



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
MAY 7, 2014**

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

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Michael Charles
Jersey City School District
Suspension

In the Matter of Guilene Morand
Woodbridge Developmental Center
Department of Human Services
Removal

In the Matter of Lawanda Walker
William Paterson University
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN
THE ABOVE CASES – SETTLEMENTS**

ACTION:

A-2 ELIJAH ARCE, ET AL.

Corey Adams, Community Aide Schools, Elijah Arce, Security Guard, Thomasina Anderson, Community Aide Schools/Teacher's Aide, Wilma Austin, Teacher's Aide, Ruthie Bray, Keyboarding Clerk 2, Sandra Currais, Keyboarding Clerk 1, June George, Clerk 1, Newark School District, appeal the good faith of their layoffs effective July 7, 2012.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

ACTION:

A-3 DWAYNE PRICE

Dwayne Price, Police Officer, Newark Police Department, removal effective April 17, 2012, on charges of violation of sick leave residence restriction, malingering, false statements, failure to properly store his weapon, leaving his weapon in a vehicle or other unauthorized locations, and disobedience of orders.

Recommendation of the Administrative Law Judge – Grant Motion to dismiss the appeal.

ACTION:

A-4 DANA REGISTER

Dana Register, Senior Correction Officer, Mountainview Youth Correctional Facility, Department of Corrections, removal effective December 2, 2013, on charges of conduct unbecoming a public employee, improper or unauthorized contact with an inmate, undue familiarity with inmates, parolees, their families, or friends and violation of a rule, regulation, policy, procedure, or administrative order.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS**B-1 CHANGE IN CLASSIFICATION PLAN – CREATION OF TITLE**

The Division of Classification and Personnel Management requests the creation of the Women, Infants and Children Lactation Consultant title for use in local government.

**MEMORANDUM**

DATE: April 14, 2014
TO: The Civil Service Commission
FROM: Kenneth Connolly, Director
Division of Classification & Personnel Management
SUBJECT: Change in Classification Plan

LOCAL TITLE CREATION REQUEST

The Burlington County and Passaic City Women, Infants and Children (WIC) agencies request the creation of the title WIC Lactation Consultant to provide breastfeeding services to participating clients of local WIC Programs.

WIC funding is provided by the United States Department of Agriculture to State agencies, who in turn are responsible for distributing funds and implementing programs appropriate to the needs of the client population served.

In April of 2012 the Civil Service Commission approved the creation of the title WIC Peer Counselor to provide breastfeeding education and support to WIC program participants. The primary function of the proposed title will be to coordinate breastfeeding promotion and support services for the local agency, provide professional breastfeeding management, and supervise peer counselors. There is no existing title to encompass this function in terms of duties or requirements.

The new title is recommended for placement in the non-competitive branch of the career service in accordance with NJAC4A:3-1.2(c). It is our opinion that competitive testing is not practicable due to the certification that is required for the position.

The effective date will be established the first full pay period subsequent to Commission approval.

TITLE TO BE CREATED

WIC Lactation Consultant
Local Non-Competitive

KC/JT/BP/DC

ACTION:

B-2 ROBERT WELLS

Robert Wells appeals his rejection as a Police Officer candidate by Gloucester Township and its request to remove his name from the eligible list for Police Officer (S9999M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 SEAN MORRISON

The Borough of Woodland Park requests relaxation of the provisions of *N.J.A.C. 4A:4-7.1A* so as to permit the intergovernmental transfer of Sean Morrison from the title of Sheriff's Officer, Passaic County Sheriff's Department, to the title of Police Officer, Borough of Woodland Park.

ACTION:

B-4 SUZANNE GORMELEY

Suzanne Gormeley appeals the determination of the Division of Classification and Personnel Management upholding the removal of her name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of an unsatisfactory criminal record.

ACTION:

B-5 COREY INGRAM

Corey Ingram appeals the determination of the Division of Classification and Personnel Management upholding the removal of his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of an unsatisfactory criminal record, an unsatisfactory background report, and an unsatisfactory employment record.

ACTION:

B-6 NATASHA SPENCER

Natasha Spencer appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove her name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis that she possessed an unsatisfactory criminal record and for falsification of her employment application.

ACTION:

B-7 LANCE WILLIAMS

Lance Williams, represented by Catherine M. Elston, Esq., appeals the determination of the Division of Classification and Personnel Management upholding the removal of his name from the eligible list for Correction Officer Recruit (S9987M), Department of Corrections, on the basis of an unsatisfactory criminal record and falsification of his application.

ACTION:

B-8 ROGER FORT

Roger Fort, represented by Katherine D. Hartman, Esq., appeals the determination that he was not permanent with the Township of Maple Shade and challenges his termination from employment effective June 12, 2013.

ACTION:

B-9 LORRAINE RAMOS

Lorraine Ramos appeals her removal from her provisional position as Keyboarding Clerk 4 with the Jersey City School District.

ACTION:

B-10 JOSEPH SALANITRO

Joseph Salanitro, represented by Frank M. Crivelli, Esq., requests that he be assigned a retroactive appointment date to the Correction Sergeant title for record purposes.

ACTION:

B-11 SHONDA JONES

Shonda Jones appeals the denial by the Division of Selection Services of her request for a makeup examination for the open competitive examination for Word Processing Specialist 2 (S0112R), Statewide.

ACTION:

B-12 JAVIER ROSARIO

Javier Rosario requests that he be permitted to submit an application for the promotional examination for County Correction Sergeant (PC1211P), Hudson County, after the application filing deadline.

ACTION:

B-13 MARTA BERKEYHEISER

The Department of Education requests that Marta Berkeyheiser's out-of-title experience be accepted to qualify her for a prospective promotional examination for the title of Buyer.

ACTION:

B-14 ROXANNE FEASEL

Roxanne Feasel requests that her out-of-title work experience be accepted for the promotional examination for Permit Coordination Officer 1, Environmental Protection (PS6754G), Department of Environmental Protection.

ACTION:

B-15 CHRISTOPHER PARKER

The Department of Education requests that Christopher Parker's out-of-title experience be accepted to qualify him for a prospective promotional examination for the title of Information Technology Specialist.

ACTION:

B-16 LUCY SANDERSON

The Department of Transportation requests that Lucy Sanderson's out-of-title experience be accepted to qualify her for a prospective promotional examination for the title of Executive Assistant 3.

ACTION:

B-17 DARRELL WAYTES

The Division of Classification and Personnel Management requests that Darrell Waytes' out-of-title work experience be accepted to qualify him for a prospective promotional examination for Senior Technician, Management Information Systems.

ACTION:

B-18 ROBERT BARRY

Robert Barry appeals the decision of the Division of Classification and Personnel Management, which found that his position with the Department of Environmental Protection is properly classified as Environmental Engineer 2. The appellant seeks an Environmental Engineer 3 job classification.

ACTION:

B-19 MICHAEL COMPANICK

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

ACTION:

B-20 BONNIE KELTER

Bonnie Kelter appeals the decision of the Division of Classification and Personnel Management, which found that her position with the Department of Labor and Workforce Development is properly classified as Accountant 3. The appellant seeks an Accountant 2 or Administrative Analyst 3 job classification.

ACTION:

B-21 BIENVENIDO NEGRON, JR.

Bienvenido Negron, Jr., appeals the decision of the Division of Classification and Personnel Management, which found that his position with the Department of the Treasury is properly classified as Senior Clerk. The appellant seeks a Senior Technician, Management Information Systems job classification.

ACTION:

B-22 VERONICA RUCKER

Veronica Rucker appeals the decision of the Division of Classification and Personnel Management, which found that her position with the Department of the Treasury is properly classified as Senior Field Representative, Local Property Tax. The appellant seeks a Principal Field Representative, Local Property Tax job classification.

ACTION:

B-23 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:

B-24 STACY THOMAS

Stacy Thomas appeals the decision of the Division of Classification and Personnel Management, which found that her position with the Office of Information Technology is properly classified as Audit Account Clerk. Ms. Thomas seeks a Principal Audit Account Clerk job classification.

ACTION:

B-25 CHYRL K. WREH

Chyrl K. Wreh appeals the decision of the Division of Classification and Personnel Management, which found that her position with the Department of the Treasury is properly classified as a Conferee 1, Taxation. The appellant seeks a Conferee 2, Taxation job classification.

ACTION:

B-26 G. D.

G. D., an Equipment Operator with the Department of Transportation, appeals the determination of the Director, Division of Civil Rights and Affirmative Action, stating that the appellant failed to 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:

B-27 G. J.

G. J., a Senior Correction Officer with the Department of Corrections, appeals the decision of the Assistant Director of the Equal Employment Division for DOC, 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:

B-28 HUMAN SERVICES SPECIALIST 3 (PC0039N) AND HUMAN SERVICES SPECIALIST 4 (PC0251N)

The Camden County Board of Social Services (Camden County) requests that the eligible lists for Human Services Specialist 3 (PC0039N) and Human Services Specialist 4 (PC0251N) be extended for one year beyond their expiration dates.

ACTION:**B-29 IN THE MATTER OF THERAPEUTIC TECHNICIAN (C0353L), OCEAN COUNTY BOARD OF SOCIAL SERVICES**

In In the Matter of Therapeutic Technician (C0353L), Ocean County Board of Social Services (CSC, decided February 2, 2011), the Civil Service Commission granted the request of the Ocean County Board of Social Services (OCBS) for an appointment waiver for the March 11, 2010 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, OCBS did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

ACTION:**B-30 JUDICIARY CLERK 4 (S0089R), VICINAGE 13, THE JUDICIARY AND SHARON HACKWORTH**

Vicinage 13, the Judiciary, requests permission not to make an appointment from the July 19, 2013 certification for Judiciary Clerk 4 (S0089R). Sharon Hackworth requests that she be appointed from the eligible list for Judiciary Clerk 4 (S0089R).

ACTION:**B-31 PROGRAM MONITOR (C0260R), BERGEN COUNTY**

Bergen County requests permission not to make an appointment from the August 8, 2013 certification for Program Monitor (C0260R), Bergen County.

ACTION:

B-32 KEVIN CURRY

Kevin Curry requests reconsideration of the final administrative determination *In the Matter of Kevin Curry* (CSC, decided December 4, 2013), which determined that his position is properly classified as an Auditor 2, Taxation. The petitioner seeks an Auditor 1, Taxation job classification.

ACTION:

B-33 JOSEPH JULIANO

Joseph Juliano petitions the Civil Service Commission for reconsideration of the decision rendered on February 12, 2014, regarding the scoring of the oral portion of the examination for Deputy Fire Chief (PM1320P), Orange.

ACTION:

B-34 WILLIAM BRASE

William Brase appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the 'dual' open-competitive examination for Chief Police Instructor/Curriculum Development Specialist Police School (C0863R), Ocean County.

ACTION:

B-35 TERESA COICO

Teresa Coico appeals the determination of the Division of Selection Services which found that she did not meet the minimum requirements in experience for the open competitive examination for Training Coordinator (C0816R), Essex County.

ACTION:

B-36 MAREDDA CROSS

Maredda Cross appeals her score for the Bilingual Communicative Ability Test portion of the examination for Judiciary Clerk 2, Bilingual in Spanish/English (S0812R), Statewide.

ACTION:

B-37 THOMAS DARCY

Thomas Darcy appeals the determination of the Division of Selection Services which found that he did not meet the minimum requirements in experience for the open competitive examination for Water Treatment Plant Repairer (C0947R), Morris County.

ACTION:

B-38 ERIK JONES

Erik Jones appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for a qualifying examination for a lateral title change to Road Repair Supervisor, Ocean County.

ACTION:

B-39 HAWA LARI

Hawa Lari appeals the validity of and her score for the promotional examination for Supervisor of Nursing Services (PS8472K), Ancora Psychiatric Hospital, which was administered via the Supervisory Test Battery (STB).

ACTION:

B-40 CHRISTA A. LESLIE

Christa A. Leslie appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Administrative Secretary (PC1366R), Middlesex County Board of Social Services.

ACTION:

B-41 ANNETTE QUARTERMAN

Annette Quarterman appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Personnel Aide (PM1645R), Winslow Township.

ACTION:

B-42 RECENT COURT DECISIONS

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

ACTION:

B-43 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of April 23, 2014.

ACTION:

B-44 RYAN BOMBA

Ryan Bomba, represented by Daniel J. Zirrit, Esq., appeals his rejection as a Fire Fighter candidate by Bayonne and its request to remove his name from the eligible list for Fire Fighter (M2502M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-45 REALLOCATION OF CHIEF INSURANCE EXAMINER FROM THE COMPETITIVE TO THE NON-COMPETITIVE DIVISION OF THE CAREER SERVICE

The Division of Classification and Personnel Management recommends reallocation of the Chief Insurance Examiner title to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

ACTION:

B-46 REALLOCATION OF LOCAL DUAL TITLES FROM THE COMPETITIVE TO THE NON-COMPETITIVE DIVISION OF THE CAREER SERVICE

The Division of Classification and Personnel Management recommends reallocation of three Local dual titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*.

ACTION:

B-47 SUPERVISOR OF DATA PROCESSING SYSTEMS AND PROGRAMMING (C0080R), ESSEX COUNTY

Essex County requests permission not to make an appointment from the June 11, 2013 certification for Supervisor of Data Processing Systems and Programming (C0080R).

ACTION:

B-48 EMMANUEL NUNEZ

Emmanuel Nunez, represented by Craig S. Gumpel, Esq., appeals the decision of the Division of Classification and Personnel Management, which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Police Officer (S9999M), City of Passaic eligible list on the basis of an unsatisfactory criminal record.

ACTION:

B-49 L. V.

L. V., a Principal Payroll Clerk with the Department of Human Services appeals the decision of the Chief of Staff, Human Services, which found that the appellant did not 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.

ACTION:

B-50 JENNIFER FELTIS-CORTESE

Jennifer Feltis-Cortese appeals the decision of the Division of Classification and Personnel Management that the proper classification of her position with the Department of Environmental Protection (DEP) is Program Specialist 3, Regulatory Programs. The appellant seeks a Research Scientist 2 classification. In addition, the DEP requests that the provisions of *N.J.A.C. 4A:4-1.1(c)* be relaxed in order to allow Feltis-Cortese to be provisionally appointed, pending promotional examination procedures, to the competitive title of Program Specialist 3, Regulatory Programs.

ACTION:

B-51 ROSA TOTH

Rosa Toth 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 Taxpayer Service Representative 2 (PS2587U), Department of the Treasury.

ACTION:

B-52 JEFFREY BURDSALL

The appeal of Jeffrey Burdsall, a Senior Probation Officer with the Judiciary, Vicinage 15-Cumberland, Gloucester and Salem, of his 15 working day suspension, on charges was heard by Administrative Law Judge W. Todd Miller (ALJ), who rendered his initial decision on March 12, 2014. At its meeting on April 23, 2014, the Civil Service Commission did not adopt the ALJ's recommendation to grant the appellant's motion for summary decision and dismiss the charge. Rather, the Commission upheld the charge and modified the penalty to an official written reprimand. The proposed final decision is now submitted for the Commission's review.

ACTION: