



STATE OF NEW JERSEY

In the Matter of S.Y., Voorhees

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

CSC Docket No. 2026-313

Administrative Appeal

ISSUED: February 4, 2026 (HS)

S.Y., a former Fire Fighter with Voorhees, appeals its decision not to reemploy her as a Fire Fighter.

As background, the appellant received a permanent appointment as a Fire Fighter, effective January 13, 2020. The County and Municipal Personnel System (CAMPS) reflects that the appellant resigned in good standing, effective January 21, 2024.

In the instant appeal to the Civil Service Commission (Commission), postmarked July 25, 2025, the appellant indicates that while she “understands the [Commission] may not have the authority to compel reinstatement,” she requests a formal review of the appointing authority’s handling of her case. The appellant states that she resigned “solely due to a medical condition that has since been fully resolved.” In this regard, she states that she had been advised by her physician at the time to resign and seek a less physically demanding line of work, and she “followed this medical recommendation in good faith, prioritizing [her] health and safety at the time.” Her resignation was a “temporary, cautious decision.” She expresses concern that the appointing authority’s stance on her reemployment was influenced by a concern to avoid “setting a precedent,” rather than an individualized consideration. The appellant indicates that the appointing authority conveyed its general position of not rehiring employees who previously resigned. She cites an e-mail from the appointing authority, which states in part:

To clarify, my concern was not with the emotional tone of your message, but rather with the inaccuracies it contained and the fact that it was directed to the Mayor and Committee. Specifically, the reason you cited—seniority—is not the basis for the decision regarding your reinstatement.

As I previously explained, the primary concern is the precedent it would set. Allowing immediate reinstatement could expose the Township to potential liabilities from current employees who were also required to start over following their resignations.

However, she claims that the appointing authority's treatment of B.B., a former Emergency Medical Technician supervisor who was permitted to return in a part-time capacity after retiring, demonstrates inconsistent and selective rehire practices.¹ The appellant also states her understanding that an unnamed Public Works employee who previously resigned was permitted to retake the Civil Service examination and rehired. She complains that after submitting her reemployment request, she received no formal acknowledgement or written decision and ultimately was told over the phone that her reemployment would not move forward. She asserts that "no one accepted responsibility for reviewing my request, and my application was quietly dismissed without formal evaluation or recordkeeping." The appellant further relates that in reviewing her reemployment request, the appointing authority did not request updated medical documentation or engage in any discussion about possible accommodations, while other employees without disabilities were granted accommodations and considerations for which she was denied.

The appellant requests that the Commission obtain various records under the Open Public Records Act (OPRA) "as part of its investigation." She asks that the Commission review whether the appointing authority is in violation of *N.J.A.C. 4A:4-7.10*; determine whether the appointing authority's refusal to even interview or evaluate her is inconsistent with the standard Civil Service process; examine whether the appointing authority's actions reflect a pattern of selective or retaliatory hiring behavior; and consider whether oversight, guidance, or corrective action is appropriate.

The appellant claims that although she was told at the time of her resignation that light duty was not available, she, while employed, witnessed an Emergency Medical Technician being granted light duty while pregnant. She also claims that

¹ It is noted that according to CAMPS, B.B. retired as a Supervising Emergency Medical Technician, effective January 1, 2024. Subsequently, he received a permanent appointment to the noncompetitive title of Emergency Medical Technician, effective September 24, 2025, in a part-time capacity. The only requirement for an Emergency Medical Technician applicant is possession of a current and valid Emergency Medical Technician Certification (or specified higher-level certification) issued by the New Jersey Department of Health. Thus, the record reflects that B.B. was not appointed from a regular reemployment list.

during her employment, she experienced inappropriate comments from coworkers regarding her ethnic background and sexual orientation and had to involve a union representative to address the denial of access to a female bathroom.

In support, the appellant submits, among other things, a copy of her Application for Reemployment, which she signed and indicates her resignation date as January 21, 2024.

Further, in a submission postmarked September 26, 2025, the appellant states that she had been receiving workers' compensation benefits but did not receive any communication on whether this coverage would be extended or how her leave would be managed. She notes that on January 5, 2024, the Fire Chief made the following announcement to all Fire Department personnel:

The department is sad to announce the resignation of [the appellant]. [The appellant] is resigning for personal reasons effective 1/21/2024 but she will be out of work until then. Please join me in thanking her for the past several years of hard work and dedication to our department and the public we serve. [The appellant] will be missed but we wish her well in her future endeavors.

However, the appellant now maintains that she never submitted any resignation paperwork and that her resignation was forced due to a refusal to provide reasonable accommodations. The appellant claims that she has four witnesses who can provide firsthand knowledge regarding the circumstances of her separation; the handling of her reinstatement request; and the work environment at the Fire Department. She also states that she made an OPRA request to the appointing authority for various records related to policies on reemployment; records of reinstatement or rehire of former full-time employees; correspondence concerning her reemployment request; and legal claims involving reinstatement, hiring practices, discrimination, or disability accommodation and received inadequate responses.

In response, the appointing authority indicates that the appellant was employed through January 2024, at which time she resigned citing a chronic illness that she believed prevented her from doing the job. It states that, historically, Fire Fighters who left voluntarily have been required to reapply and retest through Civil Service if they wish to return, and this practice was communicated to the appellant in response to her request for reemployment. The appointing authority explains that as a matter of policy and practice, it has never reinstated resigned employees without requiring them to follow the same Civil Service hiring procedures as new candidates (*i.e.*, testing, ranking, certification). With respect to the example of B.B., the appointing authority indicates that he had retired as a Supervising Emergency Medical Technician, then applied to be hired as a part-time Emergency Medical Technician. The appointing authority maintains this position was outside the full-

time Fire Fighter Civil Service rule and emphasizes that part-time Emergency Medical Technicians do not fall under the same hiring rules or practices as Fire Fighters.

In reply, the appellant reiterates, among other things, her position that her separation was not voluntary. She states that she had requested light duty due to medical restrictions, but none was offered, and she was informed she had no choice but to step away.

CONCLUSION

N.J.A.C. 4A:2-6.1(d) provides that where it is alleged that a resignation was the result of duress or coercion, an appeal may be made to the Commission under *N.J.A.C.* 4A:2-1.1.

N.J.A.C. 4A:2-1.1(b) provides, in pertinent part, that an appeal must be filed within 20 days after either the appellant has notice or should reasonably have known of the decision, situation, or action being appealed.

N.J.A.C. 4A:4-7.10(a) provides, in pertinent part, that a permanent employee who has resigned in good standing, may request consideration for reemployment by indicating availability to his or her appointing authority. *N.J.A.C.* 4A:4-7.10(b) provides that upon recommendation of the appointing authority that such reemployment is in the best interest of the service, this agency shall place the employee's name on a reemployment list. *See also N.J.S.A.* 11A:4-9c (regular reemployment list shall include former permanent employees who resigned in good standing and whose reemployment is certified by the appointing authority as in the best interest of the service).

Initially, it is noted that the appellant requests that the Commission obtain various records under OPRA "as part of its investigation." However, the Commission's role herein is not investigatory, and it is the appellant who bears the burden of proof in this administrative appeal. *See N.J.A.C.* 4A:2-1.4(c).

With respect to the appellant's resignation, she initially indicated that she resigned "solely due to a medical condition that has since been fully resolved;" that she had been advised by her physician at the time to resign and seek a less physically demanding line of work; that she "followed this medical recommendation in good faith, prioritizing [her] health and safety at the time;" and that her resignation was a "temporary, cautious decision." Beginning with the September 26, 2025 submission, the appellant described her resignation as forced, a marked shift. The Commission need not resolve this discrepancy as any claim that the appellant was forced to resign on January 21, 2024 has not been timely presented. *N.J.A.C.* 4A:2-6.1(d) and *N.J.A.C.* 4A:2-1.1(b).

Regarding the appellant's arguments concerning reemployment, the determination as to whether to place the appellant's name on a regular reemployment list rests within the discretion of the appointing authority. That discretion is not reviewable. See *Richard Marinelli v. Department of Personnel*, Docket No. A-1415-97T2 (App. Div. Mar. 9, 2000), in which the Superior Court, Appellate Division, affirmed the decision of the former Merit System Board denying a retired Police Officer regular reemployment, holding that an appointing authority has the discretion to recommend a former employee's reemployment as being in the best interest of the service, and the appointing authority did not do that there. Accordingly, the Commission does not have jurisdiction to review the appellant's reemployment issues. This includes any suggestion that the appointing authority's decision not to certify the appellant's reemployment was improperly based on disability. The Commission has no jurisdiction over claims of discrimination in local government service. See *N.J.A.C. 4A:7-1.1(g)* (appointing authority in local service may establish policies and procedures for processing discrimination complaints) and *N.J.A.C. 4A:7-3.2(p)* (noting Department of Law and Public Safety's Division on Civil Rights and U.S. Equal Employment Opportunity Commission as external agencies where discrimination complaints may be filed).

Moreover, the appellant claims that she was told at the time of her resignation that light duty was not available but witnessed an Emergency Medical Technician being granted light duty while pregnant; that during her employment, she experienced inappropriate comments from coworkers regarding her ethnic background and sexual orientation; and that she had to involve a union representative to address the denial of access to a female bathroom. However, the Commission lacks jurisdiction over these discrimination claims, as discussed above, which have not in any event been timely raised. The Commission also lacks jurisdiction to address the sufficiency of the appointing authority's response to the appellant's OPRA request. Accordingly, under these circumstances, the Commission cannot grant the relief requested.

ORDER

Therefore, it is ordered that this appeal be dismissed.

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 4TH DAY OF FEBRUARY, 2026

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