



STATE OF NEW JERSEY

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

In the Matter of Nine Various Lists,
Bergen County

CSC Docket Nos. 2019-697 *et al.*

Salary Disapproval

ISSUED: December 10, 2018 (RE)

Bergen County’s failure to dispose of the certifications for nine lists, Bergen County, while provisionals are serving in the title, has been referred to the Civil Service Commission (Commission) for enforcement. These lists include: Clerk 3 (Special/C0618T) (OL171076); Clerk 2 (Special/C0419S/C0856T) (OL160634); Clerk 2 Bilingual Spanish/English (C0712V) (OL180083); Counselor Juvenile Family Crisis Intervention (C0858S) (OL170324); Assistant Program Analyst (C0867R/C0316T) (OL170241); Social Service Technician (C0850U) (OL171189); Recovery Assistant Detoxification Unit (C0619S/C0601U) (OL170041); Investigator Consumer Protection (C0683T) (OL170041); and Fiscal Analyst (C0641T/C0920U) (OL170498).

The Commission has reviewed the salary disapprovals issued against the salaries of various provisionals and has made the following findings of fact:

1. Provisional incumbents are currently serving each of the titles. These incumbents are,
 Clerk 3: Jessica Babcock, Adunna Salvary, Colleen Hughes, Hamama Bushra and Coleen Rugani. An additional provisional incumbent includes Jorge Meneses.
 Clerk 2: Claudia Cubias and William Serrano. Additional provisional incumbents include Hohung Park, Debora Campanelli, Sabrina Taranto, and Josefina Taylor.
 Clerk 2 Bilingual Spanish/English: Beatrice Garcia.
 Counselor Juvenile Family Crisis Intervention: Two provisionals serving at the time the Notice of Violation were sent have been

separated; however, two other provisionals have since been appointed, Tiana Crowley and Sharon Zarate.

Assistant Program Analyst: Jamie England, Selina McAllister, Stephanie Hartman, and Christine Hill.

Social Service Technician: Colleen Goellner.

Recovery Assistant Detoxification Unit: Katherine Spina, Kristen Lazor, Christine Eysser, Amanda Clyne, and Patricia Uzzalino. Additional provisional incumbents include Debra Black and Ann Swann.

Investigator Consumer Protection: Fred Federico and Richard Siniscalchi. An additional provisional incumbent includes Allen Ust.

Fiscal Analyst: Matthew Cerullo and Joseph Zangari. Additional provisional incumbents include Peter Gerrity and Jack Zavardino.

2. There are vacancies for these titles and outstanding certifications have been issued.
3. The certifications have not been properly disposed of and the appointing authority was advised of the required dates of dispositions.
4. The Certification Manager issued Notices of Salary Disapproval to the appointing authority and afforded it an opportunity to appeal such actions to the Commission.
5. No appeals were submitted, and no proper disposition of the certifications was received; the salary disapprovals, therefore, became final administrative actions.
6. By not properly disposing of these certifications, the appointing authority is in violation of Civil Service law and rules.

In the instant matter, the appointing authority has refused to properly dispose of the certifications issued to fill the vacancies occupied by provisional employees. The appointing authority has not contested or appealed the findings of the Certification Manager. The payment of salaries for which there is a disapproval is illegal and contravenes Civil Service law and rules.

The appointing authority, despite being given the opportunity, did not submit any arguments or documentation for the Commission's review.

ORDER

The Civil Service Commission orders the appointing authority to immediately dispose of the outstanding certifications by making permanent appointment of a reachable and interested eligible. Additionally, the appointing authority is ordered to immediately separate any employee serving provisionally pending open competitive examination procedures in the subject titles who do not receive an appointment from an outstanding certification. Such dispositions must be filed with the Certification Manager on or before thirty (30) days from the issuance of this order. If no proper dispositions are made within this time period, the Civil Service Commission orders the constructive appointments of the highest ranked interested eligibles from each list. See *N.J.A.C. 4A:10-2.1(a)3*; *In the Matter of Battalion Fire Chief (PM1640E)*, *Deputy Fire Chief (PM1423H)*, *Atlantic City*, Docket No. A-229-87T7 (App. Div. December 8, 1988).

The Civil Service Commission further orders that the costs incurred in the compliance process be assessed against the appointing authority in the amount of \$1,000 per violation, pursuant to *N.J.S.A. 11A:10-3* and *N.J.A.C. 4A:10-3.2(a)5*, to be remitted within thirty (30) days of the issuance of this order. In the event the appointing authority fails to make a good faith effort to fully comply with this order within this time frame, it is additionally ordered that fines be assessed in the amount of one hundred dollars (\$100.00) per day per violation, beginning on the thirty-first day following the issuance of this order and continuing each day of continued violation, up to a maximum of ten thousand dollars (\$10,000.00). See *N.J.S.A. 11A:10-3*; *N.J.A.C. 4A:10-2.1(a)2*; *In the Matter of Fiscal Analyst (M1351H)*, *Jersey City*, Docket No. A-4347-87T3 (App. Div. February 2, 1989). These matters will be referred to the Office of the Attorney General for enforcement and for recovery of illegal payments and fines as assessed herein if full compliance is not effected within thirty days.

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
THE 5th DAY OF DECEMBER, 2018



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Jessica Babcock (CSC Docket No. 2019-697)
Adunna Salvary (CSC Docket No. 2019-697)
Colleen Hughes (CSC Docket No. 2019-697)
Hamama Bushra (CSC Docket No. 2019-697)
Coleen Rugani (CSC Docket No. 2019-697)
Jorge Meneses (CSC Docket No. 2019-697)
Claudia Cubias (CSC Docket No. 2019-698)
William Serrano (CSC Docket No. 2019-698)
Hohung Park (CSC Docket No. 2019-698)
Debora Campanelli (CSC Docket No. 2019-698)
Sabrina Taranto (CSC Docket No. 2019-698)
Josefina Taylor (CSC Docket No. 2019-698)
Beatrice Garcia (CSC Docket No. 2019-699)
Tiana Crowley (CSC Docket No. 2019-700)
Sharon Zarate (CSC Docket No. 2019-700)
Jamie England (CSC Docket No. 2019-701)
Selina McAllister (CSC Docket No. 2019-701)
Stephanie Hartman (CSC Docket No. 2019-701)
Christine Hill (CSC Docket No. 2019-701)
Colleen Goellner (CSC Docket No. 2019-702)
Katherine Spina (CSC Docket No. 2019-703)
Kristen Lazor (CSC Docket No. 2019-703)
Christine Eysser (CSC Docket No. 2019-703)
Amanda Clyne (CSC Docket No. 2019-703)
Patricia Uzzalino (CSC Docket No. 2019-703)
Debra Black (CSC Docket No. 2019-703)
Ann Swann (CSC Docket No. 2019-703)
Fred Federico (CSC Docket No. 2019-704)
Richard Siniscalchi (CSC Docket No. 2019-704)
Allen Ust (CSC Docket No. 2019-704)
Matthew Cerullo (CSC Docket No. 2019-705)
Joseph Zangari (CSC Docket No. 2019-705)
Peter Gerrity (CSC Docket No. 2019-705)
Jack Zavardino (CSC Docket No. 2019-705)

Michele Popkin
Kelly Glenn
Dominic Giova, Deputy Attorney General
Records Center
Beth Wood