



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 3, 2015**

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

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following case without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Jose DeJesus, Senior Correction Officer, Juvenile Justice Commission, Department of Law and Public Safety, suspension.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Juan Bellu, Data Processing Systems Programmer, Brick Township, Department of Land Use and Community Development, removal effective February 6, 2014.

Brenda Brown, Cottage Training Supervisor, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Joseph Egbeh, Cottage Training Technician, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Mary Fifth, Cottage Training Supervisor, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Wendy Fifth, Cottage Training Supervisor, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Nicholas Gruff, Cottage Training Supervisor, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Latoya Holland, Senior Cottage Technician, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Brian Morrow, Cottage Training Technician, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

John Pelechaty, Cottage Training Supervisor, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Susan Rivera, Cottage Training Technician, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Tiffany Smith, Cottage Training Supervisor, Woodbine Developmental Center, Department of Human Services, layoff effective January 9, 2015.

Carol Stillo, Clerk Typist, Hunterdon Developmental Center, Department of Human Services, layoff effective June 27, 2014.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Roeshnia Crandell
Woodbine Developmental Center
Department of Human Services
Removal

Douglas Daniels
Gloucester County
Sheriff's Department
Suspension

Jan Dasher
Northern State Prison
Department of Corrections
Suspension

Carmen DelValle
Central Office
Department of Corrections
Suspension

Gary Farms
Atlantic County
Department of Administration
Release at end of working test period

Mildred Ford-Gunn
Woodbridge Developmental Center
Department of Human Services
Removal

Marcus Hubbard
Atlantic County
Department of Public Safety
Release at end of working test period

Justin Kaenzig
Albert C. Wagner Youth Correctional Facility
Department of Corrections
Suspension

Boima Metzger
Trenton Psychiatric Hospital
Department of Human Service
Resignation not in good standing

Brigitte Paiz
South Woods State Prison
Department of Corrections
Suspension

Felicia Recasner
Burlington County Jail
Suspension

Latoya Richardson
Burlington County
Jail
Suspension

Craig Roscoe
Department of Children and Families
Release at end of working test period

Wilson Siner
Camden County
Department of Corrections
Removal

Mark Stepniewski
Central Office
Department of Corrections
Suspension

Jason Ullrich
Central Reception and Assignment Facility
Department of Corrections
Removal

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

ACTION:

A-2 ANNU BATRA

Annu Batra, Systems Analyst, Morris County, Department of Administration, appeals the good faith of her layoff effective December 31, 2014.

Recommendation of the Administrative Law Judge – Uphold the layoff.

ACTION:

A-3 RONALD CARRASQUILLO

Ronald Carrasquillo, Fire Fighter, City of Paterson, Fire Department, removal effective May 15, 2014, on charges of inability to perform duties, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold removal.

ACTION:

A-4 THOMAS COGHAN

Thomas Cohan, Sheriff's Officer, Middlesex County, Sheriff's Office, removal effective December 8, 2014, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to 60 day suspension.

ACTION:

A-5 MONTSHO EDU

Montsho Edu, Counselor Penal Institution, Mercer County Corrections Center, release at end of working test period effective October 29, 2013.

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

ACTION:

A-6 GERARD EATMAN

Gerard Eatman, Police Officer, City of Newark, Police Department, removal effective October 19, 2007, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a 60 working day suspension.

ACTION:

A-7 ELLEN O'BOYLE-GOLDY

Ellen O'Boyle-Goldy, Keyboarding Clerk 2, Borough of Rutherford, Department of Public Works, removal effective May 8, 2014, on charges of insubordination, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Affirm terms of settlement agreement made between parties on November 5, 2014.

ACTION:

A-8 ROBIN TOLIVER

Robin Toliver, County Correction Officer, Mercer County, Department of Public Safety, 10 working day suspension and 15 working day suspension, on charges of chronic or excessive absenteeism or lateness and other sufficient cause.

Recommendation of the Administrative Law Judge – Affirm 10 day suspension and 15 day suspension.

ACTION:

A-9 JUSTIN VOIGTSBERGER

Justin Voigtsberger, County Correction Officer, Camden County, Department of Corrections, release at end of working test period effective November 18, 2013.

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

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 SABRINA MINERVINI – CSC DOCKET NO 2015-1993

Sabrina Minervini, represented by Catherine M. Elston, Esq., appeals the decision of the Division of Agency Services, which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Police Officer (S9999M), Jersey City based on her failure to meet the residency requirements.

ACTION:

B-2 SAMIERA SMITH – CSC DOCKET NO. 2015-2452

Samiera Smith appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988R) on the basis of a positive drug test.

ACTION:

B-3 CORRECTION OFFICER RECRUIT (S9988R), DEPARTMENT OF CORRECTIONS – CSC DOCKET NO. 2015-3079

The Department of Corrections requests that the eligible list for Correction Officer Recruit (S9988R), which expired on May 22, 2015, be revived and extended until a new list is available.

ACTION:

**B-4 METER WORKER 1 (M0056S), BOROUGH OF KEYPORT
CSC DOCKET NO. 2015-2439**

The Borough of Keyport requests permission not to make an appointment from the June 13, 2014 certification for Meter Worker 1 (M0056S).

ACTION:

B-5 BENITO BELLO, *ET AL.* – CSC DOCKET NO. 2015-2373

Benito Bello, John Breece, Robert Carrier, David Cruz, Richard Fink, Jeanne Klawitter-Barone, Anthony Pasqua, Leonard Sutton, Timothy Thomas, Jose Vazquez, Peter Weremijenko and John Zapple, represented by Raymond G. Heineman, Esq., appeal the decision of the Division of Agency Services that the proper classification of their positions with the City of Trenton is Police Sergeant. The appellants seek Police Lieutenant job classifications.

ACTION:

B-6 MILDRED BROWN – CSC DOCKET NO. 2015-2298

Mildred Brown appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of the Treasury is Pensions Benefits Specialist 2. The appellant seeks a Pensions Benefits Specialist 1 job classification.

ACTION:

B-7 CARIN GILLER – CSC DOCKET NO. 2015-2218

Carin Giller appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Law and Public Safety is Senior Clerk Typist. The appellant seeks a Principal Clerk Typist job classification.

ACTION:

B-8 EVETTE MAYNOR – CSC DOCKET NO. 2015-1824

Evette Maynor appeals the decision of the Division of Agency Services which found that her position with the Department of Labor and Workforce Development is properly classified as a Secretarial Assistant 2 (Non-Stenographic). The appellant seeks a Management Assistant job classification.

ACTION:

B-9 ALEXANDER McCARTNEY – CSC DOCKET NO. 2015-2492

Alexander McCartney appeals the decision of the Division of Agency Services, 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-10 DOROTHY MEYERS – CSC DOCKET NO. 2015-2606

Dorothy Meyers appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of the Treasury is Technical Assistant 2, Treasury. The appellant seeks a Taxpayer Service Representative 2 job classification.

ACTION:

B-11 CYNTHIA SACHKOWSKY – CSC DOCKET NO. 2015-1866

Cynthia Sachkowsky appeals the decision of the Division of Classification and Personnel Management, which found that her position with Union County is properly classified as a Legal Secretary 2. The appellant seeks a Legal Secretary job classification.

ACTION:

B-12 LOUIS YORKE – CSC DOCKET NO. 2015-1641

Louis Yorke appeals the determination of the Division of Classification and Personnel Management that her position with the Department of Education is properly classified as a Speech/Hearing Specialist. The appellant seeks an Education Program Development Specialist 2 (10 months, Deaf Language Specialist) job classification.

ACTION:

B-13 MARIA VALTE – CSC DOCKET NO. 2015-2301

Maria Valte appeals the decision of the Division of Classification and Personnel Management that determined the proper classification of her position with the Department of the Treasury is Administrative Analyst 2, Data Processing. The appellant seeks an Administrative Analyst 1, Data Processing job classification.

ACTION:

B-14 SHARON A. MARTENS – CSC DOCKET NO. 2015-1727

Sharon A. Martens appeals the determination of the Division of Agency Services, which found that she did not meet the requirements for the promotional examination for Environmental Health Coordinator (PC1061S), Middlesex County.

ACTION:

B-15 KOFI OCANSEY – CSC DOCKET NO. 2015-2422

Kofi Ocansey appeals the decision of the Division of Agency Services, which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (PS8792R), Board of Public Utilities.

ACTION:

B-16 NIKKI PHILLIPS – CSC DOCKET NO. 2015-1863

Nikki Phillips appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirements for the promotional examination for Technical Assistant 3, Community Affairs (PS8966H), Department of Health.

ACTION:

B-17 CATHERINE REMBERT – CSC DOCKET NO. 2015-2220

Catherine Rembert appeals the determination of the Division of Selection Services that she was not eligible for the promotional examination for Human Services Specialist 2 (PC1356S), Gloucester County since she was not employed in the announced unit scope.

ACTION:

B-18 BARBARA STOFF – CSC DOCKET NO. 2015-1973

Barbara Stoff appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirements for the promotional examination for Administrative Analyst 1 (Data Processing) (PS9230G), Department of Environmental Protection.

ACTION:

B-19 PIYUSH TIVAWALA – CSC DOCKET NO. 2015-1060

Piyush Tivawala appeals the determination of the Division of Agency Services, which found that he was below the minimum requirements in experience for the promotional examination for Contract Administrator 2 (PS8544G), Department of Environmental Protection.

ACTION:

B-20 STEPHEN DOLLINGER – CSC DOCKET NO. 2015-2370

Stephen Dollinger appeals his score on the examination for Deputy Police Chief (PM1206S), Middletown Township.

ACTION:

B-21 JOHN KAISER – CSC DOCKET NO. 2015-2292

John Kaiser appeals his score on the examination for Deputy Police Chief (PM1206S), Middletown Township.

ACTION:

B-22 LLIAS VOUTSAS – CSC DOCKET NO. 2015-2644

Llias Voutsas, represented by Anthony Fusco Jr., Esq., appeals his seniority, the scoring process, and his oral score on the promotional examination for Police Captain (PM0863S), Jersey City.

ACTION:

B-23 MELISA BAKER – CSC DOCKET NO. 2014-3103

Melisa Baker appeals the determination of the Division of Selection Services, that she did not provide proof of exemption from the application fee for the open competitive examination for the Entry Level Law Enforcement Examination (S9999R), Statewide.

ACTION:

B-24 FITZROY SIMPSON – CSC DOCKET NO. 2015-933

Fitzroy Simpson, a Police Officer with Atlantic City, requests a retroactive appointment date based on a correction of his eligibility status for the examination for Police Officer (S9999F), Atlantic City.

ACTION:

B-25 T.C. – CSC DOCKET NO. 2015-1358

T.C., a Field Service Supervisor 2, Family Development, with the Department of Human Services, appeals the decision of the Division of Family Development, which denied her request to participate in the Donated Leave Program.

ACTION:

B-26 B.M. – CSC DOCKET NO. 2015-2356

B.M., a Supervisor of Professional Residential Services at the Vineland Developmental Center, appeals the decision of the Equal Employment Office Director for the Department of Human Services, which found that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTON:

B-27 D.M – CSC DOCKET NO. 2015-1898

D.M., a Coordinator Emergency Telecommunications Systems with the Office of Information Technology, appeals the determination of the Chief of Staff, that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-28 JOHANNA RIOS – CSC DOCKET NO. 2015-861

Johanna Rios, a Community Aide Schools, Bilingual in Spanish and English, with the Newark School District, represented by Colin M. Lynch, Esq., appeals the determination of her layoff rights by the Division of Classification and Personnel Management.

ACTION:

B-29 THALIA MENDOZA – CSC DOCKET NO. 2015-141

Thalia Mendoza, a County Correction Officer with Hudson County, represented by Charles J. Sciarra, Esq., requests counsel fees in light of the recent decision of the Superior Court of New Jersey, Appellate Division, that reversed her six-month suspension.

ACTION:

B-30 KEISHA MCGEE – CSC DOCKET NO. 2015-1717

The Superior Court of New Jersey, Appellant Division, has remanded the Civil Service Commission's decision upholding the 30 working day suspension of Keisha McGee, a Senior Correction Officer with the Department of Corrections, for a redetermination of the propriety of the penalty.

ACTION:

B-31 SANDRA ANGEL-EMBRY – CSC DOCKET NO. 2015-2387

Sandra Angel-Embry 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 a Supervisory Information Recording and Control, Treasury. The appellant seeks an Assistant Chief of Operations, Treasury job classification.

ACTION

B-32 BIOLOGIST, MOSQUITO EXTERMINATION (C0345S), MIDDLESEX COUNTY – CSC DOCKET NO. 2015-2677

Middlesex County requests permission not to make an appointment from the November 12, 2014 certification for Biologist, Mosquito Extermination (C0345S).

ACTION:

B-33 PROPOSED READOPTION WITH AMENDMENTS: N.J.A.C. 4A:1

Submitted for the Civil Service Commission's review is a Notice of Proposal to readopt with amendments N.J.A.C. 4A:1, General Rules and Department Organization. This rule chapter is set to expire on July 1, 2015. In accordance with N.J.A.C. 1:30-6.4(g), the expiration date will be extended by 180 days so long as the proposed readoption is filed with the Office of Administrative Law (OAL) prior to July 1. N.J.A.C. 4A:1 concerns the organization of the Commission, definitions, public records, delegations, and pilot projects. A new rule is proposed for N.J.A.C. 4A:1 to comply with OAL procedures for formal proposal of rules.

ADOPTION:**B-34 PROPOSED READOPTION WITH AMENDMENTS: N.J.A.C. 4A:5**

Submitted for the Civil Service Commission's review is a Notice of Proposal to readopt with amendment N.J.A.C. 4A:5, Veterans and Disabled Veterans Preference. This rule chapter is set to expire on July 1, 2015. In accordance with N.J.A.C. 1:30-6.4(g), the expiration date will be extended by 180 days so long as the proposed readoption is filed with the Office of Administrative Law prior to July 1. N.J.A.C. 4A:5 sets forth the types of military service needed to establish veterans preference in civil service appointments. An amendment is proposed to include the March 19, 2003 inception date of Operation Iraqi Freedom.

ACTION:**B-35 PROPOSED READOPTION WITH AMENDMENTS: N.J.A.C. 4A:10**

Submitted for the Civil Service Commission's review is a Notice of Proposal to readopt with amendments N.J.A.C. 4A:10, Violations and Penalties. This rule chapter is set to expire on July 1, 2015. In accordance with N.J.A.C. 1:30-6.4(g), the expiration date will be extended by 180 days so long as the proposed readoption is filed with the Office of Administrative Law prior to July 1. N.J.A.C. 4A:10 concerns violations of Civil Service law and rules and prohibited types of political activity. Amendments are proposed to reflect changes consistent with the Federal Hatch Act, regarding prohibited political activity.

ACTION:

B-36 A.G. – CSC DOCKET NO. 2015-2381

A.G., a Professor with New Jersey City University, represented by Candice L. Deaner, Esq., appeals the decision of the appointing authority's Equal Employment Opportunity/Affirmative Action Director which substantiated that she violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-37 M.M. – CSC DOCKET NO. 2015-2963

The Superior Court of New Jersey, Appellant Division, vacated the Civil Service Commission's decision to deny M.M.'s appeal of the determination of the Assistant Commissioner, Department of Human Services, 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. The Court remanded the matter for a hearing at the Office of Administrative Law.

ACTION:

B-38 JOSEPH J. SLOAN – CSC DOCKET NO. 2015-3047

The Town of Harrison, on behalf of Joseph J. Sloan, requests that he be permitted to participate in the intergovernmental transfer program with a new working test period as a Police Officer with Harrison.

ACTION:

B-39 WILLIAM CLARRITT – CSC DOCKET NO 2015-3071

William Clarritt requests a make-up examination for the oral portion of the promotional examination for Fire Officer 1 (PM1194S), Jersey City.

ACTION:

**B-40 EBONY HILL AND SHANNON DONAHUE
CSD DOCKET NO. 2015-1028**

Ebony Hill and Shannon Donahue, represented by Daniel A. Smith, Staff Representative, CWA Local 1036, appeal the disposition of the February 28, 2014 certification of the Administrative Assistant 2 (PS1516H), Department of Health, eligible list. Additionally, Hill appeals the termination of her provisional appointment as an Administrative Assistant 2 and her return to her prior held permanent title of Head Clerk.

ACTION:**B-41 CORRECTION LIEUTENANT (PS9465I) AND CORRECTION
SERGEANT (PS9466I) – CSC DOCKET NO. 2015-3038**

The Division of Agency Services, on behalf of the Department of Corrections, requests that N.J.A.C. 4A:4-2.15(c) be relaxed in order that Performance Assessment Review ratings not be utilized as a scoring factor for the Correction Lieutenant (PS9465I) and Correction Sergeant (PS9466I) promotional examinations.

ACTION:**B-42 POLICE SERGEANT PROMOTIONAL LISTS – CSC DOCKET
NO. 2015-3037**

The Division of Agency Services requests that N.J.A.C. 4A:4-2.6(a)2 be relaxed to allow the March 30, 2014 closing date for certain promotional examinations for Police Sergeant to be extended to the closing date of the 2015 Police Sergeant announcements.

ACTION:**B-43 LISA CAVANAGH – CSC DOCKET NO. 2015-2895**

The Division of Agency Services, on behalf of the Department of Transportation, requests that Lisa Cavanagh's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Administrative Analyst 2, Department of Transportation.

ACTION:

B-44 YOLANDE DUBUISSON – CSC DOCKET NO. 2015-2706

The Superior Court of New Jersey, Appellate Division, reversed the Civil Service Commission's decision to dismiss Yolande Dubuisson's request to reinstate her appeals of her two removals, effective September 14, 2012, which were dismissed due to her failure to appear at her scheduled settlement conference. The Court granted the appellant's request to supplement the record and remanded the matter to allow the Commission to reconsider her appeal in light of the supplemented record.

ACTION:

B-45 LINDA M. SANTORO – CSC DOCKET NO. 2015-2449

Linda M. Santoro appeals the determination of the Division of Agency Services, which found that she did not meet the requirements for the promotional examination for Secretarial Assistant 3, Non-Stenographic (PS9433I), Department of Corrections.

ACTION:

B-46 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of May 6, 2015.

ACTION: