



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
APRIL 9, 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 Gloria Butler
Burlington County Jail
Department of Corrections
Suspension

In the Matter of Lisha Burden
New Jersey Veterans Memorial Home Vineland
Department of Military & Veteran's Affairs
Removal

In the Matter of Gustavo Sanchez
Middlesex County
Department of Corrections
Resignation not in good standing

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

ACTION:

A-2 THOMAS BARBELL, ET AL.

Dominick Bertoldi, Police Lieutenant, David Palmere, Police Sergeant and Patrick Yorke, Police Lieutenant, Township of West Orange, Police Department, appeal the good faith of their layoffs effective March 15, 2011.

Recommendation of the Administrative Law Judge – Uphold the layoff.

ACTION:

A-3 GLENN BATES (CONSOLIDATED)

Glenn Bates, Senior Correction Officer, Edna Mahan Correctional Facility, Department of Corrections, removal effective December 6, 2012, on charges of conduct unbecoming a public employee, other sufficient causes and prohibited by law from possessing or using a firearm.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-4 WAYMAN DAVIS

Wayman Davis, Head Custodian, Jersey City School District, 10-day suspension on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the 10-day suspension.

ACTION:

A-5 VIVIAN DELGADO

Vivian Delgado, Public Safety Telecommunicator, City of Passaic, Police Department, removal effective April 12, 2012, 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 – Uphold the removal.

ACTION:

A-6 JOSEPHINE DENNIS

Josephine Dennis, Human Services Assistant, Hunterdon Developmental Center, removal effective September 11, 2012, on charges of physical or mental abuse of a client, inappropriate physical contact or mistreatment of a client, any improper conduct which violates common decency, failure to perform duties, conduct unbecoming a public employee and other sufficient causes.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-7 TAMESHA LANG

Tamesha Lang, Senior Correction Officer, East Jersey State Prison, Department of Correction, removal effective July 25, 2013, on charges of conduct unbecoming a public employee, other sufficient causes, falsification, intentional misstatement of material fact in connection with work, employment application, attendance, or in any record, report, investigation or proceeding and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-8 JACKIE LOVETT

Jackie Lovett, Custodial Worker, Newark School District, removal effective August 16, 2013, 2010, on charges of chronic or excessive absenteeism or lateness, neglect of duty, inability to perform duties, resignation not in good standing and other sufficient cause.

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

ACTION:

A-9 SHANIKA MCNAIR

Shanika McNair, Correction Officer Recruit, Northern State Prison, Department of Correction, removal effective May 28, 2013, on charges of other sufficient causes, inability to perform duties, conduct unbecoming an employee, falsification, intentional misstatement of material fact in connection with work, employment application, attendance, or in any record, report, investigation or proceeding, improper or unauthorized contact with inmate, undue familiarity with inmates, parolees, their families, or friends and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Modify the removal to a 120-day suspension.

ACTION:

A-10 DAWN MORTON

Dawn Morton, Senior Correction Officer, Central Reception and Assignment Facility, Department of Corrections, 120-day suspension on charges of conduct unbecoming a public employee, other sufficient cause and violation of the NJDOC policy prohibiting discrimination, harassment or hostile environment in the workplace.

Recommendation of the Administrative Law Judge – Reverse the 120 day suspension.

ACTION:

A-11 MATTHEW SAILEY

Matthew Sailey, Crew Supervisor, Mechanics, Department of Transportation, return to previously held title at the end of working test period effective December 31, 2012.

Recommendation of the Administrative Law Judge – Uphold the return to previously held title at the end of working test period effective December 31, 2012.

ACTION:

A-12 AQUIL WYNN

Aquil Wynn, Institutional Trade Instructor 1, Cooking, East Jersey State Prison, Department of Correction, removal effective February 23, 2013, on charges of conduct unbecoming a public employee, other sufficient cause and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Grant summary decision and dismiss the appeal.

ACTION:


SECTION B – MISCELLANEOUS MATTERS

B-1 CHANGE IN CLASSIFICATION PLAN – TITLE CREATION

The Division of Classification and Personnel Management requests the creation of the Forensic Analyst Information Technology title.



MEMORANDUM

DATE: March 28, 2014
TO: The Civil Service Commission
FROM: Kenneth Connolly, Director 
Division of Classification & Personnel Management
SUBJECT: Change in the State Classification Plan

LOCAL TITLE CREATION REQUEST

Union County seeks to create a new title, Forensic Analyst Information Technology.

A classification audit was conducted on a position in the County Prosecutor's Office, the results of which indicate there is no existing title to appropriately classify the duties associated with forensic analysis of electronic devices and storage media.

The proposed title will be utilized within the High Tech/Computer Services Unit under the supervision of a County Police Sergeant, who in turn reports to a County Police Lieutenant.

The primary function of the title is to analyze electronic devices and storage media to extract and archive relevant electronic evidence for presentation in criminal case proceedings. Existing information technology titles do not encompass this function in terms of duties or requirements.

TITLE TO BE CREATED

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

Forensic Analyst Information Technology
Local Competitive

KC/JT/BP/DC

ACTION:

B-2 CHANGE IN CLASSIFICATION PLAN – TITLE REACTIVATION


The Division of Classification and Personnel Management requests reactivation of the Maintenance Repairer/Radio Dispatcher title.



MEMORANDUM

DATE: March 16, 2014

TO: Civil Service Commission

FROM: Kenneth Connolly, Director
Division of Classification and Personnel Management 

SUBJECT: Change in State Classification Plan

Local Government

The Division of Classification and Personnel Management requests the reactivation of the title Maintenance Repairer/ Radio Dispatcher which was inactivated in December 2011, due to non-use.

The title was created in May 2011 as the result of a classification determination, and was made effective retroactive to January 15, 2011. The AA was unable to utilize the title when it became available as the Council of the City of Vineland did not pass a necessary ordinance approving its use. At this time, the Council of the City of Vineland has adopted said ordinance and the AA wishes to make a retroactive appointment into this title.

Following the Commission's approval of this action, the AA requests reactivation retroactive to January 15, 2011, the date the title was originally created, for the appointment of the incumbent performing this function.

Title Reactivation

Maintenance Repairer/ Radio Dispatcher
10054 C Local

KC/JT/BP/TL


www.state.nj.us/csc

ACTION:

B-3 CHANGE IN CLASSIFICATION PLAN – TITLE INACTIVATION AND REACTIVATION

The Division of Classification and Personnel Management requests inactivation of the local title Claims Examiner Workers Compensation Typing in exchange for reactivating the base title, Claims Examiner Workers Compensation.

**MEMORANDUM**

DATE: March 24, 2014
TO: Civil Service Commission
FROM: Kenneth Connolly, Director 
Division of Classification and Personnel Management
SUBJECT: Change in Classification Plan

Local Government Titles

The Division of Classification and Personal Management requests the inactivation of the title Claims Examiner Workers Compensation Typing (01242), in exchange for the reactivation of the primary title Claims Examiner Workers Compensation (01241), inactivated in 1987.

We have received a request from an AA to remove the typing language from the typing variant. We have proposed instead exchanging the typing variant for the inactive primary title. A review of the specification indicates that the primary function of the title is the processing of accident reports, rather than typing. Inactivating the typing variant is consistent with the CSC's current position that use of a keyboard is essentially universally expected, eliminating the need for specialized typing titles.

The title actions will be processed as lateral employee movements, appointment type to appointment type, with retention of existing status.

Upon successful completion of this process, any existing eligibility lists for these titles shall be processed as follows:

- Promotional and open competitive lists issued from pending announcements for any affected title in which employees with provisional appointments are serving will be certified for one time use only in order to effect permanent appointment (s), and will be declared expired upon disposition of the certification.
- A complete list that has never been used and contains no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- A complete list which contains employees with current provisional appointments for the title and unit scope specified (with the exception of such employees currently on active military duty) will be processed for one time use and will be declared expired upon the disposition of certification.
- An incomplete list containing no employee with current provisional appointments for the title and unit scope specified shall be declared expired.

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- 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.

We have notified jurisdictions using these titles of our plans and provided them with the opportunity to review and comment. No objections to this plan were received.

The effective date of this title reactivation will be the first pay period that follows the Commission's approval of the action.

Title Inactivation

Claims Examiner Workers Compensation Typing
01242 C Local

Title Reactivation

Claims Examiner Workers Compensation
01241 C Local

KC/JT/BP/TL

ACTION:

B-4 ANTWON ROACH

Antwon Roach, represented by Louis Scalzo, Esq., appeals his rejection as a County Correction Officer candidate by Monmouth County and its request to remove his name from the eligible list for County Correction Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-5 EUGENE B. TURONIS

Eugene B. Turonis, represented by Alex Klein, Esq., appeals his rejection as a Fire Fighter candidate by Hoboken and its request to remove his name from the eligible list for Fire Fighter (M2537M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-6 QUEEN WILLIAMS AND WINSOME SAMUELS

The Department of Human Services requests that the provisions of *N.J.A.C. 4A:6-3.4(a)*, which govern the time period in which employees must file an application for Supplemental Compensation or Retirement (SCOR), be relaxed to permit Queen Williams, a former Senior Food Service Handler for the North Jersey Developmental Center, and Winsome Samuels, a former Charge Nurse, 12 months for NJDC, to submit late application for SCOR benefits.

ACTION:

B-7 ALANA WALLBILLICH

Alana Wallbillich, a Business Manager, Corrections, with the Department of Corrections, requests relief from the Civil Service Commission regarding the change in job specification for Business Manager 1, Corrections.

ACTION:

B-8 RORY CHAPIN

The City of Hackensack requests that the provisions of *N.J.A.C. 4A:4-7.1A* be relaxed in order to permit the retroactive Intergovernmental Transfer of Rory Chapin from the title of Sheriff's Officer, Morris County Sheriff's Office, to the title of Police Officer, City of Hackensack.

ACTION:

B-9 CRYSTAL JORDAN

Crystal Jordan, a County Correction Officer with the Burlington County Jail, represented by Daniel M. Rosenberg, Esq., requests that the Civil Service Commission reinstate her appeal of her 20-day suspension, which was dismissed based on the attorneys representing both parties failing to appear at the scheduled telephone prehearing conference.

ACTION:

B-10 EMANUEL COSME

Emanuel Cosme, represented by Harvey Fruchter, Esq., appeals the determination of the Division of Classification and Personnel Management upholding the removal of his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of an unsatisfactory criminal record, an unsatisfactory employment record, and falsification of his application.

ACTION:

B-11 GIUSEPPE TUBITO

Giuseppe Tubito, represented by Thomas J. Cammarata, Esq., 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 Correction Officer Recruit (S9987M), Department of Corrections, eligible list on the basis of falsification of his employment application.

ACTION:

B-12 ALEXANDER FERRER

Alexander Ferrer appeals the determination of the Division of Selection Services denying his request for a make-up examination for the Entry Law Enforcement Examination (S9999R), Statewide.

ACTION:

B-13 GUADALUPE LOPEZ

Guadalupe Lopez requests a make-up examination for the bilingual portion of the open-competitive examination for Investigator, Bilingual in Spanish/English.

ACTION:

B-14 ROSEANN RANDAZZO

Roseann Randazzo appeals the denial by the Division of Selection Services of her request for a make-up examination for Administrative Assistant 1 (PS5856P), Department of Law and Public Safety.

ACTION:

B-15 S. J.

S. J., a Senior Medical Security Officer with Ann Klein Forensic Center, Department of Human Services, appeals the determination of the Chief of Staff for DHS, which found that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-16 PAULA BLAZE

Paula Blaze appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of Environmental Protection is properly classified as Research Scientist 2, Chemistry. The appellant seeks a Research Scientist 1, Chemistry job classification.

ACTION:

B-17 RICHARD COWLEY, SR.

Richard Cowley, Sr. appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with Union County is Senior Maintenance Repairer. The appellant seeks a Building Superintendent job classification.

ACTION:

B-18 MELISSA FOX

Melissa Fox 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 an Employment and Training Specialist 2. The appellant seeks an Employment and Training Specialist 1 job classification.

ACTION:

B-19 PATRICIA MAHONEY

Patricia Mahoney appeals the decision of the Division of Classification and Personnel Management which found that her position is properly classified as Communications Operator. The appellant seeks a Senior Communications Operator job classification.

ACTION:

B-20 THOMAS O'CONNOR

Thomas O'Connor appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Labor and Workforce Development is properly classified as an Employment and Training Specialist 2. The appellant seeks an Employment and Training Specialist 1 job classification.

ACTION:

B-21 FRANK BISANZIO, ET AL.

Frank Bisanzio, Robert Fields, Kenneth Kerner, and Joseph Mucha appeal the decisions of the Division of Selection Services which found that they were not permanent in a title to which the examination was open for Sewer Repairer Supervisor (PM1903R), Hamilton, and Robert Kiernen-Stout appeals the decision of the Division of Selection Services which found that he lacked the required amount of permanent status in the title to which the examination is open.

ACTION:

B-22 CHRIS CAVARETTA, ET AL.

Chris Cavaretta, Christopher Cruse and Edward Riegel, represented by David J. Azotea, Esq., request that the February 12, 2013 certification of the eligible list for Police Sergeant (PM2575K), Atlantic City be revised to include their names and effectuate their appointments effective May 13, 2013.

ACTION:

B-23 DANIEL DUNN

Daniel Dunn, represented by Carl N. Tripician, Esq., appeals the bypass of his name on the Fire Captain (PM5247N), City of Wildwood, eligible list.

ACTION:

B-24 PAYTON DUNN

The Administrative Office of the Courts requests that Payton Dunn's permanent appointment to Probation Officer be recorded effective March 23, 2013.

ACTION:

B-25 BRIAN EIDMANN, ET AL.

Brian Eidmann, Camilo Suriel, Antonio Turner, and Michelle Valentino, represented by Marcia J. Tapia, Esq., request that their appointments as Senior Parole Officer be effective as of the date of their appointments with the New Jersey State Parole Board from the Statewide Eligible List for reemployment of displaced law enforcement officers.

ACTION:

B-26 MATTHEW MCCUE AND DANA REID

The Township of Montville, requests that the eligible list for Police Officer (S9999M), Montville be revived to record the retroactive appointments of Matthew McCue and Dana Reid, effective January 14, 2013 and July 15, 2013, respectively.

ACTION:

B-27 SUZANNE O'HEARN

Suzanne O'Hearn appeals the decision of the Division of Classification and Personnel Management that the effective date of reclassification of her position from Highway Safety Specialist to Senior Highway Safety Specialist was August 25, 2012.

ACTION:

B-28 POLICE SERGEANT (PM2590K), EDGEWATER

Edgewater requests the revival and extension of the eligible list for Police Sergeant (PM2590K), Edgewater, to effectuate the appointment of William Wallach.

ACTION:

B-29 HAROLD NUGENT

Harold Nugent, a former Mechanic with Brick Township, represented by Anthony S. Almeida, Esq., requests reconsideration of the final administrative decision, rendered on April 17, 2013, which found that Nugent did not establish his burden of proof that he was not properly appointed from the special reemployment list or from an open competitive list to the positions of Mechanic, Mechanic Helper, or Laborer 1.

ACTION:

B-30 CARNEATIA BAILEY

Carneatia Bailey appeals the test administration of the examination for Human Services Specialist 1 (C0737R), Atlantic County.

ACTION:

B-31 ROBERT BUTCAVAGE

Robert Butcavage appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Technical Assistant Personnel (PS0576K), Department of Children and Families.

ACTION:

B-32 JACQUELINE CENTENO

Jacqueline Centeno appeals the administration of the open competitive examination for Judiciary Clerk 3 Bilingual in Spanish and English (S0810R), Statewide.

ACTION:

B-33 CHRISTOPHER DIVVER

Christopher Divver appeals his score for the oral portion of the examination for the second level Fire Captain (PM0056R), Clifton.

ACTION:

B-34 ERIC GRACE

Eric Grace appeals his score for the oral portion of the examination for the second level Fire Captain (PM0067R), Margate.

ACTION:

B-35 CAREN HALL

Caren Hall appeals the administration of the open competitive examination for Customer Service Information Specialist 3, Tourism Welcome Center (S0226R), Statewide.

ACTION:

B-36 CHRIS HORNIG

Chris Hornig appeals his score for the oral portion of the examination for the second level Fire Captain (PM0067R), Margate.

ACTION:

B-37 DERIK JORDAN

Derik Jordan appeals the determination of the Division of Selection Services which found that he did not meet the education and experience requirements for the promotional examination for Network Administrator 1 (PS8517R), Board of Public Utilities.

ACTION:

B-38 SPERO LEAKAS

Spero Leakas appeals his score for the oral portion of the examination for the second level Fire Captain (PM0170R), Hackensack.

ACTION:

B-39 DONDRU PHILLIPS

Donдру Phillips appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Personnel Assistant 4 (PS8518R), Board of Public Utilities.

ACTION:

B-40 AL'JAWANN REED, JR.

Al'Jawann Reed, Jr., represented by Rene Demuynck, Chief Shop Steward, CWA Local 1037 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 Principal Stock Clerk (S0550R), Statewide.

ACTION:

B-41 JESSICA REID

Jessica Reid appeals the determination of the Division of Selection Services that she did not meet the education requirement for the open competitive examination for Animal Health Technician, (C0631R), Essex County.

ACTION:

B-42 WILLIAM RICCI

William Ricci appeals his score for the oral portion of the examination for the second level Fire Captain (PM0056R), Clifton.

ACTION:

B-43 FREDERIC SCHATZMANN, III

Frederic Schatzmann, III appeals his score for the oral portion of the examination for the second level Fire Captain (PM0178R), New Brunswick.

ACTION:

B-44 EDWARD TAYLOR

Edward Taylor appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Customer Service Information Specialist 3, Tourism Welcome Center (S0226R), Statewide.

ACTION:

B-45 WILLIAM TUNNEY

William Tunney appeals the determination of the Division of Selection Services that he did not meet the education and experience requirements for the open competitive examination for Marine Mechanic (S0727R), Statewide.

ACTION:

B-46 THOMAS WOLANSKY

Thomas Wolansky appeals his score for the oral portion of the examination for the second level Fire Captain (PM0076R), Union Township.

ACTION:

B-47 ZHENHUA ZHANG

Zhenhua Zang appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Network Administrator 1 (PS0581K), Department of Children and Families.

ACTION:

B-48 CIVIL SERVICE COMMISSION MINUTES

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

ACTION:

B-49 RONALD LEMONGELLO

Ronald Lemongello 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 (S9987M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-50 DAVID ANTHONY

David Anthony, a Management Specialist with Hudson County, represented by David B. Beckett, Esq., petitions the Civil Service Commission for interim relief of his termination.

ACTION:

B-51 TAMIKA VEAL-JOHNSON

Tamika Veal-Johnson, represented by Jack A. Butler, Esq., appeals the decision of the City of Trenton to remove her name from the Police Officer, City of Trenton special reemployment eligible list due to an unsatisfactory criminal record.

ACTION:

B-52 VICTOR WASHINGTON

Victor Washington appeals the decision of the Division of Classification and Personnel Management which found that the Department of Corrections had presented a sufficient basis to remove his name from the Correction Officer Recruit (S9987K), eligible list due to an unsatisfactory criminal record.

ACTION:

B-53 JESSEY KARTO

Jessey Karto requests a review of the scoring, and requests a retest, of the promotional examination for Cottage Training Technician (PS8361K), New Lisbon Developmental Center.

ACTION:

B-54 DIAHANN COLLINS-BLOOR

Diahann Collins-Bloor appeals the determination of the Division of Classification and Personnel Management that her position with the Department of Health is properly classified as a Technical Assistant 3. The appellant seeks a Technical Assistant, Contract Administration job classification.

ACTION:

B-55 SHARON FENSTERMACHER

Sharon Fenstermacher appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of the Treasury is properly classified as Auditor 3. The appellant seeks an Auditor 2 job classification.

ACTION:

B-56 A. C.

A.C., a Family Service Specialist 2 with the Department of Children and Families appeals the determination of DCF's Director of Administration and Legal Affairs 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 (State Policy).

ACTION:

B-57 NITA SHAH

Nita Shah petitions the Civil Service Commission for reconsideration of the final administrative decision rendered on November 20, 2013, in which the Commission denied the appellant's examination appeal.

ACTION:

B-58 ROBERT RIVERA

The appeal of Robert Rivera, a Housing Assistant Technician, Bilingual in Spanish and English, with Passaic County, of his removal effective December 29, 2010, on charges, was heard by Administrative Law Judge Sandra Ann Robinson (ALJ), who rendered her initial decision on January 23, 2014 in which she modified the removal to a 90 working day suspension. At its meeting on March 26, 2014, the Civil Service Commission modified the removal to a 120 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: