KEYONNA ELEY

Keyonna Eley appeals the removal of her name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list on the basis of falsification and unsatisfactory criminal record.

ACTION:

B-10 EVELYN MONTONE

Evelyn Montone appeals the determination of the Division of Classification and Personnel Management upholding the removal of her name from the special reemployment list for Practical Nurse, Trenton Psychiatric Hospital, on the basis of not appearing for an interview.

ACTION:

B-11 RUTH JOAN BECK

Ruth Joan Beck appeals the decision of the Division of Classification and Personnel Management which found that her position with the Richard Stockton College is properly classified as Education Program Assistant 1. The appellant seeks a Professional Services Specialist 4, Administrative Services job classification.

ACTION:

B-12 JOSEPH BENNETT

Joseph Bennett appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Environmental Protection is properly classified as Assistant Regional Forester. The appellant seeks a Regional Forester job classification.

ACTION:

B-13 GEORGE BLYSKUN

George Blyskun appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Environmental Protection is properly classified as Principal Geologist, Environmental Protection. The appellant seeks a Research Scientist 2 job classification.

ACTION:

B-14 EDWARD BURT

Edward Burt appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Environmental Protection is properly classified as Channel Marker/Boat Attendant. The appellant seeks a Captain, State Boat job classification.

ACTION:

B-15 SEAN HENDRICKS

Sean Hendricks appeals the determination of the former Division of State and Local Operations that his position with the Department of Labor and Workforce Development is properly classified as a Business Representative 2. The appellant seeks a Business Representative 1 job classification.

ACTION:

B-16 SHIRLINE LYNCH

Shirline Lynch appeals the decision of the Division of Classification and Personnel Management which found that her position with the Administrative Office of the Courts is properly classified as Judiciary Clerk 4. The appellant seeks an Administrative Specialist 2 job classification.

ACTION:

B-17 EILEEN MONAHAN

Eileen Monahan appeals the decision of the Division of Classification and personnel Management which found that her position with the Department of Labor and Workforce Development is properly classified as Secretarial Assistant 1. The appellant seeks an Administrative Assistant 2 job classification.

ACTION:

B-18 DOROTHY TEEL

Dorothy Teel appeals the determination of the Division of Classification and Personnel Management that her position with the Department of the Treasury is properly classified as a Pensions Benefits Specialist 1. The appellant seeks a Supervising Pensions Benefits Specialist job classification.

ACTION:

B-19 JAMES WAGONER

James Wagoner appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Banking and Insurance is properly classified as Financial Examiner 1. The appellant seeks a Financial Examiner 3 job classification.

ACTION:

B-20 ANDRE WILLIAMS

Andre Williams appeals the determination of the Division of Classification and Personnel Management that his position with the Department of Labor and Workforce Development is properly classified as an Administrative Analyst 2, Data Processing. The appellant seeks an Administrative Analyst 1, Data Processing job classification.

ACTION:

B-21 G. P.

G. P., a Technical Support Specialist 1 with the Department of Community Affairs, appeals the determination of the Commissioner, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION:**B-22 G. R.**

G. R., a former Recruit with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Counsel to the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:**B-23 POLICE SERGEANT PROMOTIONAL EXAMINATION 2013**

Labeeb Abdullah, Portia Allen, Mark Armstead, Niecole Ashbey-Sattaur, Barry Baker, Jeffrey Bouie, Kyle Bowman, Lawrence Brown Jr., Darryl Cheeks, Michael Clegg, Debra Cole-Granger, Daren Coley, Racheda Conyers, Edwin Cooper, Timothy Danzey, Bernard Davis, Elliott DeLoach Jr., Gene Etchison, Shukirra Ferguson, Alfreddy Fletcher, Richard Flounoy, Arthur Frazier, Rajhan Gordon, Deidre Gully, George Hines, Levi Holmes, II, Bernadette Holmes, Danny Johnson, Tammie King, Tanetta Manderville, Douglas Marshall, Louis Medina, Robert Moore, Tyrone Morton, September Phillips, Stacy Pickett, Anthony Roberts Jr., Janell Robinson, Eric Rollack, Renay Shiggs, Lucinda Simmons, Tyrone Singletary, Ercelle Spellman, Derek Spencer, Russell Thomas, Richard Warren, II, Anthony Williams, Kiva Williams, Wyhidi Wilson, and Kevin Wright (PM5107M), Newark, represented by Levi Holmes, II, President, Newark Bronze Shields; Joseph Careccio (PM5158N), Teaneck; Alexander Castellon (PM0618N), Passaic; David Cavagnaro Jr., (PM5165N), Vineland; Michael Gray (PM5110M), Ocean City; Kenneth Kuzicki (PM5124M), Vernon; and Michael Scarpa (PM5120N), Jersey City; appeal the lack of adequate notice for the promotional examinations for Police Sergeant (various jurisdictions).

ACTION:

B-24 SHANITA ALVAREZ

Shanita Alvarez requests reconsideration of the decision rendered on December 18, 2013, which upheld the determination of the Division of Selection Services that she was not eligible for the promotional examination for Supervising Family Service Specialist 2 (PS6696K), Department of Children and Families, because she was not employed in the announced unit scope.

ACTION:

B-25 SUSAN FITZPATRICK

Gaye Palmer, Staff Representative, CWA Local 1033, on behalf of Susan Fitzpatrick, Department of Law and Public Safety, requests reconsideration of the final administrative decision rendered on April 17, 2013, upholding the determination that the proper classification of Fitzpatrick's position is Senior Clerk Typist.

ACTION:

B-26 DANIEL KAZMIERCZAK

Daniel Kazmierczak requests reconsideration of the decision *In the Matter of Daniel Kazmierczak (S9999M), Teaneck* rendered on October 2, 2013 by the Civil Service Commission which found the petitioner to be psychologically unfit for a position as a Police Officer (S9999M), Township of Teaneck.

ACTION:

B-27 JAMIE MORRIS

Jamie Morris petitions the Civil Service Commission for reconsideration of the decision rendered on September 18, 2013, which denied her appeal regarding her ineligibility for the promotional examination for Classification Officer 1 (PS5033I), Department of Corrections.

ACTION:

B-28 SHERIFF'S OFFICER LIEUTENANT (PC1221P), BERGEN COUNTY

The Bergen County Sheriff requests reconsideration of the final administrative determination in *In the Matter of Sheriff's Officer Lieutenant (PC1221P), Bergen County* (CSC, decided April 17, 2013).

ACTION:

B-29 JOHN TRACY

John Tracy, represented by Alex Klein, Esq., petitions the Civil Service Commission for reconsideration of the remedies provided in its final decision, rendered on December 18, 2013, which restored his name to the Fire Fighter (M2377H), Newark eligible list.

ACTION:

B-30 STANLEY BAKER

Stanley Baker appeals the validity of the promotional examination for Principal Parole Counselor SPB (PS4623I), State Parole Board.

ACTION:

B-31 RONALD BARBER

Ronald Barber appeals the determination of the Division of Selection Services that he did not meet the requirements for the promotional examination for Assistant Supervisor of Professional Residential Services, Developmental Disabilities (PS8093K), Department of Human Services.

ACTION:

B-32 BRETT BAUMAN

Brett Bauman appeals the determination of the Division of Selection Services that found that he did not meet the experience requirements for the promotional examination for Senior Repairer (PS1736K), Department of Children and Families.

ACTION:

B-33 DANIELA BORN

Daniela Born appeals the decision of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Education Program Assistant 1, (PS0526J), Richard Stockton College of New Jersey.

ACTION:

B-34 KATHY CANTWELL

Kathy Cantwell appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Administrative Secretary (PM0812P), East Orange.

ACTION:

B-35 DAN CASSIDY AND ALEXANDER SOLANIK, JR.

Dan Cassidy and Alexander Solanik, Jr., appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Executive Assistant 2 (PS0518I), South Woods State Prison.

ACTION:

B-36 JAMES COMEGNO

James Comego requests a make-up examination for the open competitive examination for Entry Law Enforcement Examination (S9999R), Statewide.

ACTION:

B-37 ANTHONY COX, SR.

Anthony Cox, Sr. appeals the decision of the Division of Selection Services which found that the examination for Chief Field Representative Property Improvement (PM1774R), Atlantic City does not represent a promotion.

ACTION:

B-38 JAMES DOLAN

James Dolan appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the examination for Assistant Director, Fiscal and Management Operations (PS7545K), Department of Children and Families.

ACTION:

B-39 PATRICK DONNELLY

Patrick Donnelly appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for the open competitive examination for Safety Officer, Mental Health (C0577R), Hudson County.

ACTION:

B-40 AHMED ELBELKASI

Ahmed Elbelkasi requests a make-up examination for the open competitive examination for Correction Officer Recruit (S9988R), Statewide.

ACTION:

B-41 KENNETH ISKY

Kenneth Isky appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the examination for Assistant Director, Fiscal and Management Operations (PS7545K), Department of Children and Families.

ACTION:

B-42 KAM LO N. SI

Kam Lo N. Si appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for a prospective promotional examination to the title of Executive Assistant 2, Department of Environmental Protection.

ACTION:

B-43 SANDY MAZYCK AND DAWN STOUT

Sandy Mazyck and Dawn Stout appeal the denial of their requests for make-up examinations for Family Service Specialist 1 (PS3420K) and Family Service Specialist 1, Bilingual in Spanish and English (PS3421K), Department of Children and Families, respectively.

ACTION:

B-44 BRIAN O'NEILL

Brian O'Neill appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Engineer in Charge of Maintenance 1 (PS15331I), Edna Mahan Correctional Facility for Women, Department of Corrections. Additionally, the appellant appeals the removal of his name from the Assistant Engineer in Charge of Maintenance 2 (PS1586I), Northern State Prison, Department of Corrections eligible list on the basis that he was outside the announced unit scope.

ACTION:

B-45 TODD RAMER

Todd Ramer appeals the determination of the Division of Selection Services denying his request for a make-up examination for the promotional examination for County Services Specialist (PS1394K), Department of Children and Families.

ACTION:

B-46 DEANA SABA

Deana Saba appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Executive Assistant (PC1176R), Union County.

ACTION:

B-47 JOSEPH SCHISANI, ET AL.

Joseph Schisani, Louis Turso and Ron Miltner, Fire Captains with the City of Hoboken represented by Craig Gumpel, Esq., request relief from the Civil Service Commission concerning the eligibility of four candidates for the promotional examination for Battalion Fire Chief (PM0142P), City of Hoboken.

ACTION:

B-48 PETER TABURAS

Peter Taburas appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Boiler Operator Repairer (S0531R).

ACTION:

B-49 ADOPTED AMENDMENTS: N.J.A.C. 4A:1-1.3; AND 4A:4-2.1, 2.6 AND 2.17 (SUBMISSION OF EXAMINATION APPLICATIONS ONLINE)

Submitted for the Commission's approval is a Notice of Adoption codifying the CSC's On-Line Application System (OAS). The rule revisions set forth procedures for the electronic posting of open competitive and promotional announcements and the electronic submission of examination applications. No comments were received regarding this rule proposal during the public comment period. Therefore, it is recommended that the amendments be adopted without change.

ACTION:

B-50 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of February 26, 2014.

ACTION: