

A-9



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Samuel Geyer
Hunterdon Developmental Center,
Department of Human Services

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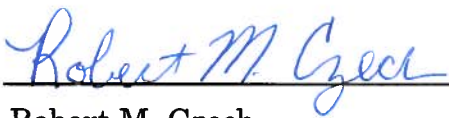
CSC DKT. NO. 2014-2638
OAL DKT. NO. 5877-14

ISSUED: SEPTEMBER 3, 2014 BW

The Civil Service Commission, at its meeting of September 3, 2014, acknowledged the attached settlement in the above matter.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

**DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
SEPTEMBER 3, 2014**



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Unit H
P. O. Box 312
Trenton, New Jersey 08625-0312

attachments



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

EARLY SETTLEMENT PROGRAM

OAL DKT. NO. CSV 5877-14

AGENCY DKT. NO. 2014-2638

**IN THE MATTER OF SAMUEL GEYER,
DEPARTMENT OF HUMAN SERVICES,
HUNTERDON DEVELOPMENTAL CENTER.**

Robert Little, Representative, AFSCME, for appellant pursuant to N.J.A.C.
1:1-5.4(a)(6)

Anita Pinkas, Director of Employee Relations, for respondent pursuant to
N.J.A.C. 1:1-5.4(a)(2)

Record Closed: July 22, 2014

Decided: July 24, 2014

BEFORE **BEATRICE S. TYLUTKI**, ALJ t/a:

This matter concerns the appeal of Samuel Geyer, from the action of the appointing authority. Upon receipt of appellant's hearing request, the matter was transmitted to the Office of Administrative Law for determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

As a result of a settlement conference, the parties agreed to a settlement of all issues in dispute and have prepared a settlement agreement which is attached and fully incorporated herein.

I have reviewed the record and the terms of settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures.
2. The settlement fully disposes of all issues in controversy.

I **CONCLUDE** that this matter is no longer a contested case before the Office of Administrative Law. It is **ORDERED** that the parties comply with the settlement terms and that these proceedings be **CONCLUDED**.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

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July 24, 2014
DATE

Beatrice S. Tylutki
BEATRICE S. TYLUTKI, ALJ t/a

Date Received at Agency:

Date Mailed to Parties:

July 28, 2014

/cad

SETTLEMENT AGREEMENT

OAL Docket No. CSV 5877-2014

IN THE MATTER OF:

Samuel Meyer
Appellant

v.

Hunterdon Developmental Center
Department of Human Services
Respondent

The parties in this appeal have voluntarily resolved all disputed matters and enter into the following settlement which fully disposes of all issues in controversy between the Appellant and the Respondent:

1. The Appellant withdraws his appeal and request for a hearing, and the Respondent agrees to

modify the FNDA dated 4/28/14
from removal to suspension of
2 months from the period 5/1/14
through 7/1/14. Appellant shall be
recorded on leave of absence without
pay from 7/2/14 through his return
to work. There is no back pay.
Any further incidents of a similar
nature will result in his removal
being sought.

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ap
KMT
RLD


2. The Respondent will amend the Appellant's personnel records to conform to the terms of settlement.
3. The Appellant waives all claims against the State of New Jersey, the Department of Human Services, their employees, agents or assigns with regard to this matter, including any award of back pay, counsel fees, or other monetary relief.
4. Except for the assessment of the Appellant's disciplinary record in any subsequent Personnel disciplinary hearing, nothing in this agreement shall be deemed to be an admission of liability on behalf of either party. This agreement shall not constitute a precedent in matters involving other employees.
5. Both parties agree to waive the right to file exceptions and cross-exceptions.
6. This agreement will only become effective when it is approved by the **CIVIL SERVICE COMMISSION**. Any disapproval by the Commission shall not interfere with the rights of either party to pursue the matter further.


7/22/14
Date


7-22-14
Date

7-22-14
Date

7/22/14
Date


Appellant


Robert C. Little, IV
AFSCME Council #1
For Appellant


Anita Pinkas, Director
Office of Employee Relations
For Respondent


Management Representative
For Respondent

CERTIFICATION

I, SAMUEL GEYER, being the moving party in this matter, hereby certify that I have reviewed this Settlement Agreement and fully understand its meaning and terms. I acknowledge that my representative questioned my understanding and verified my acceptance of the terms of this Agreement. I am satisfied with my representation and I enter into this agreement voluntarily.

It is also my understanding that if the Settlement Agreement is approved by the **CIVIL SERVICE COMMISSION**, my claim will terminate against the State of New Jersey.

I certify that my foregoing statements are true. I am aware that if any of my foregoing statements are willfully false, I am subject to sanction.

7/22/14
Date

S. Geyer
Appellant,