



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
December 3, 2008
PART 2**

**Hope L. Cooper, Acting Chairperson
Flavella Branham
John Currie
Margaret E. L. Howard**



MEMORANDUM

DATE: November 10, 2008

TO: Hope L. Cooper, Acting Commissioner *HLC*
Department of Personnel

FROM: Elizabeth Van Marter, Director *EW*
Division of Classification and Compensation

SUBJECT: Change in State Classification Plan

ESTABLISHMENT OF COMMON TITLE

Burlington County requests that the State titles of Legal Secretary 1 (24832) and Legal Secretary 2 (24831) be made common for local government use.

The local Legal Secretary title is currently a single level title. The availability of two levels will afford local agencies the ability to promote staff, through the assignment of more complex duties and responsibilities as appropriate.

An effective date of July 1, 2008 is requested to coincide with the jurisdiction's contact agreement.

ESTABLISHMENT OF COMMON TITLE

Effective: 07-01-08

FROM:

Legal Secretary 1
A15-24832 State Career * 35/12

Legal Secretary 2
A13-24831 State Career * 35/12

TO:

Legal Secretary 1
A15-24832 Common Career * 35/12

Legal Secretary 2
A13-24831 Common Career * 35/12

EVM/JMM/BP/GB



MEMORANDUM

DATE: November 10, 2008

TO: Hope L. Cooper, Acting Commissioner *HLC*
Department of Personnel

FROM: Elizabeth Van Marter, Director *EVM (spe)*
Division of Classification and Compensation

SUBJECT: Change in State Classification Plan

PRINTING OPERATIONS TECHNICIAN 3

A review of the structure of the Printing Operations Technician title series was requested due to an inconsistency in the existing range structure. Based on this review, it is our recommendation to re-evaluate the title of Printing Operations Technician 3 (R19-22545) upward by one (1) salary range.

This title functions as the first line of supervision over printing operations staff and is responsible for formatting print jobs and correcting layout errors before jobs go to print.

An analysis of the Hay factors supports this request.

TITLE VERBIAGE AND SALARY RANGE CHANGES:

Effective: 11-08-08

FROM:
Printing Operation Technician 3
R19-22545 Career * NE/12

TO:
Printing Operations Technician 3
R20-22545 Career * NE/12

EVM/JM/BP/GB



MEMORANDUM

DATE: November 13, 2008

TO: Hope L. Cooper, Acting Commissioner *HLC*
Department of Personnel

FROM: Elizabeth Van Marter, Director *EVM*
Division of Classification and Compensation

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF HUMAN SERVICES

The Department of Human Services (DHS) requests a new title series for the identification and modification of behavior.

This series is intended to provide the appropriate level of service to clients by spanning the gap between psychologists and behavior modification technicians, addressing the shift in trend from evaluating to changing behavior, and complying with regulatory obligations.

The Department currently uses one title to perform a portion of this function; contracted services are used to provide the remainder of needed services. The Department contends it has traditionally experienced both recruitment and retention problems with this arrangement. An analysis of new hire, separation and promotion data supports this.

This new series will consist of four titles: two for the development, implementation and monitoring of behavior support programs, one for the conduct of basic or descriptive behavior assessments, and one for the conduct of systematic behavior assessments.

This action requires the creation of three new titles, and a title verbiage change for one title for its continued use in this series.

DHS requests that the entry level position be established as a Trainee to permit the recruitment of college graduates having job-appropriate degrees, and who are interested in the behavior analyst career ladder. The Division of Developmental Disabilities plans to recruit through the Association for Behavior Analysis International's job placement service "START" (Service to Apply, Recruit and Train). The training period will permit incumbents to gain the technical experience needed to learn the development of behavior support programs. Incumbents will advance to the re-named primary title, which will continue to be responsible for the development of behavior support programs.

The remaining two levels of the series will be used to replace contracted staff performing behavior assessments; the higher of the two will also function as a first level supervisor.

Acting Commissioner Cooper
November 13, 2008
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Negotiations representatives are aware of this request. The bargaining units were established by the Office of Employee Relations.

ESTABLISHMENT OF TITLES:

Effective: 11-08-08

Behavior Support Technician Trainee
P95-_____ Career P 40/12

Behavior Analyst 1
P23-_____ Career P 40/12

Behavior Analyst 2
R26-_____ Career P 40/12

TITLE VERBIAGE CHANGE:

Effective: 11-08-08

FROM:

Behavior Modification Program Technician
P19-03646 Career P 40/12

TO:

Behavior Support Technician
P19-03646 Career P 40/12

EVM/JJM/BP

SECTION A – HEARING MATTERS

A-15 SETTLEMENTS

In the Matter of John Alston
City of East Orange
Police Department
Removal

In the Matter of Donald Counts
City of East Orange
Fire Department
Removal

In the Matter of Rajhien Dubois
Newark School District
Removal

In the Matter of Ivy Fields
Juvenile Justice Commission
Release at the end of the working test period

In the Matter of Theresa Holmes
Ancora Psychiatric Hospital
Department of Human Services
Removals (2)

In the Matter of Alphonso Hunt
Cumberland County
Department of Corrections
Suspension and Removals (4)

In the Matter of Shanetta Irvin
New Lisbon Developmental Center
Department of Human Services
Suspension

In the Matter of Danielle Leslie
Camden County
Department of Corrections and Juvenile Justice
Release at the end of the working test period

In the Matter of Walter Melvin
City of Newark
Police Department
Suspensions (3)

In the Matter of Keith Moore
Department of Children and Families
Suspension

In the Matter of Terrance Murphy
County of Hudson
Department of Corrections
Removal

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

ACTION:

A-16 DIANA BOGLIOLOI

Diana Boglioloi, Practical Nurse, Morris County, Department of Senior Disability and Veteran Services, 10-day suspension on charges of chronic and excessive absenteeism or lateness and other sufficient cause.

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

ACTION:

A-17 DANIELLE M. GAINES

Danielle M. Gaines, County Correction Officer, Burlington County, County Jail, 130-working day suspension on charges of incompetency, inefficiency or failure to perform duties, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 130-working day suspension.

ACTION:

A-18 LINDA PERKINS

Linda Perkins, Program Monitor, City of Elizabeth, Department of Planning and Community Development, return to formerly held permanent title of Senior Planning Aide at the end of the working test period effective August 10, 2007.

Recommendation of the Administrative Law Judge – Uphold the return to the formerly held permanent title.

ACTION:

A-19 MATTHEW VANDER VELDEN

Matthew Vander Velden, Police Sergeant, City of Paterson, Police Department, 60-day suspension on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 60-day suspension.

ACTION:

A-20 COLOSSAIN DAVIS

Colossain Davis, Police Aide, City of Newark, Police Department, removal effective November 13, 2006, on charges of incompetency or inefficiency and chronic or excessive absenteeism and violation of Police Department rules and regulations and removal effective November 13, 2006, on charges of disobedience of orders and violation of Police Department rules and regulations.

Recommendation of the Administrative Law Judge – Uphold the charge of chronic and excessive absenteeism, modify the removal to a 30-day suspension. And dismiss the remainder of the charges and reverse the second removal.

ACTION:

A-21 DEZONNE DENSON

Dezonne Denson, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective December 21, 2007, on charges of physical abuse of a patient, inappropriate physical contact or mistreatment of a patient, violation of rule, regulation, policy, procedure or administrative decision and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the removal to a 30-day suspension.

ACTION:

A-22 FREDERICK LEE

Frederick Lee, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective June 26, 2007, on charges of falsification, negligence in performing duty resulting in injury to persons or damage to property and violation of a policy.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension.

ACTION:

A-23 JAY GLASS

Jay Glass, Correction Lieutenant, New Jersey State Prison, Department of Corrections, removal effective March 26, 2007 on charges of conduct unbecoming a public employee, use, possession or sale of any controlled dangerous substance and violation of rule, regulation or policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-24 TERRENCE JOHNSON

Terrence Johnson, Senior Correction Officer, Central Reception and Assignment Facility, Department of Corrections, removal effective March 3, 2008, on charges of falsification, loss or careless control of keys, pager/beeper or cellular telephones, violation of administrative procedures and/or regulations involving safety and security and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-25 DOREEN PATTERSON

Doreen Patterson, Institutional Trade Instructor 2, Cooking, Garden State Correctional Facility, Department of Corrections, removal effective April 16, 2007, on charges of conduct unbecoming a public employee, violation of rules regarding safety and security, improper or unauthorized contact with an inmate and undue familiarity with inmates, parolees their families or friends.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-26 ANTHONY TESTA

Anthony Testa, Building Maintenance Worker, Monmouth County, Department of Buildings and Grounds, removal effective May 23, 2008, on charges of incompetency, inefficiency, or failure to perform duty, chronic or excessive absenteeism or lateness, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-65 SYLVESTER C. MARSHALL

Sylvester C. Marshall appeals his rejection as a Police Officer candidate by Lakewood Township and its request to remove his name from the eligible list for Police Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-66 SAMUEL NIEVES

Samuel Nieves appeals his rejection as a Fire Fighter candidate by Plainfield and its request to remove his name from the eligible list for Fire Fighter (M2294E) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-67 LATANYA NELSON

Latanya Nelson appeals her rejection as a County Correction Officer by Hudson County and its request to remove her name from the eligible list for County Correction Officer (S9999H) on the basis of medical unfitness to perform effectively the duties of the position.

ACTION:

B-68 JOHN CHIARI

John Chiari, a Senior Correction Officer with the South Woods State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-69 CHRISTINA LORENZ

Christina Lorenz, a Cottage Training Supervisor at New Lisbon Developmental Center, Department of Human Services, represented by Jennifer Geisenheimer, Senior Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-70 MARGARET TAYLOR

Margaret Taylor, a Cottage Training Technician at Hunterdon Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-71 CLYDE R. THOMASON

Clyde R. Thomason, a Communications Operator, Secured Facilities, with the Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-72 WAYNE TOMLIN

Wayne Tomlin a Therapy Aide with Ancora Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-73 GARRETT WILLIAMS

Garrett Williams, a former Maintenance Worker 1, Transportation, with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-74 SUZANNE GORMELEY

Suzanne Gormeley appeals the decision of the Division of Local Human Resource Management which upheld the removal of her name from the eligible list for County Correction Officer (S9999H), Hudson County, due to an unsatisfactory criminal record. Additionally, the appellant appeals the removal of her name from the Correction Officer Recruit (S9999H), Department of Corrections, eligible list.

ACTION:

B-75 EARL POUGH, JR.

Earl Pough, Jr. appeals the decision of the Division of Local Human Resource Management (LHRM), which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999H), Willingboro Township eligible list on the basis of falsification of his employment application and unsatisfactory background report.

ACTION:

B-76 PATRICK REYNOLDS

Atlantic City, represented by Anthony A. Swan, Deputy City Solicitor, appeals the decision of the Division of Local Human Resource Management, restoring the name of Patrick Reynolds to the Police Officer (S9999H), Atlantic City, eligible list. Additionally, Reynolds appeals his removal from the eligible list for County Correction Officer (S9999H), Atlantic County, due to an unsatisfactory criminal record.

ACTION:

B-77 JEFFREY W. STORMS

Jeffrey W. Storms appeals the removal of his name from the Paralegal Technician 2 (S0488G), Department of Children and Families, eligible list, based on an unsatisfactory criminal record.

ACTION:

B-78 CHIEF FIRE ALARM OPERATOR (PM0323H), EAST ORANGE FIRE DEPARTMENT

The matter of whether the East Orange Fire Department should be granted permission not to make an appointment from the certification for Chief Fire Alarm Operator (PM0323H) has been referred to the Civil Service Commission for review.

ACTION:

B-79 NOREEN APPLGATE

Noreen Applegate, represented by Oren Leib, Esq., appeals the determination of the President of Stockton State College, stating that the appellant had 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-80 ALEX ROBOTIN

Alex Robotin, a Supervisor 3, Motor Vehicles with the Motor Vehicle Commission (MVC), represented by Justin M. Murphy, Esq., appeals the determination of the MVC's Acting Equal Employment Opportunity Officer, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION:

B-81 ALEX ROBOTIN

Alex Robotin, a Supervisor 3, Motor Vehicles with the Motor Vehicle Commission (MVC), represented by Joseph A. Carmen, Esq., appeals the determination of the MVC's Equal Employment Opportunity Officer, stating that the appellant failed to present sufficient evidence 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-82 DAVID ADAMS

David Adams, Senior Correction Officer, appeals an official written reprimand issued by the Department of Corrections.

ACTION:

B-83 DENNICE BETTS

Dennice Betts, Judiciary Clerk 3, appeals a five day suspension issued by the Judiciary.

ACTION:

B-84 MICHAEL GOLDIN

Michael Goldin, Judiciary Clerk 3, appeals an official written reprimand issued by the Judiciary.

ACTION:

B-85 MICHAEL MITCHELL

Michael Mitchell, Senior Correction Officer appeals an official written reprimand issued by the Department of Corrections.

ACTION:

B-86 PAUL SERDIUK

Paul Serdiuk, Personnel Assistant 2, represented by Stuart J. Alterman, Esq., appeals an official written reprimand issued by the Department of Military and Veterans Affairs.

ACTION:

B-87 DOROTHY REID

The State Parole Board request 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 on Retirement (SCOR), be relaxed to permit Dorothy Reid to submit a late application for SCOR benefits.

ACTION:

B-88 ILINE RICHARDS

Iline Richards, a Supervising Program Development Specialist with the Department of Children and Families (DCF), appeals her transfer from the Department of Human Services (DHF).

ACTION:

B-89 CHRISTINE BENTZ

Christine A. Bentz appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Principal Audit Account Clerk. The appellant seeks an Assistant Buyer classification.

ACTION:

B-90 MARINA HEWETT

Marina Hewett and the Borough of Wildwood Crest appeal the determination of the Division of Local Human Resource Management (LHRM) that Hewett's position is properly classified as a Principal Account Clerk. The parties seek a Supervisor of Accounts classification in this proceeding.

ACTION:

B-91 JOSEPH METZGER

Joseph Metzger appeals the determination of the Division of State Human Resource Management that his position is properly classified as a Crew Supervisor, Electricians with Rowan University. The appellant seeks a Construction Management Specialist 3 classification in this proceeding.

ACTION:

B-92 SHARLENE PISNOY

Atlantic County appeals the determination of the Division of Local Human Resource Management (LHRM) that Sharlene Pisnoy's position is properly classified as a Community Service Aide. The appointing authority seeks a Community Service Worker classification in this proceeding.

ACTION:

B-93 ARLENE VEREEN-JONES

Arlene Vereen-Jones appeals the decision of the Division of State Human Resource Management (SHRM) that the proper classification of her position is Senior Technician, Management Information Systems. The appellant seeks a Technical Support Specialist 2 classification. The Department of Community Affairs requests that Arlene Vereen-Jones' out-of-title work experience be accepted for a qualifying examination for Senior Technician, Management Information Systems.

ACTION:

B-94 SPEECH AND HEARING PATHOLOGY TITLE SERIES

The Communications Workers of America, Local 1040, represented by Robert O. Yeager, Principal Staff Representative, appeals the determination of the Division of Classification and Compensation which found that an insufficient basis had been presented to warrant reevaluation of the Speech and Hearing Pathology title series.

ACTION:

B-95 LEON DANIELS

Leon Daniels, a Police Officer with the City of Salem, represented by William G. Blaney, Esq., appeals the termination of his interim appointment as a Police Sergeant and his return to his permanent title of Police Officer effective August 1, 2007.

ACTION:

B-96 JOANNE ANNACONE

Joanne Annacone, a former Principal Clerk Stenographer with Camden County, requests reconsideration of the decision of the Merit System Board, rendered on April 9, 2008, granting her \$4,324.08 in back pay and \$9,962.64 in counsel fees.

ACTION:

B-97 WILLIAM CARTER

William Carter, a former Manager 1, Information Processing with the Department of Human Services, petitions the Civil Service Commission for reconsideration of the final administrative decision, rendered on December 7, 2006, in which the Director of the Division of Merit System Practices and Labor Relations denied his request for a hearing with respect to his indefinite suspension.

ACTION:

B-98 MICHELE COLEMAN

Michele Coleman, a former Secretarial Assistant 2 (Non-Stenographic) with the Department of Community Affairs, represented by Thomas Palermo, Jr., President CWA Local 1039, requests reconsideration of the decision of the Merit System Board, rendered on December 5, 2007, denying her appeal of her release at the end of the working test period and return to her formerly held permanent title of Head Clerk effective July 17, 2006.

ACTION:

B-99 JAMES FLAGG

The Superior Court of New Jersey, Appellate Division, has remanded the Merit System Board's decision modifying the removal of James Flagg, a Truck Driver with the City of Newark, to a six-month suspension for a redetermination of his back pay and counsel fees.

ACTION:

B-100 NATASHA JONES

The appeal of Natasha Jones, a Human Services Assistant with the Department of Military and Veterans Affairs, of her removal effective January 8, 2008, on charges, was considered by Administrative Law Judge Gail M. Cookson (ALJ), who rendered her initial decision on July 30, 2008, recommending acknowledgement of the settlement of the parties.

ACTION:

B-101 MONIQUE ALLEN, ET AL.

Monique Allen, Melissa Colucci, Lisa Graiff, Amanda Pettineo, Howard Princz, Sherray Robinson, Abraham Sherief, and Renee Smith appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirement for the open competitive examination for Paralegal Technician 2 (S0647J).

ACTION:

B-102 PATTY GERGEL

Patty Gergel appeals the decision 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 Manager 3, Division of Motor Vehicles (PS6360T), Motor Vehicle Commission.

ACTION:

B-103 KYNA L. HERRING

Kyna L. Herring appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Principal Income Maintenance Technician (PS4833K), Department of Human Services.

ACTION:

B-104 KYNA L. HERRING

Kyna L. Herring appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Senior Income Maintenance Technician (PS3769K), Department of Human Services.

ACTION:

B-105 GUY HILL

Guy Hill appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Administrative Analyst 1 Data Processing (PS4977T), Department of Transportation.

ACTION:

B-106 KRISTINE JACOBY

Kristine Jacoby appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the open competitive examination for Paralegal Technician 2 (S0647J).

ACTION:

B-107 ROBERT SQUEGLIA

Robert Squeglia appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Senior Mason (PM0459J), Linden.

ACTION:

B-108 CRAIG VENSON

Craig Venson appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Lieutenant (PM2547K), Plainfield.

ACTION:

B-109 ROBERT FIELDS

The Division of Selection Services requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to permit the continued appointment of Robert Fields from the Pumping Station Repairer (PM0812J), Hamilton Township, eligible list and the amendment to the examination announcement.

ACTION:

B-110 MARVIN FELDER

The Division of State Human Resource Management (SHRM), on behalf of the Office of Information Technology, requests that Marvin Felder's out-of-title work experience be accepted to qualify him for a prospective promotional examination for Data Processing Systems Programmer 2, Office of Information Technology.

ACTION:

B-111 JOSEPH ROGOWSKI

The Acting Director, Division of Local Human Resource Management (LHRM), on behalf of Cape May County, requests that Joseph R. Rogowski's out-of-title work experience be accepted to qualify him for a prospective promotional examination for the dual title of Sheriff's Officer Sergeant/Training Officer.

ACTION:

B-112 GEORGE DESTIN

George Destin requests that he be admitted to the promotional examination for Police Sergeant (PM2589K), East Orange.

ACTION:

B-113 ROBERT G. MATLOCK

Robert G. Matlock appeals the denial of his request for a make-up for the open competitive examination for Research Assistant, Criminal Information (C6172J), Mercer County.

ACTION:

B-114 PATRICIA SPARANO

Patricia Sparano petitions the Civil Service Commission to accept her untimely application for the promotional examination for Human Services Specialist 4 (PC0784K), Camden County Board of Social Services.

ACTION:

B-115 HARRY CASSIDY

The Administrative Office of the Courts, on behalf of Harry Cassidy, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit Mr. Cassidy to donate more than 10 sick days to Grace Genovesi, who is participating in the donated leave program and to allow employees to donate leave time beyond the 10-day limit.

ACTION:

B-116 AMY LITTLES

The Department of Education, on behalf of Amy Littles, a Residential Services Supervisor 2 – 10 Months, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A.* 11:3-7, which provides that when an employee has erroneously received a salary overpayment, the repayment may be waived based on a review of the case.

ACTION: