

13-10



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Jeavon Murati,  
Sheriff's Officer (S9999M), Hudson  
County

List Removal

CSC Docket No. 2015-1620

ISSUED: **MAY 11 2015** (LDH)

Jeavon Murati appeals the attached decision of the Division of Classification and Personnel Management (CPM),<sup>1</sup> which found that the appointing authority had presented a sufficient basis to remove the appellant's name from the Sheriff's Officer (S9999M), Hudson County eligible list on the basis of an unsatisfactory background and unsatisfactory driving record.

The appellant's name appeared on the eligible list for Sheriff's Officer (S9999M) Hudson County, which was certified to the appointing authority on September 6, 2013. In disposing of the certification, the appointing authority requested the removal of the appellant's name due to an unsatisfactory background and unsatisfactory driving record. A review of the appellant's driving record reveals that the appellant had his driver's license suspended on three occasions between August 2009 and January 2011. Specifically, the appellant had his driver's license suspended on two occasions for failure to answer summonses and on one occasion for failure to pay a fine. His three suspensions were from the State of New York. In addition, the appellant's driving record reflects 19 traffic tickets in the last 11 years. In this regard, the appellant received one for obstructing passage of another vehicle; nine for failure to wear a seat belt; one for maintenance of lamps; two for using hand held cell while driving; two for speeding; one for improper turn marked course; two for disregard of stop sign regulations; and one for failure to observe traffic control device. Additionally, the appellant has received 17 tickets for failure to answer a citation including one from Kentucky and 16 from the State of New York;

<sup>1</sup> Now, the Division of Agency Services

and one failure to appear for trial or court from Indiana. With regard to the employment history, the appointing authority maintained that the appellant omitted eight employers from his application. CPM found that the appointing authority had sufficiently supported and documented its decision to remove the appellant's name from the eligible list.

On appeal to the Civil Service Commission (Commission), the appellant explains his driving record. He contends that he spoke with New Jersey's Motor Vehicle Commission and was assured that his license was never suspended in the State of New Jersey. In support, he submits a five year driving abstract from New Jersey's Motor Vehicle Commission. In addition, he argues that there was a sense of confusion when completing his employment history. He contends that he used the Social Security employment history as a guide and that he had been working since he was a teenager so there were some jobs that may have been lost in completing the application.

In response, the appointing authority submits the appellant's application and the supporting documents which were attached, including the appellant's Social Security employment history.

### CONCLUSION

*N.J.A.C. 4A:4-4.7(a)1*, in conjunction with *N.J.A.C. 4A:4-6.1(a)9*, allows the Commission to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes, but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. Additionally, the Commission, in its discretion, has the authority to remove candidates from lists for law enforcement titles based on their driving records since certain motor vehicle infractions reflect a disregard for the law and are incompatible with the duties of a law enforcement officer. See *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003).

Initially, with regard to the appointing authority's argument that the appellant falsified his application, the Commission does not agree. Although the appellant did not list all of his employers on his application, he had submitted a copy of his Social Security employment history with his application. Accordingly, the fact that the appellant did not write them on his application is irrelevant as the appointing authority was aware of his prior employers through his Social Security employment history.

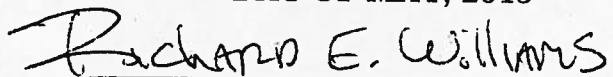
With regard to the appellant's driving record, the record reveals that since 2010 the appellant had received 11 tickets and his driver's license was suspended twice in New York. It is clear that the appellant's driving history shows a continued pattern of disregard for the motor vehicle laws. Such behavior is indicative of his exercise of poor judgment which is not conducive to the performance of the duties of a Sheriff's Officer. Accordingly, under these circumstances, the appointing authority has demonstrated that the appellant's driving record constituted sufficient cause to remove his name from the eligible list for Sheriff's Officer (S9999M), Hudson County.

### ORDER

Therefore, it is ordered that the appeal be denied.

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 6<sup>TH</sup> DAY OF MAY, 2015



Richard E. Williams  
Member  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Jeavon Murati  
Frank X. Schillari  
Louis Rosen  
Kenneth Connolly



Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION  
DIVISION OF CLASSIFICATION AND PERSONNEL MANAGEMENT  
P. O. Box 313  
Trenton, New Jersey 08625-0313

Robert M. Czech  
*Chair/Chief Executive Officer*

November 13, 2014

**Mr. Jeavon Murati**

**Title: Sheriff's Officer**

**Symbol: S9999M**

**Jurisdiction: Hudson County**

**Certification Number: OL131179**

**Certification Date: 9/6/2013**

**Initial Determination: Removal – Unsatisfactory background report**

This is in response to your correspondence contesting the removal of your name from the referenced eligible list.

The Appointing Authority requested removal of your name in accordance with N.J.A.C. 4A:4-6.1(a)9, which permits the removal of an eligible candidate's name from the eligible list for other sufficient reasons. Other sufficient reasons include, but are not limited to, an unsatisfactory driving record which relates adversely to the title sought.

In support of its decision, the Appointing Authority provided pages from your employment application and a copy of your driver abstract history. According to the abstract, you have received at least eight traffic summonses over the last five years. Furthermore, your license has been suspended on three separate occasions. The Appointing Authority also states that you failed to provide your complete employment history on your application. Based on this information, the Appointing Authority found that there was justification for your removal.

In your letter, you state that you were completely honest about your background. You indicate that the suspension of your license occurred because of an unpaid traffic ticket which was issued for failure to wear your seat belt. You state that you never received the ticket because it was mailed to your previous address. Since your license has never been suspended for anything drastic, you believe your appeal should be granted.

After a thorough review of our records and all the relevant material submitted, we find that there is not a sufficient basis to restore your name to the eligible list. The infractions listed on your abstract show a pattern of disregard for the motor vehicle laws and questionable judgment. Therefore, the Appointing Authority's decision to remove your name has been sustained and your appeal is denied. It should be noted that S9999M expired on May 1, 2014, and there will be no further certifications issued from this eligible list.

Mr. Jeavon Murati

November 13, 2014

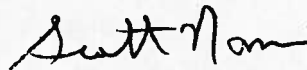
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In accordance with Merit System Rules, you may appeal this decision to the Division of Appeals and Regulatory Affairs (DARA) within 20 days of receipt of this letter. You must submit all proofs, arguments and issues which you plan to use to substantiate the issues raised in your appeal. Please submit a copy of this determination with your appeal to DARA. You must put all parties of interest on notice of your appeal and provide them with copies of all documents submitted for consideration.

Please be advised that pursuant to P.L. 2010 C.26, effective July 1, 2010, there shall be a \$20 fee for appeals. Please include the required \$20 fee with your appeal. Payment must be made by check or money order only, payable to the NJ CSC. Persons receiving public assistance pursuant to P.L. 1947, C. 156 (C.44:8-107 et seq.), P.L. 1973, c.256 (C.44:7-85 et seq.), or P.L. 1997, c.38 (C.44:10-55 et seq.) and individuals with established veterans preference as defined by N.J.S.A. 11A:5-1 et seq. are exempt from these fees. Address all appeals to:

Henry Maurer, Director  
Division of Appeals and Regulatory Affairs  
Written Appeals Record Unit  
PO Box 312  
Trenton, NJ 08625-0312

Sincerely,  
For the Director,



Scott Nance, Supervisor  
Local Certifications

c: Frank X. Schillari