



STATE OF NEW JERSEY

In the Matter of Ranique Woodson,
Newark, Mayor's Department

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

CSC Docket No. 2025-1031

Enforcement

ISSUED: January 15, 2025 (SLK)

Ranique Woodson, a Clerk 1, Newark, Mayor's Department, requests enforcement of *In the Matter of Ranique Woodson* (CSC, decided September 4, 2024).

By way of background, on March 22, 2022, Woodson, while on leave, was arrested, which led to the appointing authority issuing a Preliminary Notice of Disciplinary Action (PNDA) on March 23, 2022, indicating that she was suspended indefinitely without pay as of March 22, 2022. Thereafter, a Final Notice of Disciplinary Action (FNDA), dated June 26, 2023, was issued removing Woodson from employment effective August 10, 2022. Woodson appealed her removal to the Civil Service Commission (Commission), and the matter was transmitted to the Office of Administrative Law as a contested case. After the hearing, the Commission granted the appointing authority's request for summary decision. However, the Commission modified the removal to a 60 working day suspension and granted back pay, benefits, and seniority from 60 working days after the first date of separation without pay to the actual date of reinstatement.¹

In Woodson's request for enforcement, she requests that the Commission determine the specific date that the suspension should start as there is a disagreement between the parties regarding the back pay period. She seeks

¹ The background was developed from a review of the PNDA, the Administrative Law Judge's initial decision, and the Commission's September 4, 2024, decision.

clarification as to whether back pay should start 60 working days from March 22, 2022, or 60 working days from August 10, 2022.

In response, the appointing authority, represented by Hugh A. Thompson, Assistant Corporation Counsel, highlights that under *N.J.A.C. 4A:2-2.7*, an employee may be suspended indefinitely when formally charged with a crime. It states that Woodson's immediate and indefinite suspension stemmed from criminal charges in March 2022. The appointing authority emphasizes that the fact that criminal charges were dismissed does not negate the fact that administrative charges can be implemented by the employer. It argues that Woodson's suspension should start from after the full adjudication of her criminal case in August 2022. The appointing authority attaches the notice from the court indicating that her criminal complaint was dismissed on August 31, 2022.

In reply, Woodson reiterates her request for the Commission to set the start date of her suspension. Additionally, she states that she has not received payment from the appointing authority since February 2022.

CONCLUSION

N.J.A.C. 4A:2-2.10(c) provides that where an employee, other than a municipal police officer, has been suspended based on a pending criminal complaint or indictment, following disposition of the charges, the employee shall receive back pay, benefits and seniority if the employee is found not guilty at trial, the complaint or indictment is dismissed, or the prosecution is terminated. *N.J.A.C. 4A:2-2.10(c)2* provides, in pertinent part, that where disciplinary action has been taken following disposition of the complaint or indictment, such items shall not be awarded in case of removal.

N.J.A.C. 4A:2-2.10(e) provides that unless otherwise ordered, an award of back pay, benefits and seniority shall be calculated from the effective date of the appointing authority's improper action to the date of the employee's actual reinstatement to the payroll.

In this matter, the record indicates that Woodson was indefinitely suspended effective March 22, 2022, due to an arrest. Thereafter, the criminal matter was dismissed on August 31, 2022. Further, in the Commission's September 4, 2024, decision, it ordered that Wood's subsequent removal on administrative charges be modified to a 60 working days suspension, and back pay was awarded 60 working days from the first day of separation until she was reinstated.

Regarding the appointing authority's position that Woodson's separation should start from after the adjudication of the criminal matter in August 2022, the back pay period is not based on the date of the dismissal of criminal charges. Rather,

it is based on the time Woodson was indefinitely suspended without pay. In other words, the improper action referred to in *N.J.A.C. 4A:2-2.10(e)* is the first date an individual is separated from employment without pay via disciplinary action. Moreover, *N.J.A.C. 4A:2-2.10(c)2* specifically provides where an indefinite suspension results in dismissed criminal charges, back pay for the indefinite suspension period is awarded unless there is a removal on subsequent administrative charges. Thus, where such removal is reversed, the rules support that back pay entitlement reverts to the beginning of the indefinite suspension. Similarly, where, as here, the removal is modified to a suspension, the rules support that back pay entitlement reverts to the period of time after the suspension is applied to the beginning of the indefinite suspension. Therefore, Woodson is entitled to back pay, benefits and seniority 60 working days from March 22, 2022, as set for in *N.J.A.C. 4A:2-2.10*.

ORDER

Therefore, it is ordered that Ranique Woodson's request for enforcement is granted. Per *N.J.A.C. 4A:2-2.10*, Woodson shall be awarded back pay, benefits and seniority from 60 working days after March 22, 2022, until her actual reinstatement.

The appointing authority shall make a good faith effort to fully comply with the Commission's September 4, 2024, decision, and this decision within 30 days of this decision. Failure to do so may subject it to fines or other penalties pursuant to *N.J.A.C. 4A:10-2.1*.

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 15TH DAY OF JANUARY, 2025



Allison Chris Myers
Chairperson
Civil Service Commission

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: Ranique Woodson
 Tiffany Stewart
 Hugh Thompson, Assistant Corporation Counsel
 Division of Agency Services
 Records Center