



STATE OF NEW JERSEY

In the Matter of Michael Cristadoro,
Correctional Police Officer (S9999U),
Juvenile Justice Commission

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

CSC Docket No. 2019-244

List Removal Appeal

ISSUED: April 18, 2019 (VJ)

Michael Cristadoro appeals the removal of his name from the eligible list for Correctional Police Officer (S9999U), Juvenile Justice Commission (JJC) due to his failure to complete pre-employment processing.

By way of background, the subject eligible list promulgated on March 29, 2017 and expires on March 30, 2020. The appellant was certified to the appointing authority on August 16, 2017. In disposing of the certification, the appointing authority requested the removal of the appellant's name due to his failure to complete preemployment processing. Specifically, the appointing authority indicated that it sent a letter to the appellant, dated September 8, 2017, stating that he was scheduled for pre-employment processing screening on September 25, 2017 at the Sea Girt Training Academy. The letter specifically stated failure to keep this appointment or to notify the appointing authority of his absence could result in his name being removed the certification. However, he did not appear.

On appeal, the appellant presents that he was in the final steps of receiving a full-time Police Officer position and did not follow through with Juvenile Justice Commission as he was waiting to find out his start date. However, ultimately another candidate was chosen, and he was not appointed to the position of Police Officer. Therefore, he requests that his name be restored to the subject eligible list.

Despite an opportunity to do so, no further arguments were received from the appointing authority.

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CONCLUSION

N.J.A.C. 4A:4-4.7(a)3 provides, in pertinent part, that the name of an eligible may be removed from an eligible list for inability, unavailability or refusal of an eligible to accept appointment. Additionally, *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove the appellant's name from an eligible list was in error.

In the instant matter, the record demonstrates that a pre-employment processing letter dated September 8, 2017 was sent to the appellant notifying him of his scheduled date of September 25, 2017. The appellant indicates that he was in the process of being hired as a Police Officer and did not notify JJC as he believed he would be appointed to the Police Officer position, however, another candidate was chosen. The letter specifically stated failure to keep this appointment or to notify the appointing authority of his absence could result in his name being removed the certification. Therefore, as the appellant acknowledges that he purposely did not complete preemployment processing as he believed he would be hired by another jurisdiction, is not a sufficient reason to restore his name to the subject eligible list. Accordingly, the appellant has not met his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in the judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 17th DAY OF APRIL 2019



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: Michael Cristadoro
Josephine Piccolella
Kelly Glenn