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Deirdré L. Webster Cobb, Chairperson

Dolores Gorczyca

Daniel W. O’Mullan

Diomedes Tsitouras

October 21, 2020

A regular meeting of the Civil Service Commission was held on Wednesday, October 21, 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 September 30, 2020.

ACTION: The Civil Service Commission adopted the minutes of its meeting of September 30, 2020.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

John Bruno, Sheriff’s Officer Captain, Cumberland County Sheriff’s Department, removal.

James Pacetti, Sheriff’s Officer, Camden County Sheriff’s Department, 10 working day 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:

Robert Brodie, Truck Driver, Gloucester Township, Department of Public Works, removals (4).

Richard Filosa, Human Services Specialist 1, Ocean County Board of Social Services, release at the end of the working test period.

Michelle Tillman, County Correctional Police Officer, Camden County Correctional Facility, removal.

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

- Kirk Bland
- City of Trenton
- Department of Public Works
- Removal

- Clive Campbell
- Department of Corrections
- Central Reception and Assignment Facility
- Resignation not in good standing

- Gloria Cruz
- Judiciary

Bergen Vicinage
Release at the end of the working test period

Omar Gallardo
City of Newark
Department of Public Safety
Suspension
-

Anthony Maraino (Consolidated)
City of East Orange
Department of Public Safety
Suspensions (2)

Wadlyne Stelus
Union County
Department of Corrections
Removal

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 GERRELL ELLIOTT – CSC DOCKET NOS. 2020-696 & 2020-1549 (Consolidated)

Gerrell Elliott, Battalion Fire Captain, City of Newark, Department of Public Safety, six day and seven day suspensions, on charges of conduct unbecoming a public employee, incompetency, inefficiency or failure to perform duties, neglect of duty, misuse of public property, including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority’s motion for summary decision and dismiss the appeals with prejudice.
-

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

SECTION B – MISCELLANEOUS MATTERS

B-1 WEIGHTS AND MEASURES APPRENTICE, BILINGUAL IN SPANISH AND ENGLISH – CSC DOCKET NO. 2021-319

The Division of Agency Services requests the establishment of the noncompetitive title of Weights and Measures Apprentice, Bilingual in Spanish and English for use in local service.

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

B-2 [B.B.](#) – CSC DOCKET NO. 2020-142

B.B., represented by Michael L. Prigoff, Esq., appeals his rejection as a Fire Fighter candidate by North Hudson 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 granted.

B-3 [T.D.E.](#) – CSC DOCKET NO. 2020-1532

T.D.E., represented by Daniel J. Zirrith, Esq., appeals his rejection as a Fire Fighter candidate by the City of Jersey City and its request to remove his name from the eligible list for Fire Fighter (M1844W) 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.

B-4 [RICHARD ALVAREZ](#) – CSC DOCKET NO. 2020-2192

Richard Alvarez appeals the removal of his name from the eligible list for Sheriff's Officer (S9999U), Monmouth County on the basis that he failed to respond to the certification notice.

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

B-5 [KENNETH MONTELEONE](#) – CSC DOCKET NO. 2021-32

Kenneth Monteleone appeals the removal of his name from the Correctional Police Officer (S9988A), Department of Corrections eligible list on the basis of an unsatisfactory background report.

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

B-6 [KARLENE MULLINGS](#) – CSC DOCKET NO. 2021-175

Karlene Mullings, represented by Lisa Maddox-Douglas, President of the Public Employees Supervisors' Union, appeals the bypass of her name on the Administrative Supervisor of Family Services (PC0561A), Essex County eligible list.

ACTION: The Civil Service Commission directed that this matter be referred to the Office of Administrative Law for a hearing.

B-7 [SHAMECE FALANA](#) – CSC DOCKET NO. 2021-141

Shamece Falana requests that the list for County Correctional Police Officer (S9999U), Essex County be revived in order for her to be considered for appointment at the time of the next certification.

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

B-8 [C.C.](#) – CSC DOCKET NO. 2021-143

C.C., a male Field Service Supervisor 1, Family Development with the Department of Human Services, represented by Adam Liebttag, President of the Communications Workers of America Local 1036, appeals the jurisdiction of the of Office of Equal Employment Opportunity to have conducted an investigation, which led to the Chief of Staff issuing a determination that it was unable to substantiate allegations that he was subjected to gender discrimination and retaliation in violation of the New Jersey Policy Prohibiting Discrimination in the Workplace.

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

B-9 [HECTOR DIOSES, *ET AL.*](#) – CSC DOCKET NOS. 2021-107, *ET AL.*

Hector Dioses, Ignacio Rodriguez, Chantell Thomas and Latisha Willingham appeal the determinations of the Division of Agency Services that they did not meet the requirements for the promotional examination for Compliance Officer 1, MVC (PS0918T), Motor Vehicle Commission.

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

B-10 [NELSON MALAVE](#) – CSC DOCKET NO. 2021-105

Nelson Malave appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the open-competitive examination for Construction and Maintenance Technician 5 (S0017B), Statewide.

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

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

 Dolores Gorczyca (Abstain)

 Daniel W. O’Mullan (Yes)

 Diomedes Tsitouras (Yes)

B-11 [HELEN NESSE](#) – CSC DOCKET NO. 2019-2849

Helen Nesse appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Field Representative, Housing Assistance Program (S0206A), Department of Community Affairs.

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

B-12 [SUSAN RADOSTI](#) – CSC DOCKET NO. 2021-298

Susan Radosti requests to file a late application for the promotional examination for Secretary Assistant 2, Non-Stenographic (PS3726K), Department of Children and Families.

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

B-13 [BETSY RUGGIERO](#) – CSC DOCKET NO. 2021-323

Betsy Ruggiero, represented by James Katz, Esq., requests enforcement of *In the Matter of Betsy Ruggiero* (CSC, decided September 2, 2020).

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

B-14 [VINCENT BUONANNO](#) – CSC DOCKET NO. 2021-291

Vincent Buonanno requests reconsideration of the decision rendered on August 19, 2020 which determined that the proper classification of his position with the Department of Law and Public Safety is Investigator 3, Law and Public Safety.

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

B-15 [SHAWN HUNTER](#) – CSC DOCKET NO. 2021-87

Shawn Hunter, a former Account Clerk with the City of Orange Township, petitions the Civil Service Commission for reconsideration of the administrative decision, rendered on June 10, 2020, in which the Director of the Division of Appeals and Regulatory Affairs denied her request for a hearing with respect to her removal.

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

B-16 [B.J.S.](#) - CSC DOCKET NO. 2020-2389

B.J.S., represented by Michelle J. Douglas, Esq. and Phillip S. Burnham, II, Esq., appeals his rejection as a Fire Fighter candidate by the City of Pleasantville and its request to remove his name from the eligible list for Fire Fighter (M1844W) 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.

B-17 [S.H.](#) - CSC DOCKET NO. 2020-2026

S.H., a Program Specialist 1 with the Department of Labor and Workforce Development, appeals the determination of the Assistant Commissioner, Department of Labor and Workforce Development, 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-18 [TECHNICIAN, MVC](#) - CSC DOCKET NO. 2021-331

The Division of Agency Services recommends the reallocation of the title of Technician MVC to the noncompetitive division of the career service on an interim basis.

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

B-19 [ZORAIDA ROSA](#) - CSC DOCKET NO. 2020-739

Zoraida Rosa appeals the bypass of her name on the Human Service Specialist 2, Bilingual Spanish/English (PC1879U), Cumberland County eligible list.

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

B-20 [AKINLOYE OGUNNIRAN](#) - CSC DOCKET NO. 2021-27

Akinloye Ogunniran appeals the removal of his name from the eligible list for Assistant Supervisor Residential Living Developmental Center (PS1686K), Hunterdon Developmental Center on the basis that he failed to respond to the certification notice.

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

B-21 [BERGEN COUNTY SHERIFF AND COUNTY POLICE OFFICER TITLE SERIES](#) - CSC DOCKET NOS. 2018-1723 AND 2021-310

The Bergen County Sheriff, represented by Daniel Zwillenberg, Esq., appeals the determination of the Director of the Division of Agency Services (Agency Services), denying his request to allow out-of-title series supervision of County Police Officers and Sheriff's Officers and for the out-of-title work experience to be

credited for promotional examination purposes. Additionally, Bergen County, represented by Julien K. Neals, Esq., County Counsel, the Bergen County Sheriff, and the Police Benevolent Association (PBA) Local 134/134A, represented by Stephen B. Hunter, Esq., petition the Civil Service Commission (Commission) for acknowledgment of the attached Memorandum of Agreement (2020 MOA), including the Sidebar Agreements with PBA Local 134/134A and PBA Local 49, represented by Michael A. Bukosky, Esq., which was entered into by the parties on August 14, 2020 and ratified by the Bergen County Board of Chosen Freeholders by resolution on September 2, 2020.

ACTION: The Civil Service Commission directed that this request be granted and acknowledges the settlement.

B-22 [FY 2021 SALARY REGULATIONS](#)

The FY 2021 Salary Regulations Compendium includes the following: Section 1 - Aligned Salary Regulation, Deputy Attorneys General, Non-Aligned Salary Regulation, Management Salary Regulation, Exempt Salary Regulation, and Attachments A and B; Section 2 - Emergency Conditions Salary Regulation; Section 3 - Special Incentive Salary Programs; Section 4 - Miscellaneous Salary Regulation; Appendix A, including Employee Relations Group List, Salary Schedules, Single Rates and Trainee Rates; Appendix B, including State Benefits Programs; and Index. The Compendium has been approved by Deirdré L. Webster Cobb, Esq. Chair/Chief Executive Officer and David Ridolfino, Acting Director, Office of Management and Budget.

ACTION: The Civil Service Commission recorded the regulations.

PUBLIC PORTION

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, November 4, 2020, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.



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