



STATE OF NEW JERSEY

In the Matter of Darlene Johnson,
Essex County

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

CSC Docket No. 2026-1665

Administrative Appeal

ISSUED: August 12, 2026 (HS)

Darlene Johnson requests relief regarding her reemployment with Essex County (County).

As background, the appellant began employment with the County as a Family Service Worker (FSW), effective March 19, 2001, and resigned in good standing, effective September 16, 2024. Later, the appellant received a permanent appointment to the FSW title from a regular reemployment list, effective June 2, 2025.

On appeal to the Civil Service Commission (Commission), the appellant indicates that prior to her reemployment, the County advised her that her seniority would remain the same. However, four months after returning, the County informed her that the previous advice was erroneous and that seniority would only commence effective June 2, 2025, not March 19, 2001. The appellant states that if she had known this before, she never would have returned to the County and argues that it is the County that should “eat” this. The appellant questions how June 2, 2025 could be her seniority date when the initial advice from the County said otherwise. She expresses concern over the implications her seniority date has in the event of a layoff. The appellant also claims that she knows of other employees who left and returned with the same seniority. She requests that this unfair situation be looked into.

CONCLUSION

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. A regular reemployment list shall be subject to certification to all appointing authorities in a jurisdiction.

N.J.A.C. 4A:4-7.10(d) provides that *seniority commences as of the date of regular reemployment.*

Upon review, the Commission finds that the County's initial erroneous advice as to when seniority would commence does not bind the Commission and cannot supersede the governing regulation as no vested or other rights are accorded by an administrative error. *See, e.g., Cipriano v. Department of Civil Service*, 151 *N.J. Super.* 86 (App. Div. 1977); *O'Malley v. Department of Energy*, 109 *N.J.* 309 (1987); *HIP of New Jersey v. New Jersey Department of Banking and Insurance*, 309 *N.J. Super.* 538 (App. Div. 1998). As such, the appellant's seniority commenced June 2, 2025, the date of her regular reemployment, per *N.J.A.C.* 4A:4-7.10(d). The situations of other unnamed employees are not before the Commission and have no bearing here.

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 12TH DAY OF AUGUST, 2026



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