



STATE OF NEW JERSEY

In the Matter of Brandon Durant,
Union County, Department of Parks
and Recreation

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC DKT. NO. 2020-2736
OAL DKT. NO. CSV 06747-20

ISSUED: JUNE 29, 2022

The appeal of Brandon Durant, Stable Worker, Union County, Department of Parks and Recreation, removal, effective January 21, 2020, on charges, was heard by Administrative Law Judge Joann LaSala Candido (ALJ), who rendered her initial decision on April 27, 2022. No exceptions were filed.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting of June 29, 2022, accepted the recommendation as contained in the attached ALJ's initial decision.

ORDER

The Civil Service Commission dismisses the appeal of Brandon Durant for failure to appear.

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 29TH DAY OF JUNE, 2022

Deirdre L. Webster Cobb

Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
P. O. Box 312
Trenton, New Jersey 08625-0312

Attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

DISMISSAL

OAL DKT. NO. CSV 06747-20

AGENCY DKT. NO. 2020-2736

**IN THE MATTER OF BRANDON DURANT,
UNION COUNTY DEPARTMENT OF PARKS &
RECREATION,**

Brandon Duran, appellant, pro se

Brian P. Trelease, Esq., on behalf of respondent (Rainone Coughlin Minchello,
LLC)

Record Closed: May 27, 2022

Decided: May 31, 2022

BEFORE JOANN LASALA CANDIDO, ALAJ:

Appellant appeals from the determination of removal by Respondent, the Union County Department of Parks and Recreation ("County") effective January 21, 2020, for a violation of the employee handbook pertaining to the section of drug/alcohol abuse.

This matter was transmitted to the Office of Administrative Law ("OAL") on July 15, 2020 for determination as a contested case. The matter was initially assigned to Judge Andrew Baron. Because of a conflict, the matter was reassigned to Judge Julio Morejon before assigning the matter to myself on April 4, 2022. A telephone status conference was held on April 18, 2022 whereby the parties agreed to amicably settle

the matter. Appellant confirmed his email address and telephone number. The proposed Settlement Agreement was forwarded to him shortly after the April 18, 2022 conference by electronic and certified mail by respondent. Under my direction, on April 27, 2022, my assistant also forwarded the agreement to appellant by regular mail. I scheduled a prehearing conference of May 27, 2022, if the proposed settlement was not received. Notices were sent to the parties on April 28, 2022.

On May 27, 2022, counsel for the County appeared for the telephone prehearing but appellant did not. To date, appellant has not reached out to the County or to the Office of Administrative Law since our telephone conference of April 18, 2022. Mr. Trelease confirmed on the record that he has not heard from appellant nor has any correspondence been returned as undeliverable.

Based upon the appellant not appearing for the status conference and his lack of communication after receiving the proposed settlement agreement, I must **FIND** this conduct tantamount to an abandonment of his request for a hearing.

ORDER

Based upon the forgoing, I **ORDER** that the appeal filed by petitioner in this matter be and is hereby **DISMISSED**.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

May 31, 2022
DATE

Joann Lasala Candido
JOANN LASALA CANDIDO, ALAJ

Date Received at Agency:

May 31, 2022

Date Mailed to Parties:

May 31, 2022