



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
JUNE 18, 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 Kenneth Benjamin
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Steven Corey (Consolidated)
City of Bridgeton
Police Department
Suspension

In the Matter of Nasir Council
Juvenile Justice Commission
Department of Law and Public Safety
Removal

In the Matter of Jason Doe
New Jersey State Prison
Department of Correction
Removal

In the Matter of Gregory Fahy
Middlesex County
Department of Corrections and Youth Services
Resignation not in good standing

In the Matter of Telina Hairston (Consolidated)
City of East Orange
Police Department
Suspension

In the Matter of Hameez Junaid
Hunterdon Developmental Center
Department of Human Services
Suspension

In the Matter of Julie Lessing
Warren County
Department of Long Term Care
Removal

In the Matter of Jessica Leys
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Kevin Mewborn
Cumberland County
Department of Corrections
Removal

In the Matter of Michael J. O'Gara
City of Asbury Park
Fire Department
Removal

In the Matter of Joanne L. Papaiani
Ocean County
Board of Social Services
Release at the end of working test period

In the Matter of Marc Pellicane
Superior Court of New Jersey
Middlesex County Vicinage
Removal

In the Matter of Sheila Richardson
Union County
Juvenile Detention Center
Suspension

In the Matter of Donna Rodriguez
New Lisbon Developmental Center
Department of Human Services
Removal

In the Matter of Shadee Shakil Shepherd
City of New Brunswick
Department of Public Works
Removal

In the Matter of Jackie Webster
Vineland Developmental Center
Department of Human Services
Removal

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

ACTION:

A-2 STEPHEN DAVIS

Stephen Davis, County Correction Officer, Mercer County, Department of Public Safety, fine equivalent to a 15 working day suspension, on charges of conduct unbecoming a public employee, insubordination, other sufficient cause, violation of rule regulation, policy, procedure, order or administrative decision, intentional disobedience or refusal to accept reasonable order, assaulting or resisting authority and disrespect or use of insulting or abusive language to a supervisor.

Recommendation of the Administrative Law Judge – Uphold the fine equivalent to a 15 working day suspension.

ACTION:

A-3 SOPHIE EXARCHAKIS

Sophie Exarchakis, Judiciary Clerk 2, Monmouth Vicinage, removal effective September 24, 2012, on the charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Modify the removal to a resignation in good standing.

ACTION:

A-4 WANDA FERNANDEZ AND WERFY FERNANDEZ (CONSOLIDATED)

Wanda Fernandez and Werfy Fernandez, Human Service Specialist 2s, Camden County Board of Social Services, removals effective November 22, 2011 on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee, neglect of duty, misuse of public property, other sufficient cause and violation of agency telephone policy.

Recommendation of the Administrative Law Judge – Uphold the removals.

ACTION:

A-5 WILBUR GEORGE

Wilbur George, Boiler Operator, Jersey City Public Schools, 10 working day suspension on charges of conduct unbecoming an public employee and neglect of duties.

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

ACTION:

A-6 RYAN J. GRAY

Ryan J. Gray, EMT, Gloucester County, six month suspension on charges of misuse of public property, including motor vehicles.

Recommendation of the Administrative Law Judge – Reverse the suspension.

ACTION:

A-7 BESSIE MCDALTON

Bessie McDalton, Police Communication Clerk, City of Newark, Police Department, 30 working day suspension on charges of inefficiency or incompetency.

Recommendation of the Administrative Law Judge – Reverse the suspension.

ACTION:

A-8 JUSTIN MILLER

Justin Miller, County Correction Officer, Middlesex County, Department of Adult Corrections, removal effective April 25, 2013, on the charge of incompetency, inefficiency or failure to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-9 LANGSTON TISDALE

Langston Tisdale, Correction Sergeant, Northern State Prison, Department of Corrections, removal effective August 8, 2013, on charges of conduct unbecoming a public employee, other sufficient cause, violation of NJDOC policy prohibiting discrimination, harassment or hostile environment in the workplace.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-10 SHKIRA WILLIAMS

Shkira Williams, Motor Vehicle Operator 1, North Jersey Developmental Center, Department of Human Services, removal effective January 21, 2013, on charges of abandonment of job as result of absence from work as scheduled without permission for five consecutive days and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 SHANTAH FERGUSON AND CHRISTINA HAMMOND

Shantah Ferguson, Keyboarding Clerk 1, and Christina Hammond, Keyboarding Clerk 1, with the Newark School District, appeal the determinations of their layoff rights by the Division of Classification and Personnel Management.

ACTION:

B-2 GEORGE MINGO

George Mingo, Construction Management Specialist 1, with the Newark School District, represented by John Anello, Esq., appeals the determination of his layoff rights by the Division of Classification and Personnel Management.

ACTION:

B-3 NEWARK TEACHERS' UNION, LOCAL 481

The Newark Teachers' Union, Local 481, AFT, AFL-CIO, represented by Colin M. Lynch, Esq., requests interim relief regarding the layoff of employees in various titles with the Newark School district.

ACTION:

B-4 SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 617

The Service Employees International Union, Local 617, CTW, CIC, represented by Arnold Shep Cohen, Esq., requests interim relief regarding the layoff of employees in various titles with the Newark School District.

ACTION:

B-5 CHRISTINE HARTIGAN

Christine Hartigan requests that the provisions of *N.J.A.C. 4A:4-7.1A(b)* be relaxed in order to permit her retroactive intergovernmental transfer from the title of Library Director, Wood-Ridge Township, to the title of Library Director, East Rutherford Township.

ACTION:

B-6 DAVID BEHRENS, JR.

David Behrens, Jr., appeals the bypass of his name on the Police Officer (S9999M), Borough of Keyport eligible list.

ACTION:

B-7 PATRICK LEONARD

The Township of Hazlet, represented by Bruce W. Padula, Esq., appeals the decision of the Division of Classification and Personnel Management, which restored the name of Patrick Leonard to the Police Officer (S9999M), Township of Hazlet, eligible list.

ACTION:

B-8 THOMAS MCDONOUGH

The Division of Classification and Personnel Management, on behalf of the Department of Transportation, requests that Thomas McDonough's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Engineering Technician 2.

ACTION:

B-9 ARUNA PATEL

Aruna Patel appeals the determination of the Division of Selection Services that he lacked permanent status in a competitive title for the promotional examination for Human Services Specialist 1 (PC0200S), Hudson County Family Services.

ACTION:

B-10 PHYLLIS WELLS

Phyllis Wells appeals the denial of her request for a make-up for the open competitive examination for Family Service Worker (C0813R), Essex County.

ACTION:

B-11 JASON BOUCHARD

Jason Bouchard 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 JOSEPH EPPS

Joseph Epps appeals the decision of the Division of Classification and Personnel Management which found that the appointing authority had presented a sufficient basis to remove his name from the Police Officer (S9999M), Plainfield eligible list due to an unsatisfactory background report.

ACTION:

B-13 WILLIE GRAY

Willie Gray appeals the determination of the Division of Classification and Personnel Management that his position with the State Parole Board was properly classified as an Information Technology Specialist. The appellant seeks a Data Base Analyst 2 job classification.

ACTION:

B-14 B. B.

B. B., a Sergeant 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 (State Policy). Additionally, the appellant appeals the determination that there was probable cause to substantiate a finding that he violated the State Policy.

ACTION:

B-15 L. C.

L. C., a Personnel Aide 1 at Vineland Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner of DHS that the appellant failed to present sufficient evidence to support findings of violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-16 M. M.

M. M., a Cottage Training Technician with the Department of Human Services appeals the decision of the Chief of Staff of the DHS which substantiated that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-17 ASSISTANT CHIEF FISCAL OFFICER (S0137N), STATEWIDE

In *In the Matter of Assistant Chief Fiscal Officer (S0137N), Statewide* (CSC, decided April 4, 2012), the Civil Service Commission granted the request of the Department of Human Services, Division of Family Development for an appointment waiver for the October 3, 2011 certification and ordered that no selection costs were to be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

ACTION:**B-18 HOUSING INSPECTOR (M0881R), MOUNT LAUREL**

The appointing authority requests permission not to make an appointment from the certification for Housing Inspector (M0881R), Mount Laurel.

ACTION:**B-19 PENSIONS AND BENEFITS SPECIALIST 1 (PS6053U), DEPARTMENT OF THE TREASURY**

The appointing authority for the Department of the Treasury requests that the eligible list for Pensions and Benefits Specialist 1 (PS6053U) be extended for one year beyond its original expiration date.

ACTION:**B-20 PROGRAM DEVELOPMENT SPECIALIST, COMMUNITY SERVICE (M0019R), PLAINFIELD**

The Plainfield Public Library requests permission not to make an appointment from the May 9, 2013 certification for Program Development Specialist, Community Service (M0019R), Plainfield.

ACTION:**B-21 SENIOR ACCOUNTING PROCEDURES ANALYST (C0472R), ESSEX COUNTY**

Essex County requests permission not to make an appointment from the November 18, 2013 certification for Senior Accounting Procedures Analyst (C0472R).

ACTION:

B-22 STATE MONITOR ADVOCATE (PS3085N), DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The Department of Labor and Workforce Development requests permission not to make an appointment from the July 31, 2013 certification for State Monitor Advocate (PS3085N).

ACTION:

B-23 COLIN DEMONICK, JR.

Colin Demonick, Jr., represented by Gerald Newsome, Vice President, Local 195, IFPTE, petitions the Civil Service Commission for reconsideration of its final decision, rendered on October 2, 2013, which found him ineligible for the Operating Engineer, Heating and Air Conditioning (PS9828K), Department of Human Services examination.

ACTION:

B-24 TROY JONES

Troy Jones, a former County Correction Officer with Camden County, Department of Corrections, represented by John P. Rowland, Esq., petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on March 25, 2014, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his removal effective March 2, 2013.

ACTION:

B-25 JENNIFER KRUSHINSKI

Jennifer Krushinski requests reconsideration of the decision rendered on February 12, 2014 which found that, per the substitution clause for education, she did not meet the minimum requirements in experience for a prospective promotional examination for Supervisor of Senior Citizen Activities.

ACTION:

B-26 CONSUELO PACHERRES (HENAO)

Consuelo Pacherres (Hena) petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on February 12, 2014, in which the Commission denied the petitioner's list removal appeal.

ACTION:

B-27 DAVID WILLIAMS

David Williams petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on June 26, 2013, in which the Commission denied the petitioner's request for back pay.

ACTION:

B-28 RICHARD T. BURROWS, III

Richard T. Burrows, III, appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Communications Systems Technician 2 (PS1756K), Woodbridge Developmental Center.

ACTION:

B-29 HARMON GARVIN

Harmon Garvin appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the qualifying examination for Administrative Analyst 2, Fiscal Management, Department of Health.

ACTION:

B-30 JHEIDY GOMEZ-RODRIGUEZ

Jheidy Gomez-Rodriguez appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the open competitive examination for Health Aide, Bi-lingual in Spanish and English (M0882R), Atlantic City.

ACTION:

B-31 MARIA IUCOLINO

Maria Iucolino appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 3, Data Processing (PS2562K), Department of Human Services.

ACTION:

B-32 VINCENT KELLER

Vincent Keller appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience and education for the open competitive examination for Records Manager (C1017R), Union County.

ACTION:

B-33 VANESSA L. KRISPEL

Vanessa L. Krispel appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Technical Assistant Land Use (PM0042Q), Hamilton Township.

ACTION:

B-34 NICHOLAS MICHARSKI

Nicholas Micharski appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for the open competitive examination for Engineering Technician 5 (S1033R), Statewide.

ACTION:

B-35 CHIKE OKAFOR

Chike Okafor appeals the test mode for the promotional examination for Auditor 1, Taxation (PS8544U), Department of the Treasury.

ACTION:

B-36 KRISTIN K. NELSON

Kristin K. Nelson appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the open competitive examination for Library Director (M0686R), North Arlington.

ACTION:

B-37 JOAN RODRIGUEZ

Joan Rodriguez appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Purchasing Assistant (PS8594G), Department of Environmental Protection.

ACTION:

B-38 MELISSA TULLEY

Melissa Tulley appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the open competitive examination for Program Development Specialist, Community Service (C0931R), Hunterdon County.

ACTION:

B-39 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 4, 2014.

ACTION: