



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
FEBRUARY 20, 2013**

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

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:

Khaiesh Culler, Custodial Worker, Newark School District, removal and resignation not in good standing.

Michael Negron, Emergency Medical Technician, Department of Public Safety, removal.

Alma E. Reyes-Rosario, Supervising Family Service Specialist 2, Department of Children and Families, release at the end of the working test period.

Miguel Rosario, Senior Correction Officer, Edna Mahan Correctional Facility, Department of Corrections, indefinite suspension.

Michael Sardo, Food Service Worker, Passaic County, Preakness Hospital, removal.

ACTION:

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Tiffany Accor, Security Guard, City of Irvington, Public Library, removal.

John C. Bartholomew, Jr., Carpenter, Military and Veterans' Affairs – Sea Girt Training Center, suspension.

Joseph Brewster, III, County Correction Officer, Mercer County, Department of Corrections, removal.

Daniel Chirino, Police Officer, City of Hoboken, Department of Public Safety, suspension.

James Heatley, Laborer, Township of Long Beach, Department of Public Works, removal.

Jonathan McGrath, Practical Nurse, Cape May County, Department of Crest Haven, removal.

Thomas O'Mally, Construction Official, Town of West New York, Department of Public Works, removal.

Robert Reiss, Police Sergeant, Township of Union, Department of Public Safety, bypass.

Vanetta Rivera, Parking Enforcement Officer, Department of Transportation and Parking, resignation not in good standing.

Carlos Rodriguez, Jr., Library Assistant, Passaic Public Library, removal.

Dyshea Upshaw, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal.

ACTION:

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Kevin Aekins
Military and Veterans' Affairs
Menlo Park
Release at the end of the working test period

In the Matter of Sadiyyah Brooks
Newark School District
Removal and Resignation not in good standing

In the Matter of Ronald Calascibetta, Jr.
Sussex County
Department of Engineering and Planning
Removal

In the Matter of Walter Craig
Monmouth County
Department of Parks
Removal

In the Matter of Anthony Hammonds
Ancora Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Alberto Hernandez
Middlesex County Board of Social Services
Suspension

In the Matter of Alisha Robertson
Newark School District
Suspension

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

ACTION:

A-2 DANIEL CAETANO

Daniel Caetano, Police Officer, City of Newark, Police Department, 30-day suspension on charges of conduct unbecoming a public employee, neglect of duty, violation of Department rules and regulations, disobedience of orders, acts or omissions, other sufficient cause and false statement.

Recommendation of the Administrative Law Judge – Reverse the 30-day suspension.

ACTION:

A-3 RALPH WEST

Ralph West, County Correction Officer, Burlington County, County Jail, seven working day suspension on charges of other sufficient cause and violations of County time and attendance policy.

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

ACTION:

A-4 ROBERT BAYARD

Robert Bayard, Police Officer, City of Camden, Police Department, two removals effective February 13, 2012, on charges of conduct unbecoming a public employee, violation of City rules and regulations and insubordination.

Recommendation of the Administrative Law Judge – Uphold the removals.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 REGINA PIERCE

Regina Pierce, an Information Technology Analyst 3 with the Judiciary, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-2 CHRISTOPHER DECAMPOS

Christopher DeCampos, represented by Tony F. LaRocca, Esq., appeals the request by the Department of Corrections to remove his name from the Correction Officer Recruit (S9987M) eligible list for medical unfitness to perform effectively the duties of the position.

ACTION:

B-3 CHERYL GOINS

Cheryl Goins, a former Senior Purchasing Assistant with Essex County, petitions the Civil Service Commission for relief of her immediate suspension effective June 8, 2012.

ACTION:

B-4 MARK LYSZCZAK

Mark Lyszczak, a County Correction Sergeant with Mercer County, represented by Merick H. Limsky, Esq., petitions the Civil Service Commission for a determination with regard to the back pay and counsel fees awarded in the decision In the Matter of Mark Lyszczak (CSC, decided October 5, 2011).

ACTION:

B-5 MARGARET MULLEN

Margaret Mullen, a former Community Service Aide with Bergen County, appeals the determination of her layoff rights by the former Division of State and Local Operations.

ACTION:

B-6 KATELYN DILLEY

Katelyn Dilley appeals the determination of the Division of Selection Services denying her request for a make-up examination for Claims Adjudicator Trainee Disability Determinations (S2033N).

ACTION:

B-7 STANLEY KABRT

Stanley Kabrt appeals the determination of the Division of Selection Services denying his request for a make-up examination for Correction Sergeant (PS6436I), Department of Corrections.

ACTION:

B-8 ANREA DARBY

Anrea Darby appeals the decision of the Division of Classification and Personnel Management which found that the Department of Corrections had presented a sufficient basis to remove the appellant's name from the Correction Officer Recruit (S9987M), DOC, eligible list on the basis that she falsified her employment application.

ACTION:

B-9 DANIEL ESTEVES

Daniel Esteves appeals the decision of the former Division of State and Local Operations, which upheld the removal of his name from the Correction Officer Recruit (S9987M), Department of Corrections, eligible list due to an unsatisfactory background report.

ACTION:

B-10 DONNA FARINA

Donna Farina, a Professor with New Jersey City University, appeals the determination of the President of New Jersey City University, which found that the appellant 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-11 JILL LEWIS-SPECTOR

Jill Lewis-Spector, a Professor with New Jersey City University, appeals the determination of the President of New Jersey City University, which found that the appellant 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-12 JOANNE MENNONE

Joanne Mennone, a Technical Assistant 1, Treasury, with the Department of the Treasury, appeals the determination of the Equal Employment Opportunity/Affirmative Action Officer, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-13 ROBERT ROSE

Robert Rose, a Correction Lieutenant, with the Department of Corrections, represented by Daniel K. Newman, Esq., appeals the determination of the Assistant Director of the Equal Employment Division of the DOC, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

ACTION:

B-14 ALEXIS SANTIAGO

Alexis Santiago, a Repairer with Woodbridge Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner of DHS, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to additional violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-15 ROLAND BISDA

Roland Bisda appeals the decision of the former Division of State and Local Operations that the proper classification of his position with the Department of Transportation is Principal Engineer, Transportation. The appellant seeks a Project Engineer, Utilities job classification.

ACTION:

B-16 GIOSUE DIGIOVANNI

Giosue DiGiovanni appeals the determination of the Division of Classification and Personnel Management that his position with the Department of the Treasury is properly classified as Supply Support Technician 1. The appellant seeks a Supervisor, Central Warehouse job classification.

ACTION:

B-17 TODD KROPILAK

Todd Kropilak appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Transportation is properly classified as Principal Engineer, Planning. The appellant seeks a Project Manager, Transportation job classification.

ACTION:

B-18 SHARI LEICHTER

Shari Leichter appeals the decision of the Division of Classification and Personnel Management which found that her position with the Department of Transportation is correctly classified as Administrative Analyst 2. The appellant seeks an Administrative Analyst 1, Data Processing classification.

ACTION:

B-19 CHERYL PARKER

Cheryl Parker appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Corrections is Administrative Analyst 2, Fiscal Management. The appellant seeks a Section Supervisor, Fiscal Resources job classification.

ACTION:

B-20 HENRY RICHARD, ET AL.

Henry Richard and Joseph Nichirco, represented by David Fox, Esq., appeal the decisions of the Division of Classification and Personnel Management that their positions with the Harrison Fire Department are properly classified as Fire Captain. Joseph Scaperotta, David Prina, Henry Zienowicz and Joseph Faugno, also represented by David Fox, Esq., appeal the decisions that their positions are properly classified as Fire Fighter. The appellants seek Classifications of Battalion Fire Chief and Fire Lieutenant.

ACTION:

B-21 LAURANCE TOROK

Laurance Torok appeals the decision of the Division of Classification and Personnel Management which found that his position with the Department of Environmental Protection is properly classified as Research Scientist 2. The appellant seeks a Research Scientist 1 job classification.

ACTION:

B-22 ANIMAL CONTROL OFFICER (M0094P), PHILLIPSBURG

The Division of Classification and Personnel Management requests that Phillipsburg be ordered to return the November 5, 2012 certification for Animal Control Officer (M0094P) for proper disposition.

ACTION:

B-23 FIRE CHIEF (PM3610L), CITY OF VINELAND

The City of Vineland requests the revival and extension of the eligible list for Fire Chief (PM3610L), City of Vineland.

ACTION:

B-24 POLICE SERGEANT (PM5103N), CARTERET

The Borough of Carteret, represented by Robert J. Bergen, Esq., requests that *N.J.A.C. 4A:4-2.6(a)2* be relaxed to allow the September 30, 2012 closing date for the promotional examination for Police Sergeant (PM5103N), Carteret, to be extended. Alternatively, it requests that John J. Kelly, Jr.'s seniority accrued prior to his intergovernmental transfer be accepted for eligibility purposes.

ACTION:

B-25 PUBLIC INFORMATION OFFICER (M0007P), VINELAND SCHOOL DISTRICT

Vineland School District requests permission not to make an appointment from the May 10, 2012 certification for Public Information Officer (M0007P).

ACTION:

B-26 KATHLEEN CAIGNON

Kathleen Caignon appeals the determination of the Division of Selection Services and Recruitment which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Assistant Administrative Analyst (PM0301P), Vineland Municipal Utilities.

ACTION:

B-27 NOEMI JIMENEZ

Noemi Jimenez 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 4 (PS9849K), Department of Human Services.

ACTION:

B-28 COLLEEN KARR

Colleen Karr 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 Contract Administrator 1 (PS2111S), Department of State.

ACTION:

B-29 LINDA PICARO-COVELLO

Linda Picaro-Covello appeals the determination of the former Division of Selection Services that she did not meet the experience requirement for the open competitive examination for Assistant Municipal Treasurer (M2524N), Lacey Township.

ACTION:

B-30 WENDY RAZZOLI

Wendy Razzoli appeals the validity of and her score for the promotional examination for Assistant Municipal Court Director (PM1155N), Jersey City, which was administered via the Management Test Battery.

ACTION:

B-31 WAYNE SMITH

Wayne Smith appeals the decision of the Division of Selection Services and Recruitment which found that he did not meet the experience requirements for the “dual” promotional examination for Senior Water Treatment Plant Operator/Senior Water Treatment Plant Repairer (PM0495P), Marlboro.

ACTION:

B-32 CHRISTINA TRAPHAGEN

Christina Traphagen appeals the correct answer to several questions, and the test mode, for the multiple choice examination for Claims Examiner Unemployment/Disability Insurance (PS3089K), Department of Labor and Workforce Development.

ACTION:

B-33 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of February 6, 2013.

ACTION: