



**STATE OF NEW JERSEY**

**DECISION OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Julie Colasuonno,  
Parsippany-Troy Hills

Hearing Granted

CSC Docket No. 2024-1094

**ISSUED: August 14, 2024 (EG)**

Julie Colasuonno appeals the effective date of her resignation in good standing as an Assistant Purchasing Agency with Parsippany-Troy Hills.

By way of background, the appellant was hired a Keyboarding Clerk 1 by the appointing authority effective April 14, 2014. The appellant was subsequently promoted to Keyboarding Clerk 2, Keyboarding Clerk 3, Purchasing Assistant, and was permanently appointed to Assistant Purchasing Agent effective November 26, 2022. Official records indicate that the appellant resigned in good standing, effective October 23, 2023.

On appeal to the Civil Service Commission (Commission), the appellant asserts that on October 20, 2023, she submitted her resignation letter with her last day being November 15, 2023. She argues that on October 23, 2023, Business Administrator James Cryan give her a letter indicating that October 23, 2023, would be her last day. The letter also indicate that her benefits would end October 31, 2023. The appellant contends that her dismissal/termination on the 23<sup>rd</sup> was in retaliation for her resignation. Additionally, the appellant adds that since the 23<sup>rd</sup> she felt discriminated against and humiliated. Further, she maintains that the appointing authority has not communicated with her the amount of her payout checks and when or how she would receive them. The appellant requests the following remedies: three and one-half weeks of pay for providing adequate notice; payment of insurance payments through November 2023; full payment of unused vacation and compensatory time through November 2023; retroactive pay of 2% salary backdated

to January 1, 2023, as the budget was passed while she was within the salary ordinance; \$20,000 for pain, suffering and discrimination damages; and attorney expenses related to the present appeal.<sup>1</sup>

In response, the appointing authority represented by Madelaine P. Hicks, Esq., argues that on October 23, 2023, Cryan informed the appellant that her resignation had been accepted and that if she would like, the 23<sup>rd</sup> could be her last day. It asserts that the appellant asked if she had to come in after then and was told “no.” The appellant then said “okay” and that she would pack up her desk and leave. Based on this response, the appointing authority accepted her resignation effective October 23, 2023. Additionally, it contends that it informed her that she would receive her personnel action form by the end of the week and requested her contact information. It asserts that the appellant provided an email address but did not feel comfortable providing a cellphone number and did not want to be contacted. The appointing authority argues that per *N.J.A.C.* 4A:2-6.1, it is allowed to accept a resignation with shorter notice, which it did upon the appellant’s approval. Further, it denies any disparaging treatment of the appellant and points out the appellant has not identified any action it took to make her feel discriminated against and humiliated.

In reply, the appellant argues that she was not given the option to have the 23<sup>rd</sup> be her last day. Rather, she was handed a letter and was told that the 23<sup>rd</sup> would be her last day. She claims that she asked that since she gave provided more than the required two-weeks’ notice and that it was not her decision to leave on the 23<sup>rd</sup>, would she be compensated. She was told “no” and that she would be paid only until the 23<sup>rd</sup>. The appellant claims that the Director of Purchasing was present for this entire conversation and could corroborate her allegations. Additionally, she explains that the fact that she was told the 23<sup>rd</sup> was her last day made her feel devastated, hurt and humiliated.<sup>2</sup>

## CONCLUSION

*N.J.A.C.* 4A:2-6.1(a) provides that any permanent employee in the career service may resign in good standing by giving the appointing authority at least 14 days written or verbal notice, unless the appointing authority consents to a shorter notice. Appeals of this nature are treated as a review of the written record. *See N.J.S.A.* 11A:2-6(b). Hearings are granted only in those limited instances where the Civil Service Commission (Commission) determines that a material and controlling dispute of fact exists which can only be resolved through a hearing. *See N.J.A.C.* 4A:2-1.1(d).

---

<sup>1</sup> The appellant is not currently represented by an attorney in this matter.

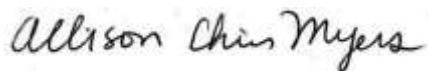
<sup>2</sup> It is noted that both parties raised issues about notice of the present appeal and OPRA requests. Since these allegations are not relevant to and do not impact the present matter, they have not been presented and will not be addressed in this decision.

In the instant matter, the Commission has conducted a review of the record in this matter and finds that there is a dispute of material fact. The appellant alleges that she was not given the option to have the 23<sup>rd</sup> be her last day. Rather, she was handed a letter and was told that the 23<sup>rd</sup> would be her last day. The appointing authority contends that it offered the appellant the option of having the 23<sup>rd</sup> be her last day and that the appellant accepted. Though a witness was identified by the appellant, no statement from this witness has been presented. Therefore, the credibility of the appellant's and Cryan's statements are in dispute and cannot be reconciled on the written record. Accordingly, the matter should be referred to the Office of Administrative Law for a hearing to determine whether the appellant was given the option and accepted the 23<sup>rd</sup> as her last day or if the appointing authority unilaterally imposed the 23<sup>rd</sup> as her last day. The Administrative Law Judge (ALJ) should also determine if the appellant is entitled to any compensation or other remedies.<sup>3</sup>

### ORDER

Therefore, it is ordered that this matter be transmitted to the Office of Administrative Law for a hearing as a contested case.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 14<sup>TH</sup> DAY OF AUGUST, 2024



---

Allison Chris Myers  
Chairperson  
Civil Service Commission

---

<sup>3</sup> It is noted that many of the remedies requested by the appellant are unavailable. Specifically, if it is determined that her resignation should have been at a later date, the appellant would **only** be entitled to back pay for that time period and, if applicable, payment for unused vacation time not already provided. The Commission does not award other non-compensatory, punitive remedies, such as monetary compensation for "pain and suffering," *etc.* Additionally, the request for retroactive pay from January 2023 is not within the Commission's jurisdiction as it generally has no oversight over local government salaries. Moreover, the Commission does not have jurisdiction to award payment for compensatory time as that form of leave is not provided for in the regulations. Finally, should the appellant be successful on appeal, and is represented by an attorney at the Office of Administrative Law, she **may** be entitled to counsel fees under *N.J.A.C. 4A:2-1.5(b)*. However, that determination would have to be made by the Administrative Law Judge at the time of the issuance of the initial decision on this matter.

Inquiries  
and  
Correspondence

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

c: Julie Colasuonno  
Hank Sunyak  
Madelaine P. Hicks, Esq.  
Division of Appeals and Regulatory Affairs  
Division of Agency Services  
Records Center