

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
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STATE OF NEW JERSEY
STATE ETHICS COMMISSION
COMMISSION CASE NO. 11-13

IN THE MATTER OF	:	
SUSAN LAMORTE, FORMER	:	Administrative Action
ASSISTANT DIRECTOR, DIVISION	:	
OF DISABILITY DETERMINATION	:	CONSENT ORDER
SERVICES, DEPARTMENT OF LABOR:	:	
AND WORKFORCE DEVELOPMENT	:	

WHEREAS, the State Ethics Commission ("Commission") is authorized to initiate, receive, investigate, review, and hear complaints regarding violations of the New Jersey Conflicts of Interest Law ("Conflicts Law"), *N.J.S.A. 52:13D-12 et seq.*, applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code and any agency code of ethics by any State officer or employee or special State officer or employee; and

WHEREAS, this matter was brought before the Commission by a complaint filed with the Commission; and

WHEREAS, the Commission conducted an investigation of all matters and issues raised by the complaint;

WHEREAS, as a result of the investigation, the Commission and Susan LaMorte ("LaMorte") desire to enter into a final and complete resolution of all matters and issues raised thereby;

IT IS THEREFORE agreed by the parties as follows:

1. LaMorte began working for the State Employment Service in 1979 and joined the Division of Disability Determination Services ("DDS") in 1981. LaMorte retired on July 1, 2014 after serving as Assistant Director of Administrative Services for four years.

2. LaMorte is close friends with Edith Peters-Liguori ("Peters-Liguori"), a former Regional Manager at DDS. Their close friendship dates back over thirty years. Their friendship was well-known in the DDS office. The two are not related and have never been in a supervisor/subordinate relationship at DDS.

3. In 2011, DDS Director, David Ramsay ("Ramsay"), DDS Assistant Director of Claims, Caroline Stout ("Stout"), and LaMorte were members of an interview panel for three open DDS management positions. One of the positions was Chief of Training and Quality Assurance, which reported directly to LaMorte and the other two positions were Regional Managers, which reported to Stout. Peters-Liguori qualified for the promotional opportunity and applied for the open positions declaring the position of Chief of Training and Quality Assurance as her primary choice and Regional Manager as her secondary choice. LaMorte participated in interviewing all candidates, including Peters-Liguori, and awarding the promotions. Peters-Liguori was chosen for a promotion to the position of Regional Manager. Regional Manager was Peters-Liguori's secondary choice and LaMorte was not her supervisor.

4. While employed at DDS, LaMorte was involved with the Nutley-Belleville Columbus Day Parade and the Federation of Italian American Societies of New Jersey as a volunteer. While she was aware that the use of State time and resources to conduct outside activities was prohibited, a review of her State email account revealed that she used her State computer and email to communicate extensively regarding her volunteer activities.

5. Specifically, records of emails and documents from LaMorte's State computer and personal drive reveal approximately 800 items unrelated to her State duties. These include approximately 250 emails (many with attachments), approximately 375 word documents and 130 images related to her volunteer activities or personal matters.

6. LaMorte also admitted to printing and copying documents unrelated to her State duties using State resources and equipment.

7. It is the Commission's position that LaMorte violated sections 23(e)(3) and (e)(7) of the Conflicts Law and *N.J.A.C.* 19:61-7.4 by misusing State time and resources and by failing to recuse from Peters-Liguori's interview for a promotion.

8. It is LaMorte's position that although she used her State email for volunteer activities and for her own personal use and during her lunch hour or break time, she never used State resources for personal gain and she felt that her volunteer work did not interfere with her professional responsibilities. LaMorte produced some documentation from DDS that charity work was encouraged. LaMorte also believes that at the time, she felt that she could be unbiased on the interview panel for Peters-Liguori, that Ramsay had full knowledge of her friendship with Peters-Liguori, and that there was no question that Peters-Liguori was deserving of the promotion she received.

9. In hindsight, LaMorte acknowledges that she violated section 23(e)(3) and (e)(7) of the Conflicts Law as well as *N.J.A.C.* 19:61-7.4 by misusing State time and resources in connection with her outside volunteer activities and personal matters, and by failing to recuse herself from the interview panel for Peters-Liguori.

10. The parties agree to enter into this Consent Order in settlement of all matters and issues that are involved herein. In consideration thereof, LaMorte agrees to pay a civil penalty of \$1250.00.



Susan LaMorte

Dated: March 2, 2015



State Ethics Commission

By: Andrew S. Berns, Chair

Dated: 4/14/15



Susana E. Guerrero, Executive Director

State Ethics Commission

Dated: 4/14/15