

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 17TH DAY OF APRIL, 2019



Deirdre L. Webster Cobb
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Unit H
P. O. Box 312
Trenton, New Jersey 08625-0312

attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

DISMISSAL

OAL DKT. NO. CSV 01508-17

AGENCY DKT NO. 2017-2334

LETICIA ORTIZ,

Petitioner.

v.

NEWARK PUBLIC SCHOOLS,

Respondent.

Jesse Humphries, Esq., for petitioner (Oxfeld, Cohen, PC, attorneys)

Sabrina Styza, Esq., for respondent (Newark Public Schools, Office of General Counsel)

Record Closed: February 21 2019

Decided: March 7, 2019

BEFORE **CARIDAD F. RIGO, ALJ** t/a:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner, Leticia Ortiz, a permanent employee of the Newark Public Schools District was suspended from the position of custodial worker for fifteen days effective January 23, 2017 ending February 10, 2017. Petitioner was suspended after a

departmental hearing finding her to have neglected her duty, insubordination and other sufficient cause.

On January 18, 2017, petitioner appealed the suspension and requested a hearing at the Office of Administrative Law (OAL), the matter was transmitted to the OAL for a determination as a contested case. The matter was scheduled for a hearing on September 9, 2017, however the hearing was adjourned because the parties allegedly were close to settlement. It was scheduled again on October 26, 2017, it was not heard because there had been no response from petitioner. It was re-scheduled on February 13, 2018, and it was adjourned because petitioner had not responded.

This matter was re-assigned to the undersigned Administrative Law Judge and the matter was rescheduled for January 17, 2019. On January 17, 2019, petitioner failed to appear. On February 21, 2019, it was rescheduled on a peremptory basis and petitioner failed to appear.

Respondent Newark Public School District moved to dismiss this matter on the grounds that petitioner has failed to appear numerous times.

Based on the above, this tribunal **GRANTS** respondent's motion because of petitioner's failure to appear and prosecute this matter.

ORDER

It is therefore, **ORDERED** that this matter is hereby **DISMISSED**.

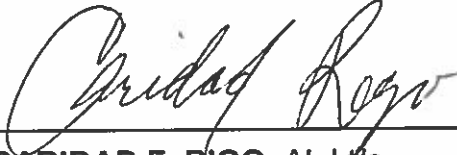
I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this

matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

March 7, 2019
DATE



CARIDAD F. RIGO, ALJ *ta*

Date Received at Agency:

March 7, 2019

Date Mailed to Parties:
lr

March 8, 2019