



**STATE OF NEW JERSEY**

In the Matter of Suzanne Ragone

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

CSC Docket No. 2025-733

Administrative Appeal

**ISSUED:** February 5, 2025 (SLK)

Suzanne Ragone, a Quality Assurance Coordinator with the Division of Aging Services, Department of Human Services, requests to have her title from the period of September 2016 until February 2022 changed from Regional Staff Nurse Medical Assistance (RSN)<sup>1</sup> to Quality Assurance Specialist Health Services (QAS), with back pay, benefits, and adjustments to her pension.

In Ragone's request, she states that she just found paperwork that indicates that she was not notified to apply for a QAS (PS1180K), Division of Aging promotional examination which had a September 21, 2016, closing date. Instead, she indicates that her supervisor at that time notified her to apply for a RSN examination that had a closing date during the same time. Ragone explains that the notice for the subject QAS promotional examination was only provided by supervisors and not via mass email. Also, she asserts that her provisional appointment as an RSN exceeded one year in noncompliance with *N.J.S.A.* 11A:4-13(b). Ragone presents that the appointing authority stated that she was provisional as a RSN past July 11, 2015, which was not accurate and interfered with her right to participate in the selection and appointment process as she should have been informed that she was eligible to apply for the PS1180K promotional examination. Further, she believes that the appointing authority may not have submitted information timely to this agency as

<sup>1</sup> Personnel records indicate that Ragone was provisionally appointed as a RSN on July 14, 2014, and she was permanently appointed as a RSN on July 11, 2015.

she was not enrolled in the pension system until 2018. Additionally, Ragone provides that the appointing authority did not notify her as required under *N.J.A.C. 4A:4-5.1(a)* that she was in a working test period after she was permanently appointed as a RSN on July 11, 2015. Ragone attaches a May 5, 2016, email regarding a RSN announcement that was to post on May 25, 2016, an August 8, 2017, letter indicating that she passed her RSN working test period, effective April 3, 2017, emails regarding her grievance, and she highlights a footnote from *In the Matter of S.R.* (CSC, decided August 2, 2023) where the Civil Service Commission (Commission) indicated that she met the one-year permanent service requirement for the QAS (PS1180K) promotional examination but did not apply. Additionally, Ragone submits paperwork regarding a grievance she filed concerning a promotional announcement where she was not notified while she was on leave, and she claimed that there was a pattern where she was excluded from promotional announcements.

Regarding why Ragone did not submit her request sooner, she notes that she first learned that she was granted permanent status as a RSN on July 11, 2015, in the Commission's August 2023 decision. However, she states that this was noted in a footnote where the font was small and easily lost in the document. Ragone asserts that the appointing authority never told her the truth for seven years despite her bringing administrative actions and her inquiries to supervisors. Therefore, she believes that there is good cause to extend the filing deadline. Ragone argues that since she was not told the truth about her permanent appointment as a RSN for over seven years despite her inquiries, the 20-day time limit to file an appeal is unfair as there was no way she could have found out this information on her own. She claims that the appointing authority's delay has cost her a QAS promotion, benefits, and pension credit since 2016 while other employees received these benefits. Ragone submits documents to show that her superiors knew the situation. Further, she reiterates that she was told that she could not apply for another QAS listing in 2015 due to her provisional status; however, the Commission's August 2023 decision stated it was because she did not have the year completed working in her permanent title. Ragone questions why she was not told this information. Further, the Commission's decision states that she should have applied for the QAS examination at that time, but she asserts that she did not apply because she did not know that she was eligible based on the misinformation. She emphasizes that it does not make sense that she would agree to apply for a permanent RSN title in 2017 if she was already permanent. Therefore, Ragone presents this as evidence that her superiors knew that she was working out of title for a long time and this should be investigated.

Concerning the QAS announcement, Ragone presents that were five QAS positions, and she would have applied if she knew that she was permanent in 2016. Therefore, she believes that her superiors had an obligation to inform her about the 2016 QAS examination. Ragone notes that she did not even discover the situation until her February 2023 appeal and there was no way for her to know about this without notification from the appointing authority. She claims that her lack of notice

violates Civil Service rules. Moreover, although the appointing authority stated that she could have filed for a classification review in 2014 and 2016, she did not know that this was an option at that time. Further, her union would not assist her. Ragone questions how she could have found information that was impossible for her to know. Moreover, she highlights that in 2014, she was the only employee in the Division of Aging who was not given information on employee rights.

Additionally, Ragone emphasizes that if she knew that her status was permanent on July 11, 2015, she would have checked the Commission's website for promotional opportunities in 2016. Further, she reiterates that there was no way that she could have known that she was eligible for the QAS examination in 2016 because she was advised that she was provisional. To support her statement, she submits an email where she was erroneously advised in 2016 that she was serving provisionally as a RSN, and she needed to apply for a permanent position. She again questions as to why she was not informed in July 2015 that she was permanent as a RSN. Moreover, Ragone asserts that if she had known on July 11, 2015, about her permanent status, she would have applied for the QAS (PS1180K) promotional examination, and she would have regularly checked the Commission's website for promotional examination announcements. Also, Ragone requests that this agency question staff about her situation which led to her not being promoted as a QAS until six years later. In support of her claims, Ragone attaches her onboarding checkoff from 2014, which does not include information about desk audits and misclassifications; the aforementioned email announcement to apply for a permanent position as a RSN in 2016 where it refers to her provisional status; a personnel action document email from human resources in April 2017; an email stating that she was interviewed for a permanent RSN position in 2017, and a letter signed in August 2017 indicating that she successfully completed her working test period as a RSN and her appointment will be effective April 3, 2017.

## CONCLUSION

*N.J.A.C. 4A:2-1.1(b)* provides that unless a different time period is stated, an appeal must be filed within 20 days after the appellant has notice or should reasonably have known of the decision, situation, or action appealed.

*N.J.A.C. 4A:4-2.1(b)* provides that in order to notify all employees of promotional opportunities, promotional examination announcements shall be posted on, and applications shall be made available through, the Commission web site and may also be made available through the web sites of affected appointing authorities. If an affected appointing authority does not maintain or utilize a web site, promotional examination announcements shall be conspicuously posted by the affected appointing authority at all geographic locations within the unit scope (in State service) or department (in local service) to which the examination is open. Appointing authorities shall also ensure the notification by electronic or other means

of all *eligibles* of the promotional examination announcement. Appointing authorities shall maintain a record of promotional examination announcement postings and the notification of eligibles of the announcement.

*N.J.A.C.* 4A:2-1.4(c) provides that the appellant has the burden of proof.

Initially, Ragone's requests regarding her lack of notice concerning her working test period as a RSN and the lack of notice to submit an application for the QAS (PS1180K) promotional examination are untimely. Specifically, Ragone asserts that she should have been notified on July 11, 2015, regarding her RSN working test period and the QAS (PS1180K) promotional examination had a September 21, 2016 closing date. However, it is well past 20 days from those dates. Further, in *In the Matter of S.R.* (CSC, decided August 2, 2023), Ragone received notice that she did not apply for the QAS (PS1180K) promotional examination and the request in this matter was postmarked September 26, 2024. Her comments that this information was in a footnote that was easily missed is not persuasive. Therefore, even looking at the timeliness in this matter in the best possible light, Ragone's request is still well more than 20 days from when she had notice and cannot be considered.

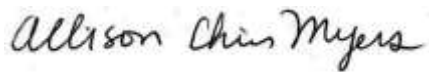
Regarding the merits, the record reveals that the QAS (PS1180K) promotional examination announcement was open to employees serving as a Charge Nurse or to employees who met the open competitive requirements by the September 21, 2016, examination closing date. A review of personnel records indicates that Ragone was serving as a RSN at that time. Therefore, as she was not serving in the in-line title that the examination was open, under *N.J.A.C.* 4A:4-2.1(b), the appointing authority had no obligation to personally serve her as she was not considered an eligible at the time of the announcement as it is only this agency that makes eligibility determinations. Moreover, there is no evidence that the examination announcement was otherwise improperly posted. Nonetheless, even if Ragone was improperly excluded from notification about the QAS (PS1180K) promotional examination in 2016, she was not automatically entitled to be appointed as an individual whose names merely appears on a list does not have a vested right to appointment. See *In re Crowley*, 193 *N.J. Super.* 197 (App. Div. 1984), *Schroder v. Kiss*, 74 *N.J. Super.* 229 (App. Div. 1962). The only interest that results from placement on an eligible list is that the candidate will be considered for an applicable position so long as the eligible list remains in force. See *Nunan v. Department of Personnel*, 244 *N.J. Super.* 494 (App. Div. 1990). In other words, even if Ragone had been reachable for appointment, the appointing authority could have bypassed her under the Rule of Three. See *N.J.A.C.* 4A:4-4.8(a)3. Therefore, even if her requests were timely, there is no basis to provide Ragone any remedy. Finally, it is noted that the Commission does not have jurisdiction over pension issues.

**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 5<sup>TH</sup> DAY OF FEBRUARY, 2025



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