



STATE OF NEW JERSEY

In the Matter of Stephen Szeles,
Supervising Medical Security Officer
(PS5107H), Ann Klein Forensic
Center, Department of Health

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

Administrative Appeal

CSC Docket No. 2026-566

ISSUED: April 8, 2026 (HS)

Stephen Szeles, represented by Stuart J. Alterman, Esq., appeals his nonappointment on the Supervising Medical Security Officer¹ (PS5107H), Ann Klein Forensic Center, Department of Health, eligible list.

The appellant appeared as the third ranked non-veteran eligible on the subject eligible list, which promulgated on April 3, 2025 and expires on April 2, 2027. A certification, consisting of the names of 17 eligibles, was issued on April 3, 2025 (PS250561) with the appellant listed in the third position. In disposing of the certification, the appointing authority requested that the appellant's name be retained on the eligible list and that he be recorded as being interested for future certifications only. In this regard, at 8:36 a.m. on July 7, 2025, the appellant wrote and email to the appointing authority as follows:

I am writing to formally accept the position of Assistant Supervisor.² I am honored by the opportunity to contribute to the team in this new capacity and am eager to fulfill the responsibilities associated with this role to the best of my abilities.

¹ Effective February 21, 2026, the title was renamed Medical Security Officer 3.

² Agency records indicate that the appellant received a permanent appointment to the title of Assistant Supervising Medical Security Officer, effective July 26, 2025, from the April 3, 2025 certification (PS250559) issued from the Assistant Supervising Medical Security Officer (PS5103H) eligible list. It is noted that the Assistant Supervising Medical Security Officer title was renamed Medical Security Officer 2 effective February 21, 2026.

Additionally, I would like to acknowledge that by accepting the Assistant Supervisor position, I am not withdrawing myself from the Supervisor list. It is important that my name remains active on the list, as I value the ongoing involvement and responsibilities that come with being a part of that group.

Thank you for your consideration and trust in my capabilities. I look forward to continuing my work with the team and contributing to our collective success. Please let me know if there are any additional steps or documentation required as I transition into this new and exciting role.

The disposition of the certification was recorded by this agency on August 20, 2025.

On appeal to the Civil Service Commission, the appellant proffers that it is a “material error” to say that he was not interested. He maintains that it appears as though he should have been appointed and not “skipped.” He was “always” interested in the position. The appellant further asserts that he took the Assistant Supervising Medical Security Officer position because he took both tests and was appointed in the assistant position. However, he states that he also wrote a “letter”³ indicating that he was very interested in being appointed to the higher position in question.

The appointing authority, though provided the opportunity to do so, did not submit a response.

CONCLUSION

N.J.S.A. 11A:4-8, *N.J.S.A.* 11A:5-7, and *N.J.A.C.* 4A:4-4.8(a)3ii allow an appointing authority to select any of the top three interested eligibles on a promotional list, provided that no veteran heads the list. Moreover, the appellant has the burden of proof in this matter. *See N.J.A.C.* 4A:2-1.4(c).

Upon review, it is noted that the appointing authority properly returned the subject certification indicating that the appellant’s name be retained on the eligible list and that he be recorded as being interested for future certifications only, based on his email of July 7, 2025. In that correspondence, the appellant “formally accept[ed] the position of [Assistant Supervising Medical Security Officer];” stated that “I am not withdrawing myself from the [Supervising Medical Security Officer] list;” (emphasis added); and noted that “[i]t is important that *my name remains active on the list*” (emphasis added). Based on these statements, the appointing authority properly concluded that, with respect to the Assistant Supervising Medical Security Officer eligible list, the appellant was stating his current interest in the position and

³ It is noted that although the appellant’s appeal indicates that he wrote a “letter,” the record only includes the July 7, 2025 email.

that, with respect to the Supervising Medical Security Officer eligible list, he was only expressing his wish that his name not be removed. Thus, the appointing authority's disposition of the appellant's name on the Supervising Medical Security Officer eligible list was appropriate notwithstanding arguments now being made on appeal. In other words, to the extent that the appellant is claiming that he expressed interest in a current appointment as a Supervising Medical Security Officer in his July 7, 2025 correspondence, it is a candidate's responsibility to express a clear, unambiguous statement expressing such interest, which he did not provide. It should also be noted that the appellant did not possess a vested property interest in the position by virtue of his placement on the eligible list. *See Nunan v. Dep't of Pers.*, 244 *N.J. Super.* 494, 497 (App. Div. 1990) (“[A] person who successfully passes an examination and is placed on an eligible list does not thereby gain a vested right to appointment”) (quoting *In re Crowley*, 193 *N.J. Super.* 197, 210 (App. Div. 1984)). Accordingly, there is not a sufficient basis to grant the appellant's appeal of his nonappointment as he has not met his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal 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 8TH DAY OF APRIL, 2026



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