



**STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION**

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
December 17, 2008**

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



MEMORANDUM

DATE: December 4, 2008

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

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

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
December 4, 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
P22-_____ Career P 40/12

Behavior Analyst 2
R25-_____ 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



MEMORANDUM

DATE: December 4, 2008

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

FROM: Amy Laird, Director
Division of State Human Resource Management *AL*

SUBJECT: Reallocation of Position # 956276 to the Senior Executive Service

Board of Public Utilities

The Board of Public Utilities (BPU) has requested that an existing management position be allocated to the Senior Executive Service.

This proposed SES position, which is currently classified as a Manager 4, EP, reports to the unclassified position, Chief of Policy and Planning, Office of the President, and acts as the Director of Clean Energy, Office of Clean Energy Program (OCE). The position supervises the Bureau of Energy Efficiency, the Bureau of Renewable Energy, and Marketing and Outreach. The position supervises a Chief (SES), three Research Scientists 1, an Administrative Analyst 1, an Administrative Analyst 2, and Administrative Assistant 3. The position manages a total staff of 20, and a budget of approximately \$1.3 million.

The Office of Clean Energy was created through resolution in 2003, and has since grown in staff and responsibility as the promotion of energy efficiency continues to grow. The position is responsible for promoting energy efficiency and generating clean and renewable energy using regulatory and non-regulatory tools. The position has substantial policy influencing responsibility in that it is responsible for developing policies that affect the NJ State Energy Programs. Policy development includes Renewable Portfolio Standards (RPS), solar transition and securitization, net metering and interconnection, and the reduction of greenhouse gases. Policies and recommendations made by this position fulfill the mission of the BPU and have vast impact on energy programs for NJ state consumers. In addition, the position plans for the effective utilization of available clean energy funds and allocates funds to operating units. The BPU is requesting to convert an existing management position which is currently encumbered by Mr. Michael Winka.

I recommend approval of this request for reallocation.

Reallocation of Position to SES

Effective: July 19, 2008

Position #: 956276

FROM: Manager 4, EP **TO:** Senior Executive Service
M 32 - 64994H X 98 - 90752

AL/NK



MEMORANDUM

DATE: November 19, 2008

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

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

SUBJECT: Change in the State Classification Plan

**DEPARTMENTS OF HUMAN SERVICES/ENVIRONMENTAL PROTECTION AND
STATE UNIVERSITIES**

The creation of three titles is requested to comply with the terms of a Memorandum of Agreement (MOA) reached between the Office of Employee Relations, and the Policeman's Benevolent Association State Law Enforcement Units.

The first new title, Campus Police Officer Recruit, will permit for the appointment of recruits to be trained as police officers at New Jersey State Universities. The State Universities currently do not have the availability of a recruit title.

Two additional titles, Police Officer Recruit Human Services and State Park Police Officer Trainee, are needed to comply with salary terms which are part of this agreement. Salaries for these titles will be established in compliance with the MOA. These titles will be used for appointments made on a prospective basis.

Incumbents currently serving in the titles of Police Officer Recruit, Human Services (32255) and State Park Police Officer Trainee (32090) will not be subject to the revised salary plan. Once all incumbents serving in the existing titles of Police Officer Recruit, Human Services and State Park Police Officer Trainee are advanced to their respective primary titles, the existing recruit and trainee titles will be eliminated. These same titles were made archaic to avoid further appointments.

The bargaining unit of existing recruit titles will be changed from F to FA, retroactive to July 7, 2007 pursuant to the terms of this MOA. This change is required for payment purposes only.

ESTABLISHMENT OF TITLES:

Effective: 09/13/08

Police Officer Recruit Human Services
FA99-_____ Competitive P 40/12

Campus Police Officer Recruit
FA99-_____ Competitive Y 40/12

State Park Police Officer Trainee
FA99-_____ Competitive M 40/12

EVM/JJM/BP

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Claudy Augustin
Albert C. Wagner Youth Correctional Facility
Department of Corrections
Removal

In the Matter of Michael Bakogiannis
Edna Mahan Correctional Facility for Women
Department of Corrections

In the Matter of Deloyd Banks
Newark School District
Removal

In the Matter of Stefanie Bhoorasingh
Essex County
Department of Corrections
Removal

In the Matter of Robin Billand
Township of North Brunswick
Department of Parks and Recreation Community Services
Removal

In the Matter of Philip D. Bliidi
New Lisbon Developmental Center
Department of Human Services
Suspension

In the Matter of Martin Burch
New Jersey State Prison
Department of Corrections
Release at the end of the working test period

In the Matter of Michael Cobb
Essex County
Department of Public Safety
Removal

In the Matter of Robert Comisky
The College of New Jersey
Suspension

In the Matter of Mario Correia
City of Newark
Police Department
Removal

In the Matter of Sharise Ganie
Ann Klein Forensic Center
Department of Human Services
Suspension

In the Matter of Curtis Goins
Greystone Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Darius Houston
Woodbridge Developmental Center
Department of Human Services
Removal (2)

In the Matter of Tia Johnson
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Kenneth Kriete
Department of Environmental Protection
Suspension

In the Matter of William H. Madara
Salem County
Police Department
Suspension

In the Matter of Dayna Maksynowicz
Garden State Correctional Facility
Department of Corrections
Suspension

In the Matter of Michael Mesday
Township of Ewing
Department of Public Safety
Removal

In the Matter of Miguel Ojeda
City of Perth Amboy
Department of Public Works
Suspension

In the Matter of Tae Ung Pak
Passaic Valley Water Commission
Suspension

In the Matter of Matthew Parsons
Sussex County
Department of Central and Shared Services
Removal

In the Matter of James Quartey
Hudson County
Department of Health and Human Services
Suspension and Removal

In the Matter of Luis Ramirez
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Tyree Toney
Union County
Runnells Hospital
Release at the end of the working test period

In the Matter of Loraine Veach
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of Annette Woods
Ancora Psychiatric Hospital
Department of Human Services
Suspension

In the Matter of Linda L. Wright
Vineland Developmental Center
Department of Human Services
Removal

In the Matter of Paul Zielinski
City of Wildwood
Department of Public Safety and Public Affairs
Suspension

In the Matter of Robert W. Zorn, Jr.
Mercer County
Back pay enforcement

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

A-2 AARON DARGON

Aaron Dargon, Security Guard, Newark School District, 15-day suspension, on charges of conduct unbecoming a public employee, neglect of duty, incompetency, inefficiency or failure to perform duties and other sufficient cause.

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

ACTION:

A-3 PAUL DRAYTON

Paul Drayton, Supervisor of Sanitation, City of Newark, Department of Neighborhood and Recreational Services, indefinite suspension pending disposition of criminal charges.

Recommendation of the Administrative Law Judge – Uphold the indefinite suspension pending disposition of criminal charges.

ACTION:

A-4 KEVIN ORAS

Kevin Oras, Police Captain, City of Jersey City, Police Department, demotion to the position of Lieutenant, effective October 21, 2005, on charges of violation of various Police Department rules and regulations regarding, among other things, truthfulness and release of information.

Recommendation of the Administrative Law Judge – Uphold the demotion to the position of Lieutenant.

ACTION:

A-5 ROGER CALDWELL, JR. (REMAND)

Roger Caldwell, Jr., Human Services Specialist 2, Mercer County Board of Social Services, removal effective August 1, 2005, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-6 JOSEPH GAINES

Joseph Gaines, Sanitation Inspector, City of Trenton, Administration Department, removal effective February 9, 2005, on charges of incompetency, inefficiency or failure to perform duties, neglect of duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-7 STANFORD HARRIS

Stanford Harris, Human Services Technician, Greystone Park Psychiatric Hospital, Department of Human Services, removal effective May 2, 2004, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal, but award partial back pay.

ACTION:

A-8 ERIC HEIGLER

Eric Heigler, Senior Juvenile Detention Officer, Gloucester County, Department of Correctional Services, removal effective August 9, 2005, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-9 CAROLINE B. JOHNSON

Caroline B. Johnson, Human Services Assistant, New Lisbon Developmental Center, Department of Human Services, removal effective December 15, 2006, on the charge of physical or mental abuse of a patient, client, resident or employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-10 TRACY JOHNSON

Tracy Johnson, Correction Sergeant, Northern State Prison, Department of Corrections, removal, on charges of physical or mental abuse of an inmate, patient, client, resident, or employee, falsification, conduct unbecoming a public employee and violation of administrative procedures and/or regulations involving safety and security.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-11 STACY MCCANTS

Stacy McCants, Security Guard, City of Trenton, Department of Public Works, removal effective January 9, 2008, on the charge of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-12 DONALD MITCHELL

Donald Mitchell, County Correction Sergeant, Hudson County, Department of Corrections, removal and resignation not in good standing effective June 29, 2006, on charges of resignation not in good standing, insubordination, neglect of duty, conduct unbecoming a public employee, chronic and excessive absenteeism and other sufficient cause.

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

ACTION:

A-13 DANIEL O’MULLAN

Daniel O’Mullan, County Correction Officer, Essex County, Department of Corrections, removal effective March 14, 2005, on charges of incompetency, inefficiency, failure to perform duties, inability to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause including bribery.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-14 ANTHONY RENIERI

Anthony Renieri, Senior Correction Officer, Juvenile Justice Commission, removal effective September 7, 2004, on charges of conduct unbecoming a public employee, and violation of policies regarding drug free workplace, random drug testing, and the use, possession or sale of any controlled substance.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-15 SWARNA VENKATESAN

Swarna Venkatesan, Judiciary Clerk 3, State of New Jersey Judiciary, Middlesex Vicinage, removal effective June 21, 2007, on charges of conduct unbecoming a public employee, violation of policies regarding code of conduct and failure to follow the Court's policies and procedures related to family member involvement in litigation before the Court.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-16 MARK FOSTER, ET AL

Mark Foster, Steven Lewis, Brainard Samuels, Hudson Williams and Carl Winrow were laid off from their respective positions with the Trenton Housing Authority, effective September 11, 2006, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Grant summary decision and uphold the layoffs.

ACTION:

A-17 JOHN TAYLOR (CONSOLIDATION)

John Taylor, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective July 25, 2006, on charges of physical or mental abuse of an inmate, patient, client, resident or employee, inappropriate physical contact, or mistreatment of an inmate, patient, client, resident or employee, conduct unbecoming a public employee and other sufficient cause. This matter was held over from the November 6, 2008 Civil Service Commission meeting for a testimony summary.

Recommendation of the Administrative Law Judge – Reverse the removal, reverse the denial of accidental disability benefits and reverse the forfeiture of one year of pension service credit.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 DERICK BOWMAN

Derick Bowman 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 (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 WYKENA GREEN

Wykena Green 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 (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 ALEXANDER GONZALEZ

Alexander Gonzalez, represented by Charles M. Grossman, Esq. appeals his rejection as a County Correction Officer candidate by Union County and its request to remove his name from the eligible list for County Correction Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-4 JAMES R. GRAVES

James R. Graves, represented by Sidney H. Lehmann, Esq., appeals his rejection as a Police Officer candidate by Verona 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-5 JEFFREY HARKINS

Jeffrey Harkins, represented by David J. DeFillippo, Esq., appeals his rejection as a Police Officer candidate by North Wildwood 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-6 TIMOTHY O'HARE

Timothy O'Hare, represented by James D. Addis, Esq., appeals his rejection as a County Correction Officer candidate by Bergen County and its request to remove his name from the eligible list for County Correction Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-7 ANDREW ROTT

Andrew Rott, represented by Thomas P. Farnoly, Esq., appeals the removal of his name from the (S9999H) eligible list for the title of Correction Officer Recruit, Department of Corrections on the basis of psychological unfitness.

ACTION:

B-8 MATTHEW TATALIKAS

Matthew Tatalikas, represented by Lynsey A. Johnson, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-9 LUIS UNDA, JR.

Luis Unda, Jr., appeals his rejection as a Sheriff's Officer candidate by Atlantic County and its request to remove his name from the eligible list for Sheriff's Officer (S9999H) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-10 NIAM CAMP

Niam Camp, a Senior Correction Officer with the Department of Corrections, represented by Frank M. Crivelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-11 ABU KOSIAH

Abu Kosiah, a Cottage Training Technician with Hunterdon Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-12 ELIZABETH MILLER

Elizabeth Miller, a Head Cottage Training Supervisor with Hunterdon Developmental Center, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-13 LUCILLE ROBINSON

Lucille Robinson, a Senior Income Maintenance Technician with Division of Medical Assistance and Health Services, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-14 CINDY SHAMOON CASTRO

Cindy Shamoan Castro, a Senior Correction Officer at East Jersey State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-15 LINDA C. WILLIAMS

Linda C. Williams, a Senior Correction Officer with New Jersey State Prison, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-16 ESTEBAN HEREDIA

Esteban Heredia 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 his name from the eligible list for Police Officer (S9999H), Hillside Township, for failure to meet the residency requirement.

ACTION:

B-17 HEIDI SIEVERS

The Department of Corrections appeals the decision of the Division of State Human Resource Management (SHRM), which found that Heidi Sievers had presented a sufficient basis to restore her name to the Correction Officer Recruit (S9999H) subject eligible list.

ACTION:

B-18 CHARLES WILLIAMS

Charles Williams 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 his name from the eligible list for County Correction Officer (S9999H), Hudson County, on the basis of falsification of his employment application.

ACTION:

B-19 ACCOUNT CLERK (M1502H), MILLTOWN

The Borough of Milltown requests permission not to make an appointment from the May 29, 2007 certification for Account Clerk (M1502H).

ACTION:

B-20 ADMINISTRATIVE CLERK, TYPING (M1517J), TOWN OF KEARNY

The Town of Kearny requests permission not to make an appointment from the March 19, 2007 certification for Administrative Clerk, Typing (M1517J).

ACTION:

B-21 ADVOCATE, VICTIM-WITNESS PROGRAM (C1914J), SALEM COUNTY

Salem County requests permission not to make an appointment from the December 17, 2007 certification for Advocate, Victim-Witness Program (C1914J).

ACTION:

B-22 DATA PROCESSING ANALYST 1 (S6772F), DEPARTMENT OF HEALTH AND SENIOR SERVICES

In In the Matter of Data Processing Analyst 1 (S6772F), Department of Health and Senior Services (MSB, decided August 9, 2006), the Merit System Board granted the request of the Department of Health and Senior Services (DHSS), for an appointment waiver from the September 1, 2005 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the eligible list was not utilized and the matter of the assessment of costs is now before the Civil Service Commission.

ACTION:

B-23 ECONOMIC DEVELOPMENT REPRESENTATIVE 2 (M1459H), TOWN OF KEARNY

The Town of Kearny requests permission not to make an appointment from the January 29, 2007 certification for Economic Development Representative 2 (M1459H).

ACTION:

B-24 RECREATION SUPERVISOR (M0971G), ASBURY PARK

Asbury Park requests permission not to make an appointment from the January 3, 2006 certification for Recreation Supervisor (M0971G).

ACTION:

B-25 SANITATION DRIVER (PM0651G), WOODBRIDGE TOWNSHIP

Woodbridge Township requests the revival of the Sanitation Driver (PM0651G) eligible list in order to effectuate two appointments.

ACTION:

B-26 SENIOR ACCOUNT CLERK (M0139K), BERKELEY TOWNSHIP SCHOOL DISTRICT

The Berkeley Township School District request permission not to make an appointment from the August 18, 2008 certification for Senior Account Clerk (M0139K).

ACTION:

B-27 SUPERVISING CONTRACT ADMINISTRATOR (S3040G), STATEWIDE

The Department of State requests permission not to make an appointment from the May 21, 2007 certification for Supervising Contract Administrator (S3040G), Statewide.

ACTION:

B-28 SUPERVISOR OF RECORDS (C1753J), HUDSON COUNTY

Hudson County requests permission not to make an appointment from the July 2, 2007 certification for Supervisor of Records (C1753J).

ACTION:

B-29 TECHNICAL ASSISTANT 3 (M1403H), MOUNT HOLLY

The Township of Mount Holly requests permission not to make an appointment from the June 11, 2007 certification for Technical Assistant 3 (M1403H).

ACTION:

B-30 VIOLATIONS CLERK (M1805J), MOUNT HOLLY

The Township of Mount Holly requests permission not to make an appointment from the February 26, 2008 certification for Violations Clerk (M1805J).

ACTION:

B-31 PAMELA ISLAM

Pamela Islam, a Social Worker 2, Corrections, at South Woods State Prison, Department of Corrections (DOC), appeals the determination of

the Assistant Director of the Equal Employment Division (EED) of the DOC, 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-32 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). This matter was held over from the December 3, 2008 Civil Service Commission meeting.

ACTION:

B-33 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 Police Prohibiting Discrimination in the Workplace (State Policy). This matter was held over from the December 3, 2008 Civil Service Commission meeting.

ACTION:

B-34 JANE LYONS

The Department of Transportation (DOT), represented by Nonee Lee Wagner, Deputy Attorney General, requests a determination regarding

the amount of counsel fees due to Jane Lyons in accordance with the Merit System Board decision rendered on May 9, 2007.

ACTION:

B-35 PIERRE VALLES

Pierre Valles, a former County Correction Officer with Essex County, represented by Anthony J. Fusco, Jr., Esq., requests counsel fees in regard to the Merit System Board's decision, *In the Matter of Pierre Valles* (MSB, decided November 1, 2006).

ACTION:

B-36 ELIZABETH ASHTON AND LUCYNA SINGURA

Elizabeth Ashton and Lucyna Singura, Supervising Field Representatives, Local Property Tax with the Department of the Treasury, request that the Supervising Field Representative Local Property Tax (PS1762U) eligible list be revived in order to effectuate their permanent appointments.

ACTION:

B-37 WILLIAM AYRES

William Ayres, a Communications Network Monitor with the Office of Information Technology (OIT), represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seeks enforcement of the July 22, 2008 determination of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of his position would be properly classified by the title Technical Support Specialist 2, OIT.

ACTION:

B-38 COMMERCE COMMISSION REORGANIZATION

The Director, Division of State Human Resource Management, requests the reallocation of various titles to the non competitive

division of the career service from September 27, 2008 to October 10, 2008.

ACTION:

B-39 COURT ATTENDANT (M6011G), UNION TOWNSHIP

The Division of Local Human Resource Management, requests that Union Township be ordered to return the November 9, 2005 certification of the eligible list for Court Attendant (M6011G) for proper disposition.

ACTION:

B-40 ROSEMARY COLEMAN

Rosemary Coleman appeals the decision of the Division of Local Human Resource Management (LHRM) that the proper classification of her position is Senior Account Clerk with an effective date of August 5, 2007. The appellant seeks an earlier date of reclassification to the title of Senior Account Clerk.

ACTION:

B-41 GUILLERMO DACPANO, ET AL.

Guillermo Dacpano, Kathleen Gallagher, Ankit Parikh, Arthur Phillips, Miriam Rogado, Jason Tsai and Manhong Wu, Software Development Specialist 1 with the Office of Information Technology (OIT), represented by Dudley Burge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seek enforcement of the June 23, 2008, June 24, 2008, July 11, 2008 and July 22, 2008 determinations of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of their positions would be properly classified by the title Software Development Specialist 2.

ACTION:

B-42 MARVENE GOODIN

Atlantic County appeals the October 1, 2008 decision of the Division of Local Human Resource Management (LHRM) which found that the

position encumbered by Marvene Goodin is correctly classified as Principal Tax Clerk.

ACTION:

B-43 RONALD LUCCARELLI

Ronald Luccarelli, a Supervisor, Data Processing Technical Support, Office of Information Technology (OIT), with the OIT, represented by Dudley Burge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seeks enforcement of the June 24, 2008 determination of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of his position would be properly classified by the title Supervisor, Information Technology.

ACTION:

B-44 MARIA SIGNORA

Maria Signora, a Secretarial Assistant 3 (Non-Stenographic) with the Office of Information Technology (OIT), represented by Dudley Burdge, Senior Staff Representative, Communications Workers of America, Local 1032 (Local 1032), seeks enforcement of the March 3, 2008 determination of the Division of State Human Resource Management (SHRM) finding that the duties and responsibilities of her position would be properly classified by the title Secretarial Assistant 1 (Non-Stenographic).

ACTION:

B-45 AUDIO VISUAL SPECIALIST (M6559H), SADDLE BROOK TOWNSHIP

Saddle Brook Township requests reconsideration of that part of the decision rendered on July 16, 2008 by the Civil Service Commission in

In the Matter of Audio Visual Specialist (M6559H), Saddle Brook Township, which assessed costs of the selection process in the amount of \$2,048.

ACTION:

B-46 VERNON L. DRUMMOND, JR.

Vernon L. Drummond, Jr., a Residential Services Worker with the Vineland Developmental Center, Department of Human Services, requests reconsideration of that portion of the final decision of the Merit System Board, rendered on April 23, 2008, which limited his award of back pay, benefits, and seniority.

ACTION:

B-47 BARBARA LOSAGIO

Barbara Losagio, a former part-time Technical Assistant, Construction Official, with the Township of Pohatcong, represented by Donald E. Souders, Jr., Esq., petitions for reconsideration of that portion of the decision, *In the Matter of Barbara Losagio* (MSB, decided February 27, 2008), regarding payment for accrued sick leave with respect to the estate of her late husband. Ms. Losagio also seeks enforcement of the Board's determination.

ACTION:

B-48 POLICE CAPTAIN (PM3519K) ATLANTIC CITY

William Mazur, James Pasquale, Atlantic City, represented by Robert Tarver, Jr., City Solicitor, and the Policeman's Benevolent Association Local 24, represented by Brett Last, Esq., request reconsideration of

the final decision of the Civil Service Commission, rendered on August 27, 2008, which reduced the one-year service requirement for the Police Captain (PM3519K), Atlantic City, examination to the completion of the working test period for Police Lieutenant.

ACTION:

B-49 NATHANIEL RICHARDSON

Nathaniel Richardson request reconsideration of the final decision of the Merit System Board, rendered on February 13, 2008, which upheld the bypass of his name on the County Correction Sergeant (PC2652F), Essex County, eligible list.

ACTION:

B-50 COLOSSAIN DAVIS

The appeal of Colossain Davis, a Police Aide with the City of Newark, concerning her removals, effective November 13, 2006, on charges, was heard by Administrative Law Judge Caridad F. Rigo (ALJ), who rendered her initial decision on October 23, 2008. At its meeting on December 3, 2008, the Civil Service Commission (Commission) adopted the ALJ's recommendation to reverse two of the removals but did not adopt the ALJ's recommendation to modify the third removal to a 30-day suspension. Rather, the Commission imposed a 60-working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION:

B-51 DANIELLE M. GAINES

The appeal of Danielle M. Gaines, a County Correction Officer with Burlington County, of her 130-working day suspension, on charges, was heard by Administrative Law Judge Jeff S. Masin (ALJ), who

rendered his initial decision on October 20, 2008 upholding the suspension. However, prior to the matter being presented the Civil Service Commission (Commission) for a final administrative determination, the appellant filed a request to withdraw her appeal. Accordingly, the Commission, at its meeting on December 3, 2008 acknowledged the withdrawal of the appellant's appeal with prejudice, which rendered the ALJ's initial decision moot. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-52 MATTHEW VANDERVELDEN

The appeal of Matthew VanDerVelden, a Police Sergeant with the City of Paterson, of his 60-day suspension on charges, was heard by Administrative Law Judge Walter M. Braswell (ALJ), who rendered his initial decision on October 27, 2008. At its meeting on December 3, 2008, the Civil Service Commission did not adopt the ALJ's recommendation to uphold the 60-day suspension. Rather, the Commission increased the penalty to a six-month suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-53 ANNATTA WADE

The appeal of Annatta Wade, a Hospital Attendant with Essex County, of her removal, effective October 5, 2007, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr. (ALJ), who rendered his initial decision on October 6, 2008. At its meeting on December 3, 2008, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the appellant's removal. Rather, the Commission modified the penalty to a three-month suspension. The proposed decision is now submitted for the Commission's review.

ACTION:

B-54 PALMER J. ASKIN, ET AL.

Palmer J. Askin, Ilce Kocovoski, and Timonty J. Leuallen appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirement for the promotional

examination for Landscape Technician (PS7451T), Department of Transportation.

ACTION:

B-55 BARBARA BRYAN

Barbara Bryan appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Quality Assurance Technician (PS4931K), Department of Human Services.

ACTION:

B-56 MELANIE R. BUFFALOE AND LORIE A. FREDERICKS

Melanie R. Buffaloe and Lorie A. Fredericks appeals the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Quality Assurance Technician (PS4931K), Department of Human Services.

ACTION:

B-57 MICHAEL CLIFFORD

Michael Clifford 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 Welder (C0238K), Camden County.

ACTION:

B-58 DEBBIE COLEMAN

Debbie Coleman appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the promotional examination for Administrative

Assistant 3 (PS7400N), Department of Labor and Workforce Development.

ACTION:

B-59 JILL COSTA

Jill Costa 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 Technical Assistant 1, Higher Education (PS7131J), The Richard Stockton College of New Jersey.

ACTION:

B-60 ROBIN DELPECHE

Robin Delpeche appeals the determination of the Division of Selection Services which found that she did not meet the education and experience requirements for the promotional examination for Accountant 2 (PS7013K), Department of Children and Families.

ACTION:

B-61 EUGENE DUNCAN

Eugene Duncan appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Social Worker 2, Corrections (PS8145I), Mountainview Correctional Institution.

ACTION:

B-62 PATRICIA EPPS, ET AL.

Patricia Epps, Carressa Nelson, and Audra Pagano appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional

examination for Assistant Training Supervisor County Welfare Agency (PC0356J), Essex County.

ACTION:

B-63 STACY FORMAN

Stacy Forman appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Senior Administrative Analyst (PC0242K), Atlantic County.

ACTION:

B-64 ROSS A. FRIEDMAN, ET AL.

Ross A. Friedman, William T. Hubbard and Eric T. Madurki appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Section Chief Health Care Facility (PS7679K), Department of Human Services.

ACTION:

B-65 GEORGE GAWRON AND PHILIP QUIGLEY

George Gawron, represented by David De Fillippo, Esq., and Philip Quigley appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the promotional examination for Supervisor Public Works (PM0601K), Sayreville.

ACTON:

B-66 CYNTHIA GRAHAM

Cynthia Graham 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 Administrative Assistant 2 (PS6500R), Board of Public Utilities.

ACTION:

B-67 RICHARD D. GUNOSKEY AND JOSEPH LUDOVICO

Richard D. Gunoskey and Joseph D. Ludovico appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the promotional examination for Data Processing Analyst 2 (PS4887G), Department of Environmental Protection.

ACTION:

B-68 DAVID HEWITT, ET AL.

David Hewitt, James Ligotti, and Mark Phillips appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Supervisor, Amusement Rides and Mechanical Inspection (PS8492D), Department of Community Affairs.

ACTION:

B-69 THOMAS HOPKINS

Thomas Hopkins appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Signal System Maintenance Worker (PC0579K), Ocean County.

ACTION:

B-70 KELLY HOURIGAN

Kelly Hourigan 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 Program Development Specialist 2, Corrections (PS7414P), Juvenile Justice Commission.

ACTION:

B-71 PHYLLIS JOHNSON

Phyllis Johnson appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Nursing Administrator, Psychiatric Services (PS5885K), Trenton Psychiatric Hospital.

ACTION:

B-72 SHEILA KRAYBILL

Sheila Kraybill appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Technical Support Specialist 1 (PC1037J), Ocean County.

ACTION:

B-73 AKILESWARAN ALAN KUMARASAMY

Akileswaran Alan Kumarasamy appeals the determination of the Division of Selection Services which found that he failed to submit the required evaluation of his foreign transcript and he was below the minimum requirements in experience for the promotional examination for Supervising Program Development Specialist Management and Finance (PS5560K), Department of Human Services.

ACTION:

B-74 DEBBIE MARVEL

Debbie Marvel appeals the determination of the Division of Selection Services which found that she was below the minimum requirements

in experience for the promotional examination for Administrative Secretary (PC1254J), Essex County.

ACTION:

B-75 ROBERT G. MOORE

Robert G. Moore appeals the determination of the Division of Selection Services which found that he was not eligible for the promotional examination for Administrative Analyst 1 (PS0850K), Department of Children and Families.

ACTION:

B-76 JOSEPH PACELLI

Joseph Pacelli appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Supervisor, Central Mail Room (PC1778J), Hudson County.

ACTION:

B-77 SHARON ROSENBERGER-MUGRAUER

Sharon Rosenberger-Mugrauer appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Personnel Assistant 3 (PS5727K), Department of Children and Families.

ACTION:

B-78 DWIGHT ROSS

Dwight Ross appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in

education for the promotional examination for Administrative Analyst 3 Fiscal Management (PS7045G), Department of Environmental Protection.

ACTION:

B-79 JOHN CENTANNI

John Centanni appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

ACTION:

B-80 NICHOLAS CROSTA

Nicholas Crosta appeals his score on the examination for Deputy Fire Chief (PM3648J), Hillside.

ACTION:

B-81 JOHN DOLL

John Doll appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

ACTION:

B-82 JOSEPH DOUGERT

Joseph Dougert appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

ACTION:

B-83 RYAN FITZSIMMONS

Ryan Fitzsimmons appeals his score for the oral portion of the examination for the second level Fire Captain (PM3583J), Clifton.

ACTION:

B-84 DEHAVEN GRAHAM

Dehaven Graham appeals his scores for the open competitive examinations for Social Worker (S0619J), Statewide and Assistant Social Work Supervisor, Psychiatric (S0620J), Statewide.

ACTION:

B-85 ROSS KOWNATSKY

Ross Kownatsky appeals his score for the oral portion of the examination for the second level Fire Captain (PM3598J), Mount Laurel Township.

ACTION:

B-86 FREDERICK LEONARDO

Frederick Leonardo appeals his score on the examination for Deputy Fire Chief (PM3649J), West Orange.

ACTION:

B-87 RAMZE RAMADAN

Ramze Ramadan appeals his score for the oral portion of the examination for the second level Fire Captain (PM3569J), Passaic.

ACTION:

B-88 SUPERVISOR PUBLIC WORKS (PM0301K), CLARK TOWNSHIP

Clark Township appeals the validity of the promotional examination for Supervisor Public Works (PM0301K).

ACTION:

B-89 JAMES WEISS

James Weiss appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

ACTION:

B-90 MICHAEL WITTE

Michael Witte appeals his score on the examination for Deputy Fire Chief (PM3629J), Newark.

ACTION:

B-91 SUSAN MCNULTY

The Department of Human Services, on behalf of Susan McNulty, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. McNulty, who is participating in the donated leave program, to receive more than 180 donated leave days allowed to a recipient.

ACTION:

B-92 SHERRY ROGERS

The Office of Information Technology, on behalf of Sherry Rogers, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Ms. Rogers, who is participating in the donated leave program, to receive more than 180 donated leave days allowed to a recipient.

ACTION:

B-93 READOPTED WITH AMENDMENTS: N.J.A.C. 4A-8, LAYOFFS

Submitted for the Commission's readoption is *N.J.A.C. 4A:8, Layoffs*. These rules are scheduled to expire on December 27, 2008. A hearing was scheduled September 8, 2008; no comments were received at that time, although one written comment was received during the public comment period. The comment does not necessitate that any changes

be made to the proposed readoption with amendments. Therefore, it is recommended that the Commission adopt the proposal without change.

ACTION:

B-94 CIVIL SERVICE COMMISSION MINUTES

The minutes of the Civil Service Commission meeting of December 3, 2008 are submitted for adoption.

ACTION: