



STATE OF NEW JERSEY

In the Matter of Rasheeda Grove,
Correctional Police Officer (S9988A),
Department of Corrections

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

CSC Docket No. 2022-1868

List Removal Appeal

ISSUED: JUNE 20, 2022 (SLK)

Rasheeda Grove appeals the decision to remove her name from the Correctional Police Officer (S9988A), Department of Corrections eligible list on the basis of falsification of the employment application.

The appellant took the open competitive examination for Correctional Police Officer (S9988A), Department of Corrections, which had an January 31, 2019 closing date, achieved a passing score, and was ranked on the subsequent eligible list. Her name was certified (JU19A01) and she was ranked as the 2695th candidate. In seeking her removal, the appointing authority indicated that the appellant falsified her application. Specifically, the appointing authority’s removal letter indicated that although the appellant indicated on her application that her driver’s license was suspended, she did not disclose why when asked in questions 65 and 66 on her application. Further, she also failed to disclose that she had active T-Pay fines from East Orange.

On appeal, the appellant notes that she did indicate on her application that her driver’s license had been suspended. She asserts that it was a clerical mistake and she did not intentionally not provide the reason as to why her driving privileges were suspended. The appellant indicates that her driver’s license was suspended due to traffic tickets. She presents that to ensure that all her traffic tickets were resolved, she went on the Motor Vehicle Commission’s (MVC) website, which informed her that she had two outstanding tickets from Paramus. The appellant explains that on

December 11, 2020, she paid both tickets in full and she received a letter from the MVC indicating that her driving privileges had been restored.¹ She states that she was unaware that she had an outstanding ticket from East Orange. However, once she learned about it from the appointing authority, the appellant indicates that she contacted East Orange which informed her that the ticket was over 10 years old, which is why it did not show up in her search for her traffic tickets. She submits documentation to demonstrate that the East Orange ticket has now been paid in full.

In response, the appointing authority presents the appellant's application and driving record documentation and indicates that it stands by its reasons as stated in its removal letter.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)6, allows the Civil Service Commission (Commission) to remove an eligible's name from an employment list when he or she has made a false statement of any material fact or attempted any deception or fraud in any part of the selection or appointment process.

Further, the Appellate Division of the New Jersey Superior Court, in *In the Matter of Nicholas D'Alessio*, Docket No. A-3901-01T3 (App. Div. September 2, 2003), affirmed the removal of a candidate's name based on his falsification of his employment application and noted that the primary inquiry in such a case is whether the candidate withheld information that was material to the position sought, not whether there was any intent to deceive on the part of the applicant.

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 his or her name from an eligible list was in error.

In this matter, the appointing authority had valid reasons for removing the appellant's name from the list. Initially, it is noted that candidates are responsible for the accuracy of their applications. *See In the Matter of Harry Hunter* (MSB, decided December 1, 2004). Moreover, a review of the job specification for Correctional Police Officer indicates that appointees will be required to possess a driver's license valid in New Jersey. Therefore, even if there was no intent to deceive, the appellant's failure to disclose the reasons as to why her driver's license was suspended, along with the outstanding ticket from East Orange, was material. At minimum, the appointing authority needed this information to have a complete understanding of her background in order to properly evaluate her candidacy. *See In*

¹ Although the appellant indicates that she paid the outstanding tickets to restore her driver's license on December 11, 2020, the appellant's application, which is dated April 20, 2021, indicates that her driver's license was currently suspended.

the Matter of Dennis Feliciano, Jr. (CSC, decided February 22, 2017). Moreover, as her application indicated that her driving license was suspended, the appointing authority could have also removed her name at that time for lacking the required license.² Additionally, as the appellant had a suspended driver's license at the time she submitted her application, she also could have been removed from the list based on her unsatisfactory driving history. See *N.J.A.C. 4A:4-4.7(a)1*, in conjunction with *N.J.A.C. 4A:4-6.1(a)9*; See also, *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998).

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 a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 15TH DAY OF JUNE 2022

Deirdre' L. Webster Cobb

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² Although the appellant indicates on appeal that her driving privileges were restored, there is nothing in the record that indicates that the appellant informed the appointing authority that her driver's license was restored prior to it making its decision.