

STATE OF NEW JERSEY CIVIL SERVICE COMMISSION

Chris Christie Governor Kim Guadagno Lt. Governor Robert M. Czech Chair/Chief Executive Officer

MINUTES OF REGULAR MEETING OF THE CIVIL SERVICE COMMISSION JUNE 4, 2014

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

JUNE 4, 2014

A regular meeting of the Civil Service Commission was held on Wednesday, June 4, 2014, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Appeals and Regulatory Affairs.

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 December 2, 2013, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Tyron Chess, Jr. Hudson County Department of Roads and Public Property Removal

In the Matter of Melissa Hand Woodbine Developmental Center Department of Human Services Resignation not in good standing

In the Matter of Anthony Rodriquez Atlantic County Department of Human Services Suspension

In the Matter of Vicky Washington City of Newark Department of Neighborhood & Recreational Services Suspension

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

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 LYNN CIUPPA

Lynn Ciuppa, Municipal Court Administrator, Borough of Bergenfield, Municipal Court, removal effective January 7, 2010, on charges of inefficiency or failure to perform duties, insubordination, inability to perform duties, chronic and excessive absenteeism and tardiness, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-3 DAVID CROSSAN

David Crossan, County Correction Officer, Camden County, Department of Corrections, 45 working day suspension on charges of failure to perform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 45 working day suspension.

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

A-4 ROBERT SUTTON

Robert Sutton, Senior Correction Officer, Southern State Correctional Facility, Department of Corrections, removal effective October 31, 2013, on charge of chronic or excessive absenteeism or lateness.

Recommendation of the Administrative Law Judge – Uphold the removal.

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

A-5 LORENZO VALENTIN, ET AL. (CONSOLIDATED)

Lorenzo Valentin, Police Officer, City of Newark, Police Department, six working day suspension on charges of neglect of duty and disobedience of orders. Darnell Henry, Police Sergeant, City of Newark, Police Department, eight working day suspension on charges of conduct unbecoming a public employee. Louis Turco, Police Sergeant, City of Newark, Police Department, eight working day suspension on charges of neglect of duty and disobedience of orders.

Recommendation of the Administrative Law Judge - Reverse the suspensions.

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

SECTION B - MISCELLANEOUS MATTERS

B-1 THOMAS LAWRENCE

The Department of Transportation, on behalf of Thomas Lawrence, requests the relaxation of the provisions of N.J.A.C. 4A:6-1.22 so as to permit Mr. Lawrence to receive more than the 260 donated leave days allowed to a recipient.

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

B-2 LOIS CLOSE

The Estate of Lois Close, a former Technician, Motor Vehicle Commission, requests that it be paid for the 701 hours of sick leave Ms. Close earned prior to her death.

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

B-3 DANIELLE AMARI

The Division of Classification and Personnel Management, on behalf of the Department of Law and Public Safety, requests that the provisions of N.J.A.C. 4A:4-1.1(c) be relaxed in order to accept out-of title work experience for Danielle Amari in the non-competitive title Software Development Specialist Assistant in order to qualify her for a prospective promotional examination for the competitive title of Personnel Assistant 3.

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

B-4 JOSEPH EAKER

The Department of Environmental Protection requests that Joseph Eaker's out-of-title work experience in the title Environmental Specialist 4 be accepted to qualify him for a prospective promotional examination for Administrative Analyst 1, Data Processing.

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

B-5 JAMES KEIL

The Department of Environmental Protection requests that James Keil's outof-title work experience in the title Environmental Engineer 3 be accepted to qualify him for a prospective promotional examination for Contract Administrator 2.

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

B-6 PATRICK MCFADDEN

The Division of Classification and Personnel Management, on behalf of the Department of Transportation, requests that Patrick McFadden's out-of-title work experience in the title Electrical Mechanic be accepted to qualify him for a prospective promotional examination for Communications Systems Technician 1.

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

B-7 KYLE HRYNKIEWICZ

Kyle Hrynkiewicz requests a make-up for the Entry Level Law Enforcement Examination (S9999R), Statewide.

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

B-8 GREGORY RAPPAPORT

Gregory Rappaport appeals the determination of the Division of Selection Services denying his request for a make-up examination for the promotional examination for County Services Specialist (PS1394K), Department of Children and Families.

B-9 NICHOLAS BELLUCCI

Nicholas Bellucci, represented by Jennifer Meyer-Mahoney, Esq., appeals the determinations of the Division of Classification and Personnel Management upholding the removal of his name from the eligible lists for Sheriff's Officer (S9999M), Essex County, on the basis of an unsatisfactory criminal record and Police Officer (S9999M), Clinton, on the basis of an unsatisfactory criminal record and falsification of application.

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

B-10 MARVIN HARRISON

Marvin Harrison appeals the decision of the Division of Classification and Personnel Management, which upheld the removal of his name from the County Correction Officer (C9979M), Essex County, eligible list on the basis of an unsatisfactory employment history.

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

B-11 JOHN DE TULIO

John De Tulio, represented by John M. Murphy, III, Esq., appeals the decision of the Division of Classification and Personnel Management, which upheld the removal of his name from the eligible list for Correction Officer Recruit (S9988R), Department of Corrections, due to an unsatisfactory criminal record.

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

B-12 JASON ALLEN

Jason Allen appeals the decision of the Division of Classification and Personnel Management that his position with the Department of Environmental Protection is properly classified as an Environmental Specialist 2. The appellant seeks an Environmental Specialist 3 job classification.

B-13 HELEN CAPONE

Helen Capone appeals the decision of the Division of Classification and Personnel Management that her position with the Department of Environmental Protection is properly classified as an Environmental Specialist 2. The appellant seeks an Environmental Specialist 3 job classification.

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

B-14 MARIE-CARME FRANKLIN

Marie-Carme Franklin appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Health is Health Data Specialist 2. The appellant seeks a Research Scientist 3 job classification.

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

B-15 RUSSELL KLOTZKIN

Russell Klotzkin appeals the decision of the Division of Classification and Personnel Management that his position with the Department of Environmental Protection is properly classified as an Environmental Specialist 2. The appellant seeks an Environmental Specialist 3 job classification.

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

B-16 MICHAEL KOZLOSKY

Michael Kozlosky appeals the decision of the Division of Classification and Personnel Management, which found that his position with the Department of Health is properly classified as an Administrative Analyst 2, Fiscal Management. The appellant seeks an Administrative Analyst 1, Fiscal Management job classification.

B-17 STELLA OLUWASEUN-APO

Stella Oluwaseun-Apo appeals the decision of the Division of Classification and Personnel Management that her position with the Department of Environmental Protection is properly classified as an Environmental Specialist 2. The appellant seeks an Environmental Specialist 3 job classification.

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

B-18 CHERIE SHREVE

Cherie Shreve appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Transportation is Senior Fiscal Analyst. The appellant seeks an Administrative Analyst 2 job classification.

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

B-19 VIRGINIA STEMLER

Virginia Stemler appeals the decision of the Division of Classification and Personnel Management, which found that her position with the Department of Health is properly classified as an Agency Services Representative 3. The appellant seeks an Agency Services Representative 4 job classification.

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

B-20 JAMES GEORGE

James George appeals the decision of the Division of Classification and Personnel Management that the proper classification of his position with Rowan University is Storekeeper 2. The appellant seeks a Storekeeper 1 job classification.

B-21 JUDITH RAND

Judith Rand appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Environmental Protection is Environmental Engineer 3. The appellant seeks an Environmental Engineer 4 job classification.

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

B-22 NANCY HILLMAN

Nancy Hillman appeals the decision of the Division of Classification and Personnel Management that her position with the Department of the Treasury is properly classified as a Printing Operations Technician 2. The appellant seeks a Printing Operations Technician 4 job classification.

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

B-23 SHIRLINE LYNCH

Shirline Lynch appeals the decision of the Division of Classification and Personnel Management which found that her position with the Administrative Office of the Courts is properly classified as Judiciary Clerk 4. The appellant seeks an Administrative Specialist 2 job classification.

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

B-24 N.S.

N. S., a Motor Vehicle Operator 1 with the Woodbine Developmental Center, Department of Human Services (DHS), appeals the decision of the Chief of Staff, DHS, which found that the investigation supported a finding that one individual had subjected the appellant to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace but did not support a similar finding against a second individual.

B-25 N. T.

N. T., a Family Service Specialist 2 with the Department of Children and Families (DCF), appeals the decision of the Director, Office of Equal Employment Opportunity and Affirmative Action for DCF, which found that the appellant did not present sufficient evidence to support a finding that he 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 granted in part.

B-26 ADMINISTRATIVE ANALYST 1 (S2095N), STATEWIDE

In In the Matter of Administrative Analyst 1 (S2095N), Statewide (CSC, decided May 2, 2012), the Civil Service Commission granted the request of the Hunterdon Developmental Center for an appointment waiver for the December 2, 2011 certification and ordered that no selection costs were to be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

ACTION: The Civil Service Commission assessed selection costs in the amount of \$4,142.50.

B-27 COUNTY CORRECTION LIEUTENANT (PC2771L)

The Passaic County Sheriff requests that the promotional list for County Correction Lieutenant (PC2771L), Passaic County be revived in order to effectuate the permanent appointment of Paul Statuto.

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

B-28 POLICE SERGEANT (PM2665L), EWING

Ewing Township, represented by Maeve E. Cannon, Esq., requests that the eligible list for Police Sergeant (PM2665L) be revived and extended until June 4, 2015.

B-29 SECURITY GUARD (C2107N) ESSEX COUNTY SHERIFF'S OFFICE

The Division of Classification and Personnel Management requests that the Civil Service Commission order the Essex County Sheriff's Office to return the April 23, 2013 certification of the eligible list for Security Guard (C2107N) for proper disposition.

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

B-30 ROBERT ZORN

Robert Zorn, a former Youth Worker with the Youth Detention Center, Mercer County, represented by Dana E. Lossia, Esq., seeks reconsideration of the decision rendered on May 1, 2013 upholding his 60 working day suspension. The appellant also seeks enforcement of his back pay award.

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

B-31 DOMINICK CASTLEGRANT

Dominick Castlegrant appeals his oral score and the scoring process for the promotional examination for Police Captain (PM1574R), Sayreville.

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

B-32 THEODORE CONLEY

Theodore Conley appeals his oral scores for the promotional examination for Police Captain (PM1575R), Scotch Plains.

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

B-33 WALT CRAIG

Walt Craig appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Recreation Supervisor (M0883R), Lower Township.

B-34 ANDREA V. LEWIS

Andrea V. Lewis appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the requirements for the promotional examination for Administrative Analyst 2 (PS6297K), Department of Children and Families.

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

B-35 MIRANDA MAYRA

Miranda Mayra appeals the determination of the Division of Selection Services that found that she did not meet the experience requirements for the promotional examination for Technician, Management Information Systems (M0847R), Lakewood.

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

B-36 CECILIA MEDINA

Cecilia Medina appeals her rank and score for the promotional examination for Quality Assurance Specialist Health Services (PS9868K), Department of Human Services.

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

B-37 CRAIG STEVENS

Craig Stevens appeals the determination of the Division of Selection Services that he did not meet the educational and experience requirements for the promotional examination for Network Administrator 1 (PS0581K), Department of Children and Families.

B-38 WENDY MYERS

Wendy Myers appeals the determination of the Division of Selection Services that found that she did not meet the experience requirements for the promotional examination for Technical Program Assistant (PS6176I), Department of Corrections.

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

B-39 JEFFREY P. MARTIN

Jeffrey P. Martin appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the requirements for the promotional examination for Administrative Analyst 1, Data Processing (PS8070K), Department of Children and Families.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's provisional position undergo a classification review.

B-40 JENNIFER R. MILLER

Jennifer R. Miller appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Program Support Specialist 3, Assistance Programs (PS2399K), Department of Human Services.

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

B-41 MICHAEL KOVACS, ET AL.

Michael Kovacs, Ro De Silva, Anthony Calderon, and Krutika Patel appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the requirement for the promotional examination for Taxpayer Service Representative 2 (PS2139U), Department of the Treasury.

B-42 JAMES MUMFORD

The appeal of James Mumford, a Tree Maintenance Worker 1 with the County of Hudson, Department of Parks, Engineering and Planning, of his 30 working day suspension, on charges, was heard by Administrative Law Judge Leland S. McGee (ALJ), who rendered his initial decision on April 17, 2014. At its meeting on May 21, 2014, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the 30 working day to a seven working day suspension. Rather, the Commission upheld the 30 working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: Robert M. Czech (Yes) Robert E. Brenner (Yes)

Thomas J. Perna (Yes)

Richard E. Williams (Abstained)

B-43 SHAWN HARRIS, SR.

Shawn Harris, Sr., appeals his oral scores for the promotional examination for Police Captain (PM1559R), Orange.

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

B-44 DON JOHNSON

Don Johnson appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Motor Vehicle Operator 1 (PS6408K), Woodbine Developmental Center.

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

B-45 ANTHONY CRANE

Anthony Crane appeals the decision of the former Division of State and Local Operations, which found that the appointing authority has presented a sufficient basis to remove the appellant's name from the Practical Nurse (Special Reemployment List), Department of Human Services, eligible list on the basis of failure to appear for the interview.

B-46 SCOTT JACOBS

Scott Jacobs appeals the determination of the Division of Selection Services which found, per the substitution clause for education, that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 3 (PS5246K), Department of Children and Families.

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

B-47 RECENT COURT DECISIONS

Submitted for the Civil Service Commission's review are summaries of recent court decisions involving Civil Service Commission determinations.

ACTION: The Civil Service Commission noted the decisions.

B-48 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of May 21, 2014.

ACTION: The Civil Service Commission adopted the minutes of its May

21, 2014 meeting.

VOTE: Robert M. Czech (Yes)

Robert E. Brenner (Yes) Thomas J. Perna (Yes)

Richard E. Williams (Abstained)

B-49 JOB BANDING FOR HUMAN RESOURCE CONSULTANT, PERSONNEL AND LABOR ANALYST, AND TEST DEVELOPMENT SPECIALIST TITLE SERIES

The Division of Classification and Personnel Management requests that the Human Resource Consultant, Personnel and Labor Analyst, and Test Development Specialist title series be approved for job banding in accordance with $N.J.A.C.\ 4A:3-3.2A(b)$.

ACTION: The Civil Service Commission directed that this request be granted and the non-supervisory titles in the Human Resource Consultant, Personnel and Labor Analyst, and Test Development Specialist title series be assigned to job bands effective June 4, 2014.

VOTE: Robert M. Czech (Abstained)

Robert E. Brenner (Yes) Thomas J. Perna (Yes) Richard E. Williams (Yes)

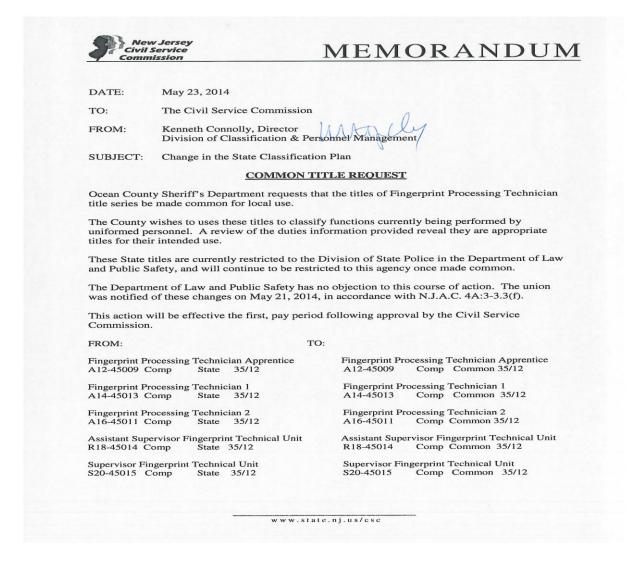
B-50 JOB BANDING FOR STATE BUDGET SPECIALIST TITLE SERIES

The Division of Classification and Personnel Management, on behalf of the Department of Treasury, requests that the State Budget Specialist title series be approved for job banding in accordance with N.J.A.C. 4A:3-3.2A(b).

ACTION: The Civil Service Commission directed that this request be granted and State Budget Specialist title series be assigned to a job band effective June 4, 2014.

B-51 CHANGE IN CLASSIFICATION PLAN

The Division of Classification and Personnel Management requests that five State titles be made common for use in local government.



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

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, June 18, 2014, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech Chairperson Civil Service Commission