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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

June 3, 2020

A special meeting of the Civil Service Commission was held on Wednesday, June 3, 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; Nicole Adams, 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 May 27, 2020, 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 May 20, 2020.

ACTION: The Civil Service Commission adopted the minutes of its meeting of May 20, 2020.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

John Decker, Police Officer, Jackson Township, Police Department, removal effective May 21, 2018.

Erica Davis-Smith, County Correctional Police Officer, Mercer County, Department of Public Safety, removal effective June 7, 2013, and 10 working day suspension.

Muhammad Gonzalez, Hospital Attendant, Hudson County, Department of Health and Human Services, Meadowview Psychiatric Hospital, 60 working day suspension.

Krishawn Madison, Parking Attendant, Mercer County, Department of Transportation, release at the end of the working test period effective September 1, 2019.

Juan Melendez, Code Enforcement Officer Trainee, Hudson County, Department of Corrections, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

James Carson
City of Newark
Department of Engineering
Suspension

Bernardo Castano
Township of North Bergen
Department of Utilities Authority
Resignation not in good standing

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 [JAMES BAIR, ET AL.](#) (Consolidated)

James Bair, Timothy Martin and Eric Mason, Boiler Operators with the City of Atlantic City, Department of Public Works, layoffs effective June 26, 2015, for reasons of economy and efficiency.

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

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

VOTE:

Deirdrè L. Webster Cobb	(Yes)
Dolores Gorczyca	(Yes)
Daniel W. O’Mullan	(Yes)
Diomedes Tsitouras	(No)

A-3 [ENRIQUE ENCARNACION](#)

Enrique Encarnacion, Police Officer, City of Jersey City, Department of Public Safety, 25 working day suspension on charges including incompetency, inefficiency or failure to perform duties, neglect of duty and violation of various departmental rules.

Recommendation of the Administrative Law Judge – Modify the 25 working day suspension to a 10 working day suspension.

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

A-4 [EDWARD OLSZEWSKI](#)

Edward Olszewski, Heavy Equipment Operator, South Woods State Prison, Department of Corrections, 120 working day suspension on charges of insubordination.

Recommendation of the Administrative Law Judge – Uphold the 120 working day suspension.

ACTION: The Civil Service Commission modified the 120 working day suspension to a 45 working day suspension.

VOTE:

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

SECTION B – MISCELLANEOUS MATTERS

B-1 [S.B.](#) – CSC DOCKET NO. 2020-754

S.B. appeals her rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove her name from the eligible list for Correctional Police Officer (S9999U) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-2 [D.M.](#) – CSC DOCKET NO. 2019-2232

D.M. appeals his rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove his name from the eligible list for Correctional Police Officer (S9999U) 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-3 [MONIQUE K. ANKUM](#) – CSC DOCKET NO. 2020-1676

Monique K. Ankum appeals the removal of her name from the eligible list for Sheriff’s Officer (S9999U), Essex County on the basis that she failed to respond to the certification notice.

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

B-4 [ANGELINA CAMACHO](#) – CSC DOCKET NO. 2020-865

Angelina Camacho appeals the removal of her name from the eligible list for Correctional Police Officer (S9988U), Department of Corrections on the basis of falsification of the preemployment application.

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

B-5 [TUNISIA KING](#) – CSC DOCKET NO. 2020-2477

Tunisia King appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of Health is Senior Laboratory Technician, Microbiology. The appellant sees a Microbiologist 1 job classification.

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

**B-6 [PRINCIPAL ENGINEER \(M0124R\), PASSAIC VALLEY WATER COMMISSION](#) – CSC
DOCKET NO. 2019-1089**

The Division of Agency Services requests that the Passaic Valley Water Commission be ordered to return the October 27, 2016 certification (OL161253) of the eligible list for Principal Engineer for proper disposition.

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

**B-7 [RESEARCH ASSISTANT \(M0086S\), JERSEY CITY REDEVELOPMENT AUTHORITY](#) – CSC
DOCKET NO. 2019-2025**

The Division of Agency Services requests that the Jersey City Redevelopment Authority be ordered to return the July 1, 2016 certification (OL160807) of the eligible list for Research Assistant for proper disposition.

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

B-8 [ANNE ALLEN](#) – CSC DOCKET NO. 2020-2522

Anne Allen appeals the determination of the Division of Agency Services that she did not meet the educational requirements for the open competitive examination for Public Health Consultant 2, Health Education (S0984A), Statewide.

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

B-9 [SAMANTHA SNYDER](#) – CSC DOCKET NO. 2020-1238

Samantha Snyder appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for the promotional examination for Library Director (PM0737A), Monroe Township.

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

B-10 [CLAIRE SWEENEY](#) – CSC DOCKET NO. 2020-963

Claire Sweeney appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for the promotional examination for Program Development Specialist, Community Service (PC0383A), Hudson County.

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

B-11 [LEONARD ALUOTTO](#) – CSC DOCKET NO. 2020-2388

Leonard Aluotto appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the open competitive examination for Equipment Operator (M0994A), North Arlington.

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

B-12 [STEPHEN SEMANCIK](#) – CSC DOCKET NO. 2020-2408

Stephen Semancik appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Equipment Operator (PM1597A), Garfield.

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

B-13 [M.B.](#) – CSC DOCKET NO. 2020-254

M.B. requests to be permitted to submit a late application for the Program Support Specialist 2, Assistance Program (PS4445K), Department of Children and Families examination.

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

B-14 [COMMUNITY RELATIONS SPECIALIST \(SPECIAL\), CITY OF NEWARK](#) – CSC DOCKET NO. 2019-1635

The City of Newark’s failure to dispose of the certification for Community Relations Specialist (Special), while the 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, make an appointment from the certification, and pay compliance costs in the amount of \$1,000.

VOTE:	Deirdrè L. Webster Cobb	(Yes)
	Dolores Gorczyca	(Recuse)
	Daniel W. O’Mullan	(Yes)
	Diomedes Tsitouras	(Yes)

B-15 [PROGRAM MONITOR \(M0727U\), NEWARK](#) – CSC DOCKET NO. 2019-762

Newark requests permission not to make an appointment from the February 13, 2017 certification for Program Monitor (M0727U).

ACTION: The Civil Service Commission denied the request for an appointment waiver and ordered the

appointing authority to properly dispose of the certification and pay compliance costs in the amount of \$1,000.

VOTE: **Deirdrè L. Webster Cobb** **(Yes)**

Dolores Gorczyca **(Recuse)**

Daniel W. O’Mullan **(Yes)**

Diomedes Tsitouras **(Yes)**

B-16 [RENT REGULATION OFFICER, BILINGUAL IN SPANISH AND ENGLISH \(M0524U\), NEWARK](#) – CSC DOCKET NO. 2019-759

The Division of Agency Services requests that Newark be ordered to return the March 28, 2017 certification (OL170341) of the eligible list for Rent Regulation Officer Bilingual in Spanish and English (M0524U) for proper disposition.

ACTION: The Civil Service Commission ordered the appointing authority to properly dispose of the certification and pay compliance costs in the amount of \$1,000.

VOTE: **Deirdrè L. Webster Cobb** **(Yes)**

Dolores Gorczyca **(Recuse)**

Daniel W. O’Mullan **(Yes)**

Diomedes Tsitouras **(Yes)**

B-17 [A.H.F.](#) - CSC DOCKET NO. 2020-755

A.H.F., represented by Michael L. Prigoff, Esq., appeals his rejection as a Fire Fighter candidate by the North Hudson Regional Fire and Rescue and its request to remove his name from the eligible list for Fire Fighter (M1557T) on the basis of psychological unfitness to perform effectively the duties of the position.

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

B-18 [J.B.](#) - CSC DOCKET NO. 2020-1861

J.B., appeals the determination of the Commissioner, Department of Community Affairs, stating that the appellant violated the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy).

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

B-19 [C.L.C.](#) - CSC DOCKET NO. 2020-1026

C.L.C., General Counsel, Public Employment Relations Commission (PERC), appeals the determination of the Director, Division of Equal Employment/Affirmative Action (EEO/AA) which found that the appellant failed to 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 (State Policy).

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

B-20 [D.F.](#) - CSC DOCKET NO. 2020-1095

D.F., an Agency Services Representative 2 with the Office of Vital Statistics and Registry, Department of Health (DOH), appeals the determination of the Chief of Staff, DOH, 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 (State Policy).

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

B-21 [B.M.](#) - CSC DOCKET NO. 2020-871

B.M. a Correctional Police Officer with the Department of Corrections, appeals the determination of the Director, Equal Employment Division, Department of Corrections, 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: The Civil Service Commission directed that this appeal be denied.

B-22 [M.S.](#) - CSC DOCKET NO. 2020-1715

M.S. requests reconsideration of the attached final decision issued on November 19, 2019, which found that there was no violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace (State Policy). *See In the Matter of M.S., Department of Transportation* (CSC, decided November 19, 2019).

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

B-23 [WILLIAM GIOVANNIELLO](#) - CSC DOCKET NO. 2020-1118

William Giovannello appeals the determination of the Division of Agency Services which found that he was below the minimum requirements in experience for the open competitive examination for Supervising Omnibus Operator (C0361A), Monmouth County.

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

B-24 [KAREN MCDONALD](#) - CSC DOCKET NO. 2020-1215

Karen McDonald appeals the determination of the Division of Agency Services which found that she was

below the minimum requirements in experience for the promotional examination for Assistant Administrative Supervisor of Social Work (PC0657A), Atlantic County.

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

B-25 [ERIC MENSAH](#) - CSC DOCKET NO. 2020-1412

Eric Mensah appeals the removal of his name from the eligible list for Police Officer (S9999U), City of Trenton on the basis that he failed to respond to the certification notice.

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

B-26 COVID-19 TEMPORARY RULE RELAXATIONS

Proposed Notice of Adoption for Temporary Rule Relaxations and Modifications to various provisions of *N.J.A.C.* 4A in accordance with Section 6 of Executive Order 103, issued in response to the COVID-19 pandemic.

ACTION: The Civil Service Commission directed that these requests be granted and the rules be relaxed and modified as indicated.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, June 17, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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