



**STATE OF NEW JERSEY**

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

In the Matter of Christopher  
Oslovich, Police Officer (S9999U),  
Berkeley Township

List Removal Appeal

CSC Docket No. 2018-641

**ISSUED: APRIL 6, 2018** (HS)

Christopher Oslovich appeals the removal of his name from the eligible list for Police Officer (S9999U), Berkeley Township on the basis that he falsified his preemployment application.

The appellant, a non-veteran, took and passed the open competitive examination for Police Officer (S9999U), which had a closing date of August 31, 2016. The resulting eligible list promulgated on March 29, 2017 and expires on March 30, 2019. The appellant's name was certified to the appointing authority on April 17, 2017. In disposing of the certification, the appointing authority stated that either the appellant's unsatisfactory driving record or his falsification of the preemployment application would support the removal of his name from the subject eligible list. Specifically, the appellant's driving record reflected the following violations: failure to wear seat belt on July 10, 2008; graduated driver's license hours of operation on December 7, 2008; driving while intoxicated (DWI) on January 30, 2010;<sup>1</sup> refusal to submit to chemical test on January 30, 2010; no license, registration or insurance ID in possession on August 29, 2013; unsafe operation of a motor vehicle on June 26, 2015; improper display/fictitious plates on February 16, 2016; improper muffler on November 24, 2016; and speeding on January 28, 2017 (in Vermont). The appointing authority also asserted that the appellant failed to disclose the July 10, 2008, December 7, 2008 and November 24, 2016 violations and an October 18, 2013 citation for improper safety glass on the

<sup>1</sup> As a result, the appellant's driver's license was suspended for seven months and he was required to have an ignition interlock device installed for six months.

preemployment application where candidates were prompted to “[l]ist ALL motor vehicle summonses, mail-in-fine, appearance tickets you have received in the last 10 years.” The appellant’s application was dated May 23, 2017. In support, the appointing authority submitted the results of a driver history inquiry, a copy of the October 18, 2013 citation, and portions of the appellant’s preemployment application, among other documents.

On appeal to the Civil Service Commission (Commission), the appellant maintains that he did not falsify his preemployment application and indicates that he relied on a five-year driver abstract dated September 14, 2015. He also admits that his driving record may not be perfect but states that he has learned from such adversity and become a better role model as a result. The appellant believes that his moral standards and abilities will be an asset in the field of police work.

In response, the appointing authority submits the documentation it submitted when it disposed of the certification.

### 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 Commission to remove an eligible’s name from an eligible list when he has made a false statement of any material fact or attempted any deception or fraud in any part of the selection or appointment process.

*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 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). *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 name from an eligible list was in error.

The controlling issue in this case is that the appellant’s driving record reflects several violations, the two most recent of which occurred after the examination closing date. It also cannot be ignored that the appellant’s record

includes a DWI infraction, a serious violation of the motor vehicle laws. As such, the appellant's driving record revealed a persistent disregard for the motor vehicle laws, behavior that is incompatible with the duties of a law enforcement officer. *See Joy, supra*. Such conduct is indicative of the appellant's exercise of poor judgment, which is not conducive to the performance of the duties of a municipal Police Officer. In this regard, it is recognized that a municipal Police Officer is a law enforcement employee who must enforce and promote adherence to the law. Municipal Police Officers hold highly visible and sensitive positions within the community and the standard for an applicant includes good character and the image of utmost confidence and trust. *See Moorestown v. Armstrong*, 89 N.J. Super. 560 (App. Div. 1965), *cert. denied*, 47 N.J. 80 (1966). *See also, In re Phillips*, 117 N.J. 567 (1990). The public expects municipal Police Officers to present a personal background that exhibits respect for the law and rules. Accordingly, the appellant's unsatisfactory driving record constitutes sufficient cause to remove his name from the subject eligible list. As such, it is not necessary to address whether the appellant falsified his preemployment application.

### 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 4<sup>TH</sup> DAY OF APRIL, 2018



Deirdre L. Webster Cobb  
Acting Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

- c. Christopher Oslovich  
John A. Camera  
Kelly Glenn