



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor
Sheila Y. Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
NOVEMBER 4, 2020**

**Deirdré L. Webster Cobb, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan
Diomedes Tsitouras**

November 4, 2020

A regular meeting of the Civil Service Commission was held on Wednesday, November 4, 2020, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca, Daniel W. O'Mullan and Diomedes Tsitouras; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs. All individuals listed participated via teleconference.

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 November 13, 2019, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 21, 2020.

ACTION: The Civil Service Commission adopted the minutes of its meeting of October 21, 2020.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Jerry Aquino, Audio/Visual Specialist, City of Linden, Mayor's Office, layoff.

Dawn Dudley, Social Worker, Atlantic County, Department of Family and Community Development, removal.

Samantha Dunmore, Human Services Specialist 1, Atlantic County, Department of Family and Community Development, removal.

Jauwyince Fountain, Public Safety Telecommunicator, City of Jersey City, Department of Public Safety, removal.

Keith Graham, Lieutenant, Campus Police, Kean University, suspension and demotion.

Montia Green, County Correctional Police Officer, Cumberland County, Department of Corrections, 30 working day suspension.

Montia Green, County Correctional Police Officer, Cumberland County, Department of Corrections, removal.

Donald Key, Cook, Atlantic County, Department of Human Services, removal.

Joseph Sanger, Police Officer, City of Newark, Department of Public Safety, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Stephanie Aytch
Camden County
Department of Corrections
Suspension

Sarah Cruzado
City of Jersey City
Municipal Court
Resignation not in good standing

Lino Rosario
City of Trenton
Police Department
Removal

John Spencer
Jersey City School District
Removal

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 DARREN HEADEN – CSC DOCKET NOS. 2017-2465, 2017-2466 & 2017-2467 (Consolidated)

Darren Headen, Human Services Assistant, Ancora Psychiatric Hospital, Department of Health, three removals effective January 24, 2017 on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and uphold the removals.

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

A-3 RICHARD SENDLINGER – CSC DOCKET NO. 2019-1970

Richard Sendlinger, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, removal effective February 2, 2019 on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and dismiss the appeal as moot.

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

A-4 RICHARD SENDLINGER – CSC DOCKET NO. 2019-1971

Richard Sendlinger, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, removal effective February 3, 2019 on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and dismiss the appeal as moot.

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

A-5 RICHARD SENDLINGER – CSC DOCKET NO. 2019-1972

Richard Sendlinger, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, removal effective February 4, 2019 on charges of chronic or excessive absenteeism or lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and dismiss the appeal as moot.

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

A-6 MARK THOMPSON – CSC DOCKET NO. 2018-3244

Mark Thompson, Therapy Aide, Woodbine Developmental Center, Department of Human Services, resignation not in good standing, effective February 9, 2018 on charges of job abandonment.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and dismiss the appeal as moot.

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

SECTION B – MISCELLANEOUS MATTERS**B-1 ALFONSO ULLOA – CSC DOCKET NO. 2021-210**

Alfonso Ulloa appeals the decision to remove his name from the Fire Fighter (M1844W), Jersey City eligible list on the basis of an unsatisfactory driving record.

ACTION: The Civil Service Commission directed that this appeal be granted, but the appellant's name be recorded as bypassed on the certification.

B-2 D.S. – CSC DOCKET NO. 2020-1283

D.S., a Secretarial Assistant 2, Non-Stenographic with the Department of Health (DOH), appeals the determination of the Chief of Staff, DOH, which found that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

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

B-3 L.K. – CSC DOCKET NO. 2020-2711

L.K., a Senior Clerk Transcriber with Vineland Developmental Center, Department of Human Services, represented by David M. Holler, Esq., appeals the determination of the Chief of Staff, Department of Human Services, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Police Prohibiting Discrimination in the Workplace.

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

B-4 S.R. – CSC DOCKET NO. 2020-1535

S.R., a Data Entry Operator 4 with the Department of the Treasury (Treasury), appeals the determination of the Treasury's Equal Employment Opportunity/Affirmative Action Officer, which found that he 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-5 CLIFTON ALEXANDER – CSC DOCKET NO. 2020-1550

Clifton Alexander, a former Senior Security Officer, represented Susan L. Swatski, Esq., appeals his failure to be timely promoted and he requests retroactive compensation.

ACTION: The Civil Service Commission directed that this appeal be dismissed as untimely.

B-6 ALEXANDRA CAVAGROTTI – CSC DOCKET NO. 2020-2749

Morris County, on behalf of Alexandra Cavagrotti, request that her name be added to the current outstanding certification OL200294 so that she may be considered for an appointment as an Environmental Specialist from the Environmental Specialist (C0707A), Morris County eligible list.

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

VOTE:

Deirdrè L. Webster Cobb	(Yes)
Dolores Gorczyca	(Yes)
Daniel W. O'Mullan	(Abstain)
Diomedes Tsitouras	(Yes)

B-7 OVERTIME PROGRAM, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF STATE POLICE – CSC DOCKET NO. 2021-441

The Division of Agency Services, on behalf of the Department of Law and Public Safety (DL&PS), Division of State Police, Office of Forensic Sciences, requests that the provisions of *N.J.A.C.* 4A:3-5.3 be relaxed to provide individuals in the non-limited, non-exempt title of Forensic Scientist 1, DL&PS and Forensic Scientist 2, DL&PS, cash compensation at one and one-half times the regular rate for hours worked between 35 and 40 hours.

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

B-8 IN THE MATTER OF EMPLOYMENT SERVICES TRAINEE, DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT – CSC DOCKET NOS. 2020-2061, *ET AL.*

The Communication Workers of America Local 1038, represented by Peter A. Cipparulo, petitions the Civil Service Commission for a salary re-evaluation for the Employment Services Trainee title.

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

B-9 NAZHAT ABOOBAKER AND KHALID SHAIKH – CSC DOCKET NOS. 2021-58 AND 2021-59

Nazhat Aboobaker and Khalid Shaikh appeal the determinations of the Division of Agency Services that they did not meet the requirements for the promotional examination for Administrative Analyst 4 (PS0785T), Department of Transportation.

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

B-10 DAMOND MARSETTE – CSC DOCKET NO. 2021-233

Damond Marsette appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Custodian (PM2654B), Newark School District.

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

B-11 BRIAN KLEIN – CSC DOCKET NO. 2019-2461

Brian Klein appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PS1093V), Union Township.

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

B-12 HELMUT KRAUTH – CSC DOCKET NO. 2019-2130

Helmut Krauth appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM1093V), Union Township.

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

B-13 DANIEL ROMAN – CSC DOCKET NO. 2019-2503

Daniel Roman appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM1093V), Union Township.

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

B-14 LOUIS SKIERSKI – CSC DOCKET NO. 2019-2239

Louis Skierski appeals his score for the oral portion of the promotional examination for Fire Lieutenant (PM1093V), Union Township.

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

B-15 BRIAN PIO – CSC DOCKET NO. 2021-328

The Salem County Sheriff's Office, represented by Joseph M. DiNicola, Jr., Esq., petitions the Civil Service Commission for a stay of Brian Pio's reinstatement pending the outcome of its request for reconsideration.

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

B-16 CUMBERLAND COUNTY, DEPARTMENT OF CORRECTIONS LAYOFFS – CSC DOCKET NO. 2021-324

The Policemen's Benevolent Association Local 231, represented by Stuart J. Alterman, Esq. and Arthur J. Murray, Esq., requests interim relief regarding Cumberland County's plan to lay off its members effective November 7, 2020, which was approved by the Division of Agency Services. Cumberland County, represented by Kathleen M. Bonczyk, Esq., requests a stay of this matter until a proceeding regarding the subject layoff in Superior Court is decided.

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

B-17 SUSAN DONNELLY – CSC DOCKET NO. 2021-164

The Department of Children and Families requests 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 Susan Donnelly to submit a late application for SCOR benefits.

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

B-18 SEAN MCMANUS – CSC DOCKET NO. 2020-2671

Sean McManus, a Conservation Officer 3 with the Department of Environmental Protection, represented by David Beckett, Esq., requests reconsideration of the final decision rendered on April 15, 2020, which upheld the denial of his grievance concerning the rate of cash overtime compensation for emergency-related work.

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

B-19 JAMES JONES- CSC DOCKET NO. 2021-403

James Jones appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Assistant Public Works Superintendent (PM1703A), Upper Township.

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

B-20 ADMINISTRATIVE ANALYST 3 (S0322W), DIVISION OF STATE POLICE - CSC DOCKET NO. 2020-2246

The Division of State Police requests permission not to make an appointment from the July 1, 2019 certification for Administrative Analyst 3 (S0322W), Department of Law and Public Safety, Division of State Police.

ACTION: The Civil Service Commission granted the appointment waiver and assessed no selection costs.

B-21 E.F.- CSC DOCKET NO. 2019-2994

E.F., represented by Thomas F. Flynn, III, Esq., appeals his rejection as a Fire Fighter candidate by Mount Laurel Fire District 1 and its request to remove his name from the eligible list for Fire Fighter (M1554T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that the appellant be referred for an independent psychological evaluation.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Tuesday, November 24, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Deirdre L. Webster Cobb

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Chairperson
Civil Service Commission