

STATE OF NEW JERSEY CIVIL SERVICE COMMISSION

Deirdré L. Webster Cobb Chairperson

AGENDA OF REGULAR MEETING OF THE CIVIL SERVICE COMMISSION JULY 18, 2018

Deirdré L. Webster Cobb, Chairperson Dolores Gorczyca Daniel W. O'Mullan

Phil Murphy Governor Sheila Oliver Lt. Governor

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# WITHDRAWAL OF APPEALS

# The following appeals were withdrawn and removed from the hearing calendar:

Schamika Gerald, Police Sergeant, East Orange, Department of Public Safety, return to previously held title at the end of the working test period.

Shaquille Lattie, County Correction Officer, Salem County, Department of Public Safety, removal.

Robert Linn, County Correction Sergeant, Atlantic County, Department of Public Safety, removal.

Laishene Timberlake, Public Safety Telecommunicator, Atlantic City, Department of Public Safety, removal.

Gigi Wearing, Clerk 1, Hudson County, Sheriff's Department, 45 working day suspension.

## **ACTION:**

## **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:

Faramarz Kashani, Project Engineer, Maintenance, Department of Transportation, return to previously held permanent title at the end of a working test period

Jamal Stokes, Affirmative Action Officer 2, Office of Equal Employment Opportunity, Department of Human Services, removal

Kplemonyu Zor, Human Service Assistant, Woodbine Developmental Center, Department of Human Services, removal

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#### SECTION A – HEARING MATTERS

#### A-1 SETTLEMENTS

Lydia Akpor-Mensah Hunterdon Developmental Center Department of Human Services Removal

Vanessa Escourse Hunterdon Developmental Center Department of Human Services Removal

Brian Friedman Department of Health Ann Klein Forensic Center Removal

Bernard Gunderman Hunterdon Developmental Center Department of Human Services Removal

Mathew Hahn Monmouth County Department of Corrections Removal

Anthony Holley City of Jersey City Department of Public Safety Suspension

Denise Lynn Plainfield Housing Authority Removal

Kimberly McCall Newark School District Removal

Lavonn Motley Newark School District Removal Frank Roman Jersey City School District Removal

Michelle Rouse Hunterdon Developmental Center Department of Human Services Release at the end of the working test period

Kathleen Sermon Bergen Vicinage Judiciary Suspension

Ronald Wiggs Ocean County Board of Social Services Removal

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

**ACTION:** 

## A-2 MATTHEW BULZAK

Matthew Bulzak, County Correction Officer, Camden County, Department of Corrections, 30 working day suspension on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 30 working day suspension.

# **ACTION:**

# A-3 MARK DIPASQUALE

Mark DiPasquale, Senior Correction Officer, Southern State Correctional Facility, Department of Corrections, removal effective December 21, 2017 on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

# A-4 LOUIS HIGHTOWER

Louis Hightower, Sheriff's Officer, Hudson County Sheriff's Department, 10 working day suspension on charges of insubordination, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the 10 working day suspension.

## **ACTION:**

## A-5 TAMIKA JONES-RICHARDSON

Tamika Jones-Richardson, Data Control Clerk, City of East Orange, Department of Property Maintenance Revitalization, removal effective April 12, 2017 on charges of insubordination, chronic or excessive absenteeism or lateness and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the removal to a 30 working day suspension.

## **ACTION:**

## A-6 CARLA LANE

Carla Lane, Investigator, Middlesex Vicinage, Judiciary, 30 working day suspension on charges of incompetency, inefficiency or failure to perform duties, neglect of duty.

Recommendation of the Administrative Law Judge - Uphold the 30 working day suspension.

# ACTION:

## A-7 GARY MASON

Gary Mason, Senior Medical Security Officer, Ann Klein Forensic Center, Department of Human Services, removal effective November 7, 2016 on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

## A-8 BETTY RAMOS

Betty Ramos, Police Officer, Irvington Township, Department of Public Safety, 40 working day suspension (20 days held in abeyance) on charges of failure to perform duties.

The appointing authority alleged that the appellant did not properly notify the supervisor of an unusual incident as required.

Recommendation of the Administrative Law Judge – Reverse the 40 working day suspension.

#### ACTION:

## A-9 CHRISTOPHER REECE (Consolidated)

Christopher Reece, Police Officer, City of Passaic, Department of Public Safety, removal effective February 22, 2016 on charges of inability to preform duties, conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION:

## SECTION B – MISCELLANEOUS MATTERS

#### B-1 I.A. – CSC DOCKET NO. 2017-2503

I.A., represented by Michael L. Prigoff, Esq., appeals her rejection as a Sheriff's Officer candidate by the Hudson County Sheriff's Department and its request to remove her name from the eligible list for Sheriff's Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

#### **ACTION:**

#### B-2 J.A. – CSC DOCKET NO. 2017-3098

J.A. appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988R) on the basis of psychological unfitness to perform effectively the duties of the position.

## B-3 D.G. – CSC DOCKET NO. 2017-2561

D.G., represented by Michael L. Prigoff, Esq., appeals his rejection as a Fire Fighter candidate by Jersey City and its request to remove his name from the eligible list for Fire Fighter (M1544T) on the basis of psychological unfitness to perform effectively the duties of the position.

# **ACTION:**

# B-4 A.P. - CSC DOCKET NO. 2017-2219

A.P. appeals his rejection as a Police Officer candidate by the Jersey City Police Department and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

# **ACTION:**

# **B-5** J.S. – CSC DOCKET NO. 2016-1524

J.S., represented by David J. DeFillippo, Esq., appeals his rejection as a Police Officer candidate by Marlboro Township and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

## **ACTION:**

## **B-6** PAUL CALDWELL – CSC DOCKET NO. 2018-2674

Paul Caldwell appeals his removal from the eligible list for Fire Fighter (M1516T), East Orange on the basis that he possessed an unsatisfactory criminal background.

## **ACTION:**

# B-7 MUHAMMED OJIBARA – CSC DOCKET NO. 2018-2920

Muhammed Ojibara appeals the removal of his name from the Fire Fighter (M1540T), Irvington, eligible list on the basis of an unsatisfactory criminal record.

#### **CIVIL SERVICE COMMISSION MEETING JULY 18, 2018**

#### **B-8 ARNOLD SMITH – CSC DOCKET NO. 2018-243**

Arnold Smith appeals his removal from the Police Officer (S9999R), Township of Irvington, eligible list on the basis of an unsatisfactory background report.

#### **ACTION:**

## **B-9 RENEE BLAKE – CSC DOCKET NO. 2018-2430**

Renee Blake appeals the bypass of her name on the Family Service Specialist 1 (PS2267K), Department of Children and Families eligible list.

#### ACTION:

#### B-10 STACEY WILLIAMS – CSC DOCKET NO. 2017-3639

Stacey Williams appeals the bypass of his name on the February 3, 2017 certification of the Police Captain (PM1322T), Borough of Roselle, eligible list.

#### **ACTION:**

#### B-11 MICHELE SENICA – CSC DOCKET NO. 2018-742

Michele Senica requests that her name be restored to the Human Services Specialist 2 (PC1878U), Ocean County, eligible list.

#### ACTION:

## B-12 SOCIAL WORKER JUVENILE REHABILITATION (C0582V), UNION COUNTY – CSC DOCKET NO. 2018-2951

Union County requests permission not to make an appointment from the December 18, 2017 certification for Social Worker Juvenile Rehabilitation (C0582V).

#### **ACTION:**

# B-13 VIOLATIONS CLERK (M0432V), MILLVILLE – CSC DOCKET NO. 2018-2554

Millville requests permission not to make an appointment from the October 16, 2017 certification for Violations Clerk (M0432V).

## B-14 CAYA ASCH, ET AL. - CSC DOCKET NOS. 2018-3287, ET AL.

Caya Asch, Steven Balalis, Marie O'Connell and Sara Sparano appeal the determinations of the Division of Agency Services that the proper classification of their positions with the Department of the Treasury is Pensions Benefits Specialist 3. The appellants seek a Pensions Benefits Specialist 2 job classification.

## **ACTION:**

## B-15 GINA BARTOLOMEI-BELFIORE – CSC DOCKET NO. 2018-1119

Gina Bartolomei-Belfiore appeals the decision of the Division of Agency Services that the proper classification of her position with the Department of the Treasury is Taxpayer Service Representative 2. The appellant seeks a Taxpayer Service Representative 1 job classification.

#### **ACTION:**

#### B-16 AMANDA CAPPETTA, ET AL. - CSC DOCKET NOS. 2018-3735, ET AL.

Amanda Cappetta, Danielle Karmazin and Brian Lendach appeal the determinations of the Division of Agency Services that the proper classification of their positions with the Department of the Treasury is Investigator 3, Taxation. The appellants seek an Investigator 2, Taxation job classification.

## **ACTION:**

#### B-17 ALBA AQUINO – CSC DOCKET NO. 2018-2151

Alba Aquino appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for the promotional examination for Human Services Specialist 1 (PC2741V), Hudson County.

#### **ACTION:**

#### **B-18 ANTHONY BONAFEDE – CSC DOCKET NO. 2018-3102**

Anthony Bonafede appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the open-competitive examination for Senior Electrical Inspector (M0692V), Newark.

## B-19 MARA BREA – CSC DOCKET NO. 2018-2969

Mara Brea appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Senior Budget Examiner (PM2531V), East Orange.

## **ACTION:**

## B-20 DAVID BRYSON – CSC DOCKET NO. 2018-3041

David Bryson appeals the determination of the Division of Agency Services which found that he lacked the required amount of permanent status in a title to which the examination was open for the promotional examination for Supervising Auditor Taxation (PS6642U), Treasury.

# **ACTION:**

# B-21 KRISTINA CLAYTON – CSC DOCKET NO. 2018-3492

Kristina Clayton appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for a qualifying examination for Administrative Analyst 1.

## **ACTION:**

## B-22 DANIELLE DWYER – CSC DOCKET NO. 2018-1522

Danielle Dwyer appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the open competitive examination for Advocate, Victim Witness Program (C0521V), Burlington County.

## **ACTION:**

## **B-23 CHRISTINE FLEMING – CSC DOCKET NO. 2018-2572**

Christine Fleming appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Instructor Counselor (PS3291K), Greystone Park Psychiatric Hospital.

## **B-24 GLORIA HEREDIA – CSC DOCKET NO. 2018-2698**

Gloria Heredia appeals the determination of the Division of Agency Services which found that she did not meet the experience requirement for the promotional examination for Supervising Cashier (PC2549V), Hudson County.

## **ACTION:**

## B-25 DOROTHY KNIGHT – CSC DOCKET NO. 2018-2599

Dorothy Knight appeals the determination of the Division of Agency Services which found that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Assistant Administrative Analyst (PC2442V), Ocean County.

## **ACTION:**

# B-26 YAW KONADU, ET AL. - CSC DOCKET NO. 2018-3292, ET AL.

Yaw Konadu, Katina Rivera and Victoria Sawyer appeal the determinations of the Division of Agency Services that they were not eligible for the promotional examination for Human Services Technician (PS6722H), Ancora Psychiatric Hospital.

## **ACTION:**

## B-27 JOHNNY LAWTON - CSC DOCKET NO. 2018-3177

Johnny Lawton appeals the determination of the Division of Agency Services which found that he was below the experience requirements, per the substation clause for education, for the promotional examination for Records Manager (PC2187V), Essex County.

## ACTION:

## B-28 MELISSA MISTIC – CSC DOCKET NO. 2018-2158

Melissa Mistic appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Records Manager (PC2284V), Cape May County.

#### **B-29 LORETTA MONTEIRO – CSC DOCKET NO. 2018-3255**

Loretta Monteiro appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Secretarial Assistant 2, Non-Stenographic (PS6879EN), Department of Military and Veterans Affairs.

#### **ACTION:**

#### B-30 CARMEN MORGAN – CSC DOCKET NO. 2018-3100

Carmen Morgan appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Field Service Supervisor 2, Medical Assistance and Health Services (PS3699K), Department of Human Services

#### **ACTION:**

#### B-31 CAITLIN M. MURANO – CSC DOCKET NO. 2018-636

Caitlin M. Murano appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the examination for Analyst 1, Research and Evaluation (S0295V).

#### **ACTION:**

#### B-32 MARK SCHARDINE – CSC DOCKET NO. 2018-2999

Mark Schardine appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Management Assistant (PS5825DN), Department of Community Affairs.

#### ACTION:

#### B-33 RYAN SHARKEY – CSC DOCKET NO. 2018-3491

Ryan Sharkey appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Building Management Specialist 4 (PS7332RN), Board of Public Utilities.

## B-34 TENSA THOMAS – CSC DOCKET NO. 2018-3328

Tensa Thomas appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the open competitive examination for Agency Services Representative 1 (S0798VN), Statewide.

# **ACTION:**

# B-35 ANNA LESSARD – CSC DOCKET NO. 2017-1418

Anna Lessard requests that her late application for the Human Services Specialist 2 (PC1878U), Ocean County Board of Social Services, examination be accepted.

# **ACTION:**

# B-36 KEVIN LOWRY – CSC DOCKET NO. 2018-3210

Kevin Lowry appeals the denial of his request for a make-up examination for Fire Captain (PM1046V), Newark.

## ACTION:

## B-37 ANGEL MERCANO – CSC DOCKET NO. 2018-1290

Angel Mercano appeals the administration of the promotional examination for Police Sergeant (PM0882V), Vineland.

## **ACTION:**

# B-38 DARIN HUTCHINSON AND MICHAEL CUMISKEY – CSC DOCKET NOS. 2018-734 AND 2018-736

The Division of Agency Services, on behalf of Bergen County, requests that Darin Hutchinson and Michael Cumiskey be assigned retroactive appointment dates to the County Correction Sergeant and County Correction Lieutenant titles, respectively.

#### B-39 FRANK OLSEN – CSC DOCKET NO. 2018-855

The Division of Agency Services, on behalf of Runnemede, requests that Frank Olsen be assigned a retroactive appointment date to the Police Sergeant title.

#### ACTION:

#### B-40 G.M. - CSC DOCKET NO. 2018-3687

The Motor Vehicle Commission requests that *N.J.A.C.* 4A:6-1.22(d) be relaxed so as to permit G.M. to donate more that 30 sick days to S.P.

#### **ACTION:**

#### B-41 RHONDA HARLAND – CSC DOCKET NO. 2018-2905

Rhonda Harland, a Senior Probation Officer with the Judiciary, Vicinage 4 -Camden County, represented by Edward H. Kerwin, Esq., petitions the Civil Service Commission for interim relief of her immediate suspension, commencing on March 9, 2018, pending a departmental hearing.

#### **ACTION:**

## B-42 MARIA HESS – CSC DOCKET NO. 2018-1504

Maria Hess, a Paralegal Technician 1, with the Department of Community Affairs, appeals the adjustment of her leave allowances due to a leave of absence.

## ACTION:

#### B-43 JASON ALLEN – CSC DOCKET NO. 2018-2963

Jason Allen requests reconsideration of the Civil Service Commission's decision rendered on April 4, 2018, which found that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 3 (PS4560P), Department of Law and Public Safety.

## B-44 A.D. - CSC DOCKET NO. 2018-164

A.D., represented by Luretha M. Stribling, Esq., requests reconsideration of the decision *In the Matter of A.D. (S9988R)*, *Department of Corrections* rendered on June 7, 2017 by the Civil Service Commission which found the petitioner to be psychologically unfit for a position as a Correction Officer Recruit (S9988R), Department of Corrections.

## ACTION:

## B-45 TAMIKO BROOKS – CSC DOCKET NO. 2018-1654

Tamiko Brooks requests that she be permitted to submit an application for the promotional examination for Sheriff's Officer Sergeant (PC2612V), Union County, after the application filing deadline.

## **ACTION:**

## B-46 JEFREY QUEEN - CSC DOCKET NO. 2018-3689

Jeffrey Queen, a Sewage Plant Operator with the City of Trenton, petitions the Civil Service Commission for reconsideration of the decision, rendered on June 4, 2018, in which the Director of the Division of Appeals and Regulatory Affairs denied his request for a hearing with respect to his 12 working day suspension.

## **ACTION:**

## B-47 V.A. - CSC DOCKET NO. 2018-1381

V.A., a Senior Laboratory Technician (Microbiology), with the Department of Health, appeals the determination of the Chief of Staff, which found sufficient evidence that the appellant had violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

## **ACTION:**

## B-48 C.R. – CSC DOCKET NO. 2017-2191

C.R., a Program Coordinator Mental Health with Ancora Psychiatric Hospital, appeals the determination of the former Assistant Commissioner of Human Resources, Department of Human Services, 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.

## **B-49 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 20, 2018.

## **ACTION:**

# B-50 BRYAN JONES AND CHRISTOPHER SODANO – CSC DOCKET NOS. 2018-1636 AND 2018-1748

Bryan Jones and Christopher Sodano appeal the removal of their names from the eligible list for Police Officer (S9999U), Millburn.

#### **ACTION:**

## **B-51 NICHOLAS TARQUINIO – CSC DOCKET NO. 2018-2030**

Nicholas Tarquinio appeals his removal from the eligible list for Police Officer (S9999U), Borough of Keyport, on the basis of falsification of his preemployment application.

#### **ACTION:**

#### B-52 SUSAN GLUCHANICZ – CSC DOCKET NO. 2018-1596

Susan Gluchanicz appeals the decision of Agency Services that the proper classification of her position with Ramapo College of New Jersey is Professional Services Specialist 2, Administrative Services. The appellant seeks a Professional Services Specialist 1, Administrative Services job classification.

## ACTION:

#### **B-53 MICHAEL MULLANEY – CSC DOCKET NO. 2018-2503**

Michael Mullaney appeals the validity of the promotional examination for Senior Claims Examiner, Unemployment and Disability Insurance (PS4396N), Department of Labor and Workforce Development.

## B-54 LISETTE DELEON, ET AL. - CSC DOCKET NOS. 2018-1759 ET AL.

Lisette DeLeon, June Gagliardi, Sun K. Devin Kropa-Smart, Randi Geller, O'Myra Maynes, Sharon Romano, Leana Vargas, and Marie Young appeal the validity of the promotional examination for Senior Unemployment Insurance Clerk (PS4392N), Department of Labor and Workforce Development.

# **ACTION:**

# B-55 FRANCESCO ZANZUCCKI – CSC DOCKET NO. 2018-3791

Francesco Zanzuccki, an employee of the Department of Law and Public Safety, New Jersey Racing Commission, requests relaxation of the provisions of N.J.A.C. 4A:6-1.22(d) so as to permit him to exceed the 30-day sick leave limit for donation to K.G.

## **ACTION**:

## B-56 S.O. – CSC DOCKET NOS. 2018-1612 AND 2018-1696

S.O., an Assistant Engineer, Transportation, with the Department of Transportation, appeals the determination of the Executive 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-57 JALEIA WILSON – CSC DOCKET NO. 2017-3138

Jaleila Wilson requests reconsideration of the attached decision rendered on February 22, 2017, which found that she failed to present a *prima facie* case of reprisal.

## ACTION:

## B-58 RYAN RATHBUN – CSC DOCKET NO. 2018-1386

Ryan Rathbun requests that he be permitted to file a late application for the promotional examination for Principal Engineer, Geology (PS5810T), Department of Transportation.

# B-59 JILLIAN BRETT, *ET AL* – CSC DOCKET NOS. 2018-3551 AND 2018-3743

The Civil Service Commission, on its own motion, grants reconsideration of its decision in *In the Matter of Jillian Brett, et al.*, rendered on March 27, 2018. Additionally, Lauren Townsend appeals her score on the examination for Human Services Specialist 4 (PC1644U), Monmouth County.

## **ACTION:**

## **B-60 ROXANNE FATTORI – CSC DOCKET NO. 2018-2638**

Roxanne Fattori, represented by Howard Vex, Esq., appeals the decision of the Division of Agency Services which found that her position with the Department of Law and Public Safety is properly classified as Head Clerk. The appellant seeks a Supervisor of General Services job classification.

## **ACTION:**

## B-61 RYAN RICCI – CSC DOCKET NO. 2018-3222

Ryan Ricci appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Human Services Specialist 1 (PC0330W), Gloucester County.

## **ACTION:**

## B-62 DARYL LINDSEY - CSC DOCKET NO. 2018-1397

The City of Newark, represented by Kenyatta K. Stewart, Corporation Counsel, petitions the Civil Service Commission (Commission) for reconsideration of the final administrative decision, rendered on November 1, 2017, in which the Commission reversed Daryl Lindsey's 45 working day suspension.