



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Odai Matarieh,
2022 Law Enforcement Examination

CSC Docket No. 2023-1950

Reconsideration

ISSUED: May 24, 2023

Odai Matarieh requests reconsideration of the final administrative determination in *In the Matter of Odai Matarieh* (CSC, decided February 22, 2023).

As discussed in the original decision, titles that were included in the 2022 Law Enforcement Examination (LEE) testing cycle were announced separately by jurisdiction. As a result, candidates were required to file separate applications to indicate their interest in an announcement for a particular jurisdiction and title.¹ In this regard, candidates were informed on the Civil Service Commission (Commission) website, beginning on January 4, 2022, and available throughout the 2022 LEE application filing period, in the 2022 LEE Frequently Asked Questions (FAQs) page, and the 2022 Law Enforcement Examination Fact Sheet that they must file a separate application to indicate their interest in announcement for a particular jurisdiction and title. A review of the record found that on January 4, 2022, Matarieh filed an application for Police Officer (M0027D), Clark. However, there was no indication that he filed any additional applications for the 2022 LEE. On appeal, Matarieh argued, in part, that when the 2022 LEE announcements were issued, he “applied so fast out of excitement and lack of knowledge. I applied for Clark thinking jurisdiction didn’t matter, even the police department wasn’t aware of the new system.” He asserted it was not fair the he was “limited to a certain city, due to the new rules and regulations.” He furthered argued, “I don’t know if it’s because I am from a [M]iddle [E]astern background that I was denied . . .” and that “some of my

¹ It is noted that announcements included in the 2022 LEE were issued on January 3, 2022 with a February 28, 2022 closing date and all applications had to have been received by 4:00 p.m. on that date.

friends also applied for the wrong cities and yet we filed an appeal together with the same reasons the only difference is they got approved and I was denied even though they scored much much less than me which also made me think it is because they are born in this great country and not [M]iddle [E]astern background?" The Commission noted that there was a plethora of information available on the Commission's website during the subject filing period which informed 2022 LEE candidates that they were required to file separate applications for any titles and jurisdictions in which they were interested. The Commission found that while it was unfortunate that Matarieh did not follow the instructions on the announcement or access the available resources during the almost two-month long filing period, from January 3, 2022 through February 28, 2022, Matarieh did not present a sufficient basis to relax to provisions of *N.J.A.C. 4A:4-2.3(b)3* and *N.J.A.C. 4A:4-2.1(e)*. The Commission noted with respect to his claim that "some of my friends also applied for the wrong cities and . . . they got approved" but his request had not been "approved" because he is of Middle Eastern background and/or because he is not a citizen by birth," that Matarieh did not provide the names of the individuals or any evidence to support his contention. See *N.J.A.C. 4A:4-6.3(b)*. The Commission found that without specifics, it could not investigate this matter further.

In his current request, Matarieh indicates that he has "attached all the website announcements and description, however, none states that I will only be certified for the jurisdiction I applied for." He adds:

If anything it gives an option – 'will every entry level law enforcement title and jurisdiction be announced during each announcement cycle? No. Each jurisdiction/agency has the opportunity to opt-in for an announcement cycle based on its hiring needs and the status of its current list of eligibles (those who have passed an exam and can be considered for employment). Therefore, every title might not announce during each announcement cycle. Furthermore, not every jurisdiction may choose to opt-in to an announcement cycle. For example, Town A could choose to opt-in for the title of Police Officer to be a part of an announcement cycle, while another jurisdiction, Town B, may not choose to announce for Police Officer. If there is no announcement posted on the CSC website for the title and jurisdiction for which you are interested in applying, then no new applications are being collected for that title/jurisdiction this announcement cycle.'²

He argues that "the announcement page only shows jurisdictions however it doesn't have any instructions whatsoever. Besides the jurisdiction it is open to residents of 1-2-3 which can be confusing for a person applying for the first time based on past knowledge of how the application appears." He maintains that he "couldn't provide

² It is noted that Matarieh appears to be quoting the 2023 LEE FAQs page. See <https://www.state.nj.us/csc/authorities/faq/safety/lee.html#2>.

any of this evidence earlier due to the fact that the announcement had recently come out. And if I never emailed the Civil Service on how to even apply and provide me a link I wouldn't know how to which shows that the process tends to be complicated and applied for a police officer title.³ Therefore, I have applied for 13 cities, and 2 counties⁴ . . . I would like to request the possibility to transfer my score (97.2) to the new cities or have my jurisdiction added. Especially that Roselle and Hillside are not on the Civil Service opening which is holding me back.” He presents, “since I have been going through this back and forth due to the lack of information upon taking the test and applying for the jurisdiction itself, I believe there is more than enough evidence for this reconsideration to be approved and so I can pursue my career and finally get certified.” In a subsequent submission, Matarieh provides the following:

Allen S., a customer that did business with my boss where [I] work and as he claimed in the past he was a [S]tate [T]rooper and a US [M]arshal and is a very good friend with Anne Marrie. [I] helped him get approved with a [R]ange [R]over for his wife and he found out [I] passed the police exam but [I] had a problem with the jurisdiction and he offered to call his friend Mrs Anne Marie and help change my jurisdiction and according to him and the messages and phone calls we had back in [D]ecember he managed to do that and the appeal would be approved however something wrong happened with the car my boss sold him and ever since he started disputing transactions and doing extra stuff which isn't the issue here. I believe that he is the reason why Anne Marie denied my appeal because they are close friends and know each other and they had conversations and meetings for my appeal in the past which shows in the texts and unfortunately I became in the middle affecting my appeal over something that wasn't even my fault. Below are the messages between us back in [N]ovember and I have no issues to be brought up to the stand and give my oath in regards to what happened and I have my coworkers as evidence because we all were together when all of this happened.

In support of his request, Matarieh submits copies of text messages that appear to be between Matarieh and Allen S., as indicated above, in November 2022.

³ It is noted that Matarieh contacted Division of Appeals and Regulatory Affairs (DARA) staff via email on March 1, 2023 in which he indicated that he was unable to find a link regarding the 2023 LEE on the Commission's website. DARA staff provided him with additional information including the following link: https://nj.gov/csc/jobs/announcements/publicsafety/law_el_titles.shtml.

⁴ It is noted that announcements included in the 2023 LEE were issued on March 1, 2023, with a March 31, 2023 closing date. A review of the record finds that Matarieh submitted 15 applications for the 2023 LEE.

CONCLUSION

N.J.A.C. 4A:2-1.6(b) sets forth the standards by which the Commission may reconsider a prior decision. This rule provides that a party must show that a clear material error occurred or present new evidence or additional information which would change the outcome of the case and the reasons that such evidence was not presented during the original proceeding.

In the present matter, Matarieh has failed to meet the standard for reconsideration. Matarieh does not present new evidence or additional information which was not presented at the original proceeding which would change the outcome of the original decision, nor has he proven that a clear material error has occurred in the original decision. Accordingly, based on the record presented, Matarieh has failed to support his burden of proof in this matter.

The fact that Matarieh finds the application “process . . . to be complicated” is not a basis for reconsideration. As the Commission exhaustively explained in its initial decision, there was a plethora of information available on the Commission’s website regarding the 2022 LEE. The Commission further discussed that the Commission’s Information Center is available to candidates to address any concerns they may have regarding the application process. In this regard, as noted in the original decision, every announcement for the 2022 LEE, in the “Important Information” section, informed candidates:

If you are having difficulty submitting your application on-line, technical support and customer care are available during regular business hours, 8:00 a.m. to 4:00 p.m. EST, Monday-Friday, excluding holidays and emergency closings. Please email: OAS.support@csc.state.nj.us or call (609)292-4144. Please note that application support requests received outside of regular business hours on the closing date will not change the application filing deadline, so please file early.

Regarding his claim that Allen S. “offered to call his friend Mrs Anne Marie⁵ and help change my jurisdiction . . .” and “they had conversations and meetings for my appeal in the past which shows in the texts . . .”, the Commission notes that given the nature of this submission, it is not clear what Matarieh is claiming. Furthermore, a review of the text messages does not evidence “conversations and meetings for my

⁵ It is noted that a review of the text messages submitted by the petition finds that on November 16, 2022, Matarieh appears to have attached a portion of what appears to be a job announcement which instructs applicants to contact Ann Marie K. at the New Jersey Department of Health. Subsequently, on November 24, 2022, Matarieh attached a screenshot of an email from DARA staff indicating that his appeal had been received and was in process and to which he texted, “That’s Annemarie.” Thus, it is not clear which “Anne Marie” he is referring to in his submission.

appeal in the past which shows in the texts . . ." as Matarieh asserts. Regardless, even if he is referring to any contacts with DARA or other Commission staff, it is the Commission that decides appeals presented before it. Therefore, as the Commission thoroughly addressed his appeal in its original decision, and he has not provided any evidence to overturn that determination, his request is properly denied.

ORDER

Therefore, it is ordered that this request 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 24TH DAY OF MAY, 2023



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