



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
JULY 15, 2015**

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

JULY 15, 2015

A regular meeting of the Civil Service Commission was held on Wednesday, July 15, 2015, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 11, 2014, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Donald Abney, Laborer 1, City of Newark, Department of Neighborhood and Recreational Services, suspension.

Mhylene Alexander, Cottage Training Technician, Vineland Developmental Center, Department of Human Services, layoff.

Thomie Belton, Assistant Family Service Worker 2, State of New Jersey, Department of Children and Families, suspension.

Gregory Bunyan, Laborer, City of Atlantic City, Department of Public Works, removal.

Cecelia Cole, Human Services Assistant, Trenton Psychiatric Hospital, Department of Human Services, layoff.

Christopher D'Alessandro, District Parole Supervisor, New Jersey State Parole Board, suspension.

Hugo Fierro, Police Officer, City of Newark, Police Department, removal.

Michele Purvis, Police Sergeant, City of East Orange, Police Department, suspension.

Keeya Rowan, Senior Correction Officer, Edna Mahan Correctional Facility, Department of Corrections, suspension.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

DISMISSAL FOR FAILURE TO APPEAR

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

Roberto Perez, Water Meter Repairer, City of Trenton, Department of Public Works, removal.

Kamelia Rogers, Police Communications Clerk, City of Newark, Police Department, removal.

ACTION: The Civil Service Commission noted the dismissal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Gelaine Alexandre
Newark School District
Resignation

Shirley Bilski
Monmouth County
Health Care Facilities
Suspension

VOTE: Robert M. Czech (Abstained)
 Thomas J. Perna (Yes)
 Richard E. Williams (Yes)

Jamal Downing
City of Trenton
Department of Administration
Removal

Tabitha Feola
City of Hoboken
Department of Transportation and Parking
Removal

Joann Julian
Ancora Psychiatric Hospital
Department of Human Services
Removal

Walter Kraemer
Green Brook Regional Center
Department of Human Services
Removal

Chinwe Okeke
Hudson County
Department of Health and Human Services
Suspension

Raishon Peterman
Department of Transportation
Suspension

Jahaira Roman
City of Bridgeton
Department of Public Safety
Suspension and demotion

Dinelle Volov
South Woods State Prison
Department of Corrections
Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 ANNIE BAKER

Annie Baker, Correction Sergeant, Juvenile Justice, Juvenile Justice Commission, removal effective April 24, 2012, on charges of inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal and appellant should be reinstated for one year, afforded an adequate opportunity with training, and permitted to attempt requalification for use of firearms.

ACTION: The Civil Service Commission affirmed the Administrative Law Judge's recommendation to reverse the removal but ordered the appellant be reinstated without the one year limitation.

A-3 LISA CORLEY

Lisa Corley, County Correction Officer, Camden County Correctional Facility, removal effective February 7, 2014, on charges of conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission directed that this matter be held over.

A-4 TAQIYYAH DAVIDSON

Taqiyyah Davidson, Juvenile Detention Officer, Essex County, Department of Citizen Services, removal effective February 18, 2014, 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 – Modify the removal to a 240 day suspension.

ACTION: The Civil Service Commission upheld the removal.

A-5 VINCENT R. GRAHAM (Consolidated)

Vincent R. Graham, County Police Officer, Camden County, Police Department, removal effective August 1, 2014, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties, and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to appear and failure to comply with discovery requests of respondents.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-6 HENRY GREEN

Henry Green, Laborer 1, City of Atlantic City, Department of Public Works, removal effective September 16, 2014, on charges of inability to perform duties.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-7 DARIN MCCLENNY

Darin McClenny, Senior Correction Officer, Central Reception and Assignment Facility, Department of Corrections, removal effective January 2, 2015, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant motion for summary decision and affirm the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-8 JAMES MILLER

James Miller, Police Officer, City of Hoboken, Department of Public Safety, removal effective May 2, 2013, on charges of insubordination, conduct unbecoming a public employee, neglect of duty, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-9 RONALD MILLER

Ronald Miller, Senior Correction Officer, South Woods State Prison, Department of Corrections, 10 working day suspension on charges of neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Dismiss the charges.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-10 SETTLEMENTS

Edward White
Pemberton Township
Police Department
Suspension and fine

ACTION: The Civil Service Commission acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 CHANGE IN THE STATE CLASSIFICATION PLAN

The Division of Agency Services requests that the Archives Technician title be made common for use in local government.



MEMORANDUM

DATE: June 22, 2015
 TO: The Civil Service Commission
 FROM: Kenneth Connolly, Director, Division of Agency Services
 SUBJECT: Change in State Classification Plan

COMMON TITLE

We request the title of Archives Technician (A15, 74242) be made common for use by local government.

The change is necessary to classify a position in the Morris County Heritage Commission. Local job titles in the museum or historic preservation fields are not relevant to dealing with archival materials as they are concerned with art works, building and structures, and managing environmental aspects of parks and interpreting historic sites. However, the Archives Technician is more suitable for the entry-level position requested by the Morris County Heritage Commission.

The Department of Law and Public Safety has been advised of our plans to utilize their title and no issues or concerns have been articulated.

The title specification has been modified to accommodate this request.

ESTABLISHMENT OF COMMON TITLE:

Effective: Changes will be effective the first pay period following the Commission's approval.

<u>FROM:</u>	<u>TO:</u>
Archives Technician A15-74242 Career S NL/12	Archives Technician A15-74242 Career C(Common) NL/12

KC/JT/GB/KG

ACTION: The Civil Service Commission directed that this request be granted.

B-2 J.D. – CSC DOCKET NO. 2014-926

J.D. appeals his rejection as a Police Officer candidate by the Borough of Rutherford and its request to remove his name from the eligible list for Police Officer (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this matter be referred for an independent evaluation.

B-3 GERARD AMBROSINO – CSC DOCKET NO. 2015-2710

Gerard Ambrosino appeals the determination of the Division of Agency Services upholding the removal of his name from the eligible list for Fire Fighter (M2600M), Teaneck, on the basis of an unsatisfactory background report.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-4 C.R. – CSC DOCKET NO. 2014-1742

C.R., represented by Michael L. Prigoff, Esq., appeals his rejection as a Police Officer candidate by the Passaic Police Department and its request to remove his name from the eligible list for Police Officer (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-5 ANDRE DORCENT, JR. – CSC DOCKET NO. 2015-1735

Andre Dorcent, Jr., appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9988R), Department of Corrections, eligible list on the basis of failure to appear for pre-employment processing.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-6 RICKY JULIANO – CSC DOCKET NO. 2015-2866

Ricky Juliano appeals the determination of the Division of Agency Services, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Sheriff's Officer (S9999R), Morris County, eligible list, on the basis that he falsified his pre-employment application.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-7 ERIDANIA ORTIZ – CSC DOCKET NO. 2015-1841

Eridania Ortiz appeals the removal of her name from the Family Service Specialist 1, Bilingual in Spanish and English (PS3421K), Department of Children and Families (DCF) eligible list on the basis that she failed to respond to the certification notice. The appellant also appeals DCF's request to remove her name from the eligible list for Supervising Family Service Specialist 2 (PS6696K), DCF, on the basis that she failed to respond to the certification notices.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-8 CARLOS THOMAS – CSC DOCKET NO. 2015-1661

Carols Thomas appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9988R), Department of Corrections eligible list on the basis of an unsatisfactory criminal record.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-9 LEIGH SIMONS – CSC DOCKET NO. 2015-2839

Leigh Simons appeals the Department of Children and Families' (DCF) requests to remove her name from the eligible list for Supervising Family Service Specialist 2 (PS6696K), DCF, on the basis that she failed to respond to the certification notice.

ACTION: The Civil Service Commission directed that this appeal be granted in part.

B-10 MICKEY D. WEDGEST – CSC DOCKET NO. 2015-571

Mickey D. Wedgest, represented by Stuart J. Alterman, Esq., appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the County Correction Officer (C9975M), Mercer County eligible list for falsification of his employment application and for failure to maintain residency.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-11 ANDREW BISCIEGLIA – CSC DOCKET NO. 2014-2588

Andrew Bisciegliia, a Fire Fighter with Atlantic City, appeals the bypass of his name on the August 19, 2013, certification of the eligible list for Fire Captain (PM5208N), Atlantic City.

ACTION: The Civil Service Commission directed that this appeal be denied and Andrew Bisciegliia's name be removed from the Fire Captain (PM5208N), Atlantic City eligible list.

**B-12 BUYER (PS1408P) DEPARTMENT OF LAW AND PUBLIC SAFETY
CSC DOCKET NO. 2015-3223**

The Department of Law and Public Safety, on behalf of Stacey Baranyi, petitions the Civil Service Commission for revival of the Buyer (PS1408P), Department of Law and Public Safety, eligible list, in order to effectuate her permanent appointment to the subject title.

ACTION: The Civil Service Commission directed that this request be granted.

**B-13 MUNICIPAL COURT ADMINISTRATOR (M1037P), MONROE
TOWNSHIP – CSC DOCKET NO. 2015-1850**

The Division of Agency Services requests that the Civil Service Commission order Monroe Township to return the April 4, 2013 certification of the eligible list for Municipal Court Administrator (M1037P) for proper disposition.

ACTION: The Civil Service Commission directed that this request be denied and the subject certification be disposed of as returned by Monroe Township.

**B-14 PUBLIC WORKS REPAIRER (M0671R), BORDENTOWN TOWNSHIP
CSC DOCKET NO. 2015-945**

The appointing authority's failure to dispose of the certification for Public Works Repairer (M0671R), Bordentown Township, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION: The Civil Service Commission ordered the appointing authority to remove the provisional appointee, properly dispose of the certification, and pay compliance costs.

B-15 SENIOR TECHNICIAN (PS6069T), MOTOR VEHICLES 2015-3257

The Motor Vehicle Commission petitions the Civil Service Commission for revival and extension of the eligible list for Senior Technician, Motor Vehicle Commission (PS6069T).

ACTION: The Civil Service Commission directed that this request be granted.

B-16 DORA BERRY – CSC DOCKET NO. 2015-2952

Dora Berry appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional Examination for Administrative Assistant 3 (PS0082R), Board of Public Utilities.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-17 KEISHA BROWN – CSC DOCKET NO. 2015-2867

Keisha Brown appeals the determination of the Division of Selection Services that she was below the minimum requirements in experience for the promotional examination for Assistant Buyer (PS8842G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-18 CAROL CANALE – CSC DOCKET NO. 2015-2953

Carol Canale appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Occupational Safety Consultant 2 (PS2833K), Ancora Psychiatric Hospital.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-19 FELICIA COLLIS – CSC DOCKET NO. 2015-2512

Felicia Collis appeals the determination of the Division of Agency Services, which found that she was below the minimum requirements in experience for the open competitive examination for Public Health Nurse (M0893S), Jersey City.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-20 MICHAEL CURLEY – CSC DOCKET NO. 2015-1043

Michael Curley appeals the determination of the Division of Agency Services, which found that he did not meet the experience requirements for the examination for Contract Administrator 2 (PS8544G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that this appeal be granted.

**B-21 PATRICK FARRELL, SR. AND RAUL ROBLES
CSC DOCKET NO. 2015-2820**

Patrick Farrell, Sr. and Raul Robles appeal the determinations of the Division of Agency Services that they did not meet the experience requirements for the promotional examination for Senior Custodian (PM1491S), Jersey City School District.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-22 JEFFREY FOSTER – DOCKET NO. 2015-3053

Jeffrey Foster appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Administrative Analyst 2 (Data Processing) (PS2858K), Division of Family Development.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-23 EDWIN GONZALEZ, JR. – CSC DOCKET NO. 2015-2864

Edwin Gonzalez, Jr. appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Senior Custodian (PM1491S), Jersey City School District.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-24 DARREN GORCZYCA – CSC DOCKET NO. 2015-3242

Darren Gorczyca appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Heavy Equipment Operator (PM1612S), South Amboy.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-25 JAMES LALLO AND JAMES SNELL – CSC DOCKET NO. 2015-3191

James Lallo and James Snell appeal the determinations of the Division of Agency Services which found that they were below the minimum requirements in experience for the promotional examination for Supervising Water Treatment Plant Operator (PM1305S), Willingboro Township.

ACTION: The Civil Service Commission directed that these appeals be granted.

B-26 KATELIN LORITO – CSC DOCKET NO. 2015-3111

Katelin Lorito appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Assistant Municipal Treasurer (M0029T), Morristown.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-27 MICHAEL LUZZI – CSC DOCKET NO. 2015-3178

Michael Luzzi 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 General Supervisor Water (PM0161T), Nutley.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-28 JOHN MILLER – CSC DOCKET NO. 2015-2757

John Miller appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Business Manager (C0866S), Burlington County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-29 HECTOR ORTIZ – CSC DOCKET NO. 2015-3151

Hector Ortiz appeals the determination of the Division of Agency Services, which found that, per the substitution clause, he was below the minimum requirements in experience for the promotional examination for Assistant Director of Public Works (PM0004T), Jersey City.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-30 MICHAEL PEPENELLA – CSC DOCKET NO. 2015-2863

Michael Pepenella appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Assistant Engineer-In-Charge of Maintenance 1 (PS9508I), East Jersey State Prison.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-31 BEATRIZ PEREZ – CSC DOCKET NO. 2015-3142

Beatriz Perez appeals the determination of the Division of Agency Services, which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Buyer (PC0008T), Essex County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-32 MICHELE PONTORIERO – CSC DOCKET NO. 2015-3179

Michele Pontoriero 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 the dual title of Sewer Repairer Supervisor/Water Repair Supervisor (PM0246T), Nutley.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-33 AMAL SHAH – CSC DOCKET NO. 2015-2951

Amal Shah appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Program Manager, Occupational and Environmental Health (PS9484G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-34 HARRY WERTZ – CSC DOCKET NO. 2015-2946

Harry Wertz 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 Environmental Specialist 4 (PS9629G), Department of Environmental Protection.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-35 PAUL VICHROSKI – CSC DOCKET NO. 2015-2969

Paul Vichroski appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Social Worker 2 (PS8418K), Trenton Psychiatric Hospital.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-36 STEPHANIE TOMLIN – CSC DOCKET NO. 2015-2893

The Department of Law and Public Safety requests that Stephanie Tomlin's out-of-title work experience in the title of Data Entry Operator 1 be accepted to qualify her for a prospective promotional examination for Technical Assistant 3.

ACTION: The Civil Service Commission directed that this request be granted.

B-37 BRIAN BYRD – CSC DOCKET NO. 2015-3219

Brian Byrd appeals the validity of the promotional examination for Technical Support Specialist 1 (PS8941U), Office of Information Technology.

ACTION: The Civil Service Commission directed that this matter be held over.

B-38 SCOTT GENEREUX, *ET AL.* – CSC DOCKET NO. 2015-3136

Scott Genereux, Robert Karpew, Joseph Reardon and James Russo appeal the promotional examination for Correction Lieutenant (PS9465I), Department of Corrections.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-39 JASON SHEETS, *ET AL.* – CSC DOCKET NO. 2015-3140

Jason Sheets (PC1568S), Atlantic County; Juan Mendoza (PC1570S), Hudson County; and Nakera Sherman-Belin (PC1574S), Union County; appeal the promotional examination for Sheriff's Officer Sergeant (various jurisdictions).

ACTION: The Civil Service Commission directed that these appeals be denied.

B-40 ROSINA FRANCIS – CSC DOCKET NO. 2015-2897

Rosina Francis appeals the determination of the Division of Agency Services that her position with the Department of the Treasury was properly classified as a Claims Investigator 1. The appellant seeks a Claims Investigator 2 job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-41 MICHAEL GUTHRIDGE – CSC DOCKET NO. 2015-2842

Michael Guthridge appeals the decision of the Division of Agency Services which found that his position with the Department of the Treasury is correctly classified as Technical Assistant 1, Treasury. The appellant seeks a Program Technician job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-42 E.H. – CSC DOCKET NO. 2015-1291

E.H., represented by Andrew L. Watson, Esq., appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with the Division on Civil Rights, Department of Law and Public Safety, is Legal Specialist. The appellant seeks a Deputy Attorney General 4 Job Classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-43 BRET HAHN – CSC DOCKET NO. 2015-2972

Bret Hahn appeals the decision of the Division of Agency Services that the proper classification of his position with the Borough of Fair Lawn is Maintenance Repairer. The appellant seeks an Assistant Supervising Maintenance Repairer job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-44 SHEILA HART – CSC DOCKET NO. 2015-1722

Sheila Hart appeals the decision of the Division of Classification and Personnel Management, which found that her position with the Department of Environmental Protection is properly classified as a Clerk. The appellant seeks a Senior Clerk, Principal Clerk or Secretarial Assistant 3 (Non-Stenographic) job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-45 ALLISON KETCHUM – CSC DOCKET NO. 2014-2343

Allison Ketchum challenges the processing of her request for position classification review by the Department of Law and Public Safety. Additionally, the appellant appeals the determination of the Division of Agency Services that her position is properly classified as a Senior Technician, Management Information Systems. The appellant seeks an Administrative Analyst 3, Data Processing job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-46 RALPH RODRIGUES – CSC DOCKET NO. 2015-3170

Ralph Rodrigues appeals the decision of the Division of Agency Services, which found that his position with the Department of Environmental Protection is properly classified as Emergency Response Specialist 3. The appellant seeks an Emergency Response Specialist 2 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-47 RICARDO VEGA – CSC DOCKET NO. 2015-2841

Ricardo Vega appeals the decision of the Division of Agency Services, which found that his position with the Department of Agriculture is properly classified as Principal Laboratory Technician. The appellant seeks a Supervising Laboratory Technician job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-48 GALE VINCENT – CSC DOCKET NO. 2015-1027

Gale Vincent appeals the determination of the Division of Classification and Personnel Management that her position with the Department of Environmental Protection is properly classified as an Agency Services Representative 3. The appellant seeks an Agency Services Representative 4 job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-49 SANDRA O'NEIL – CSC DOCKET NO. 2015-625

Sandra O'Neal appeals the April 10, 2015 decision of the Division of Agency Services which found that her position with the Department of Education is correctly classified as Planning Associate 2. The appellant seeks a Planning Associate 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-50 JOSEPH SEAMAN – CSC DOCKET NO. 2015-623

Joseph Seaman appeals the attached April 10, 2015 decision of the Division of Agency Services, which found that his position with the Department of Education is correctly classified as Planning Associate 2. The appellant seeks a Planning Associate 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-51 SUSAN SULLIVAN – CSC DOCKET NO. 2015-622

Susan Sullivan appeals the April 10, 2015 decision of the Division of Agency Services, which found that her position with the Department of Education is correctly classified as Planning Associate 2. The appellant seeks a Planning Associate 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-52 ALAN HANDLER – CSC DOCKET NO. 2015-1852

Alan Handler appeals the attached determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as an Auditor 2. The appellant seeks an Auditor 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-53 THOMAS MALAR – CSC DOCKET NO. 2015-1916

Thomas Malar appeals the attached determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as an Auditor 2. The appellant seeks an Auditor 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-54 DAVID MENIST – CSC DOCKET NO. 2015-1853

David Menist appeals the attached determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as an Auditor 2. The appellant seeks an Auditor 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-55 MINESH PATEL – CSC DOCKET NO. 2015-1914

Minesh Patel appeals the attached determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as an Auditor 2. The appellant seeks an Auditor 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-56 CHRISTOPHER PFEFFER – CSC DOCKET NO. 2015-1913

Christopher Pfeffer appeals the attached determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as an Auditor 2. The appellant seeks an Auditor 1 job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-57 PANKAJ SHAH – CSC DOCKET NO. 2015-1854

Pankaj Shah appeals the attached determination of the Division of Agency Services that his position with the Department of Labor and Workforce Development is properly classified as an Auditor 1. The appellant seeks a Supervising Auditor job classification.

ACTION: The Civil Service Commission directed that this matter be held over.

B-58 YANG CAO – CSC DOCKET NO. 2015-3044

Yang Cao requests reconsideration of the decision of the Civil Service Commission, rendered on April 1, 2015, which upheld the determination of the Division Of Classification and Personnel Management that the proper classification of her position with the Department of Environmental Protection is Program Specialist 3. The appellant seeks a Research Scientist 1 job classification.

ACTION: The Civil Service Commission directed that this request be denied.

B-59 KENNETH ISKY – CSC DOCKET NO. 2015-1192

Kenneth Isky, a former Supervising Administrative Analyst with the Department of children and Families, requests reconsideration of the final administrative decision rendered on September 17, 2014, which upheld his three working day suspension.

ACTION: The Civil Service Commission directed that this request be denied.

B-60 B.O. – CSC DOCKET NO. 2015-2654

North Bergen, represented by Mollie F. Hartman, requests reconsideration of the final administrative decision, *In the Matter of B.O.* (CSC, decided December 4, 2013), which imposed a 30 working day suspension. North Bergen also requests resolution of a dispute regarding the calculation of B.O.'s back pay.

ACTION: The Civil Service Commission directed that this request be denied and B.O. be awarded back pay in the amount of \$16,902.38.

VOTE: **Robert M. Czech** **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-61 ANDREA STUMPF – CSC DOCKET NO. 2015-1444

The Department of Human Services and Andrea Stumpf, represented by Nicole Sharpe, Director, Public Affairs, and Staff Representative, CWA Local 1039, request reconsideration of the decision of the Civil Service Commission, rendered May 21, 2014, which ordered repayment of a salary overpayment. Additionally, Ms. Stumpf appeals the decision of the Division of Agency Services that the proper classification of her position is Administrative Analyst 4 with an effective date of December 13, 2014. The appellant seeks an October 8, 2011 effective date of the reclassification.

ACTION: The Civil Service Commission directed that this request and appeal be denied.

B-62 TREVOR WEIGLE – CSC DOCKET NO. 2015-1410

Trevor Weigle requests reconsideration of *In the Matter of Thakur Persaud* (CSC, decided October 22, 2014), which ordered the permanent appointment of Thakur Persaud to the title of Health Officer effective July 7, 2011.

ACTION: The Civil Service Commission directed that this request be denied.

B-63 HOPE HARDEN, ET AL. – CSC DOCKET NO. 2015-2479

Hope Harden, Alan Knight, and Henry Suarez, Police Officers with the City of Newark, represented by Anthony J. Fusco Jr., Esq., seek enforcement of the Civil Service Commission's decision rendered on April 3, 2013, awarding counsel fees.

ACTION: The Civil Service Commission directed that this request be granted in part and awarded counsel fees in the amount of \$6,130.

B-64 DELINDA HOLMES – CSC DOCKET NO. 2015-1813

Delinda Holmes, an Assistant Purchasing Agent, Paterson Housing Authority, represented by Anthony J. Fusco, Jr., Esq., requests retroactive compensation from May 10, 2006 to June 30, 2010 and from 2011 through 2014.

ACTION: The Civil Service Commission directed that this request be denied.

B-65 FRANCHINO PIGNATARO – CSC DOCKET NO. 2015-3364

Belleville Township requests that Franchino Pignataro receive a retroactive date of appointment as a Police Chief.

ACTION: The Civil Service Commission directed that this request be granted.

B-66 BRENDA MILLER – CSC DOCKET NO. 2015-673

Brenda Miller, represented by Nancy I. Oxfeld, Esq., appeals the determination that she was not permanent with the Newark School District upon the termination of her employment as a Confidential Assistant effective August 15, 2014.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-67 J.M.O. – CSC DOCKET NO. 2015-2414

J.M.O., a former Instructor Counselor, with the Department of Human Services, represented by Jessica Shaw, Staff Representative, CWA Local 1040, appeals the determination of the Director of the Equal Employment Office, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission remanded this matter to the appointing authority's Equal Employment Opportunity Office.

B-68 J.P. – CSC DOCKET NO. 2015-1225

J.P., a Senior Repairer with the Department of Corrections (DOC), appeals the determination of the Commissioner, DOC, which found 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.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-69 L.P. – CSC DOCKET NO. 2015-2947

L.P., a former Highway Construction and Bridge Repairer 2 with the Department of Transportation (DOT), appeals the determination of the Deputy Commissioner, that the appellant did not 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.

ACTION: The Civil Service Commission directed that this appeal be denied.

**B-70 JENNIFER DALTON AND MONICA GORDON
CSC DOCKET NO. 2015-2408**

Jennifer Dalton, a Senior Public Safety Telecommunicator, and Monica Gordon, a Training Coordinator with Atlantic City, both represented by Robert F. O'Brien, Esq., request that the Civil Service Commission reinstate their appeals of their suspensions, which were dismissed based on their failure to appear at a scheduled conference.

ACTION: The Civil Service Commission directed that these appeals be granted.

B-71 FREDERICK WEBB – CSC DOCKET NO. 2015-1932

Frederick Webb, a Senior Correction Officer with Bayside State Prison, requests that the Civil Service Commission reinstate his appeal of his 15 working day suspension, which was dismissed based on his failure to appear for a prehearing conference.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-72 KENNETH JOHNSON – CSC DOCKET NO. 2014-1695

The appeal of Kenneth Johnson, a Senior Custodian with the Newark School District, of his 45 working day suspension, on charges, was heard by Administrative Law Judge Jeffrey A. Gerson (ALJ), who rendered his initial decision on May 20, 2015. At its meeting on June 17, 2015, the Civil Service (Commission) did not adopt the ALJ's recommendation to modify the 45 working day suspension to a 20 working day suspension. Rather the Commission imposed a 30 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-73 WINNIE BOEN – CSC DOCKET NO. 2015-3301

The Department of Children and Families, on behalf of Winnie Boen, requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit Boen to donate more than 30 sick days to C.O., who is participating in the donated leave program.

ACTION: The Civil Service Commission directed that this request be granted.

B-74 CHIEF EXAMINER – CSC DOCKET NO. 2016-4

The Division of Agency Services recommends the reallocation of the Chief Examiner title to the non-competitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2

ACTION: The Civil Service Commission directed that this request be granted.

B-75 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 17, 2015.

ACTION: The Civil Service Commission adopted the minutes of its meeting on June 17, 2015.

**B-76 CASHIER, BILINGUAL SPANISH AND ENGLISH (M0330R),
NEWARK – CSC DOCKET NO. 2015-939**

The appointing authority requests permission not to make an appointment from the certification for Cashier, Bilingual Spanish and English (M0330R), Newark.

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-77 PROJECT SPECIALIST AND PROJECT SUPPORT SPECIALIST
CSC DOCKET NO. 2016-5**

The Department of Health request approval to make unclassified appointments utilizing various career service titles in order to properly classify positions currently designated as Project Specialist and Project Support Specialist.

ACTION: The Civil Service Commission denied the request for unclassified appointments but approved interim appointments for the subject titles for a period of up to three years.

B-78- CHRISTOPHER DAVINO – CSC DOCKET NO. 2015-1199

Christopher Davino appeals the determination of the Division of Agency Services, which found that he was below the minimum requirements in experience for the promotional list for Assistant Recreation Supervisor (PC0643S), Monmouth County.

ACTION: The Civil Service Commission directed that this appeal be granted.

VOTE: **Robert M. Czech** **(Abstained)**
 Thomas J. Perna **(Yes)**
 Richard E. Williams **(Yes)**

B-79 F.P. – CSC DOCKET NO. 2016-155

The Superior Court of New Jersey, Appellate Division, vacated the Civil Service Commission's decision to deny F.P.'s appeal of the determination of the Director, Equal Employment Division, Department of Corrections, stating that there was probable cause to substantiate a finding that he violated 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: The Civil Service Commission referred the matter to the Office of Administrative Law for a hearing.

B-80 CHANGE IN THE CLASSIFICATION PLAN


The Division of Agency Services requests the establishment of the Assistant Chief, Mechanical Inspection Bureau, Boiler and Pressure Vessel Compliance title and verbiage changes to the Chief, Bureau of Boiler and Pressure Vessel Compliance title.



MEMORANDUM

DATE: July 8, 2015

TO: The Civil Service Commission

FROM: Kenneth Connolly, Director
Division of Agency Services 

SUBJECT: Change in State Classification Plan

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The Department of Labor and Workforce Development (DOL&WD) request the establishment of a new title, Assistant Chief, Mechanical Inspection Bureau, Boiler and Pressure Vessel Compliance.

The primary function of the title involves assisting the bureau chief in the oversight of statewide boiler, pressure vessel, and refrigeration inspection and licensing programs.

The title will be utilized exclusively within the Mechanical Inspection Bureau, DOL&WD. It will reside in the Competitive Division of the Career Service.

The bargaining unit was assigned by the Governor's Office of Employee Relations.

Attached is documentation that the negotiations representative notice required by *N.J.A.C. 4A:3-3.3(f)* has been made.

In addition, the department requests the chief level be renamed Chief, Mechanical Inspection Bureau, Boiler and Pressure Vessel Compliance for title verbiage consistency purposes.

ESTABLISHMENT OF NEW TITLE:

Effective: Changes will be effective the first pay period following the Commission's approval.

Assistant Chief, Mechanical Inspection Bureau, Boiler and Pressure Vessel Compliance
R29_ Career (C) L NL/12

ACTION: The Civil Service Commission directed that this request be granted

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, July 29, 2015, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission