



STATE OF NEW JERSEY

In the Matter of Sykeema Bell,
Judiciary, Vicinage 7-Mercer County

CSC Docket No. 2026-307
OAL Docket No. CSV 14608-25

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

ISSUED: September 2, 2026

The appeal of Sykeema Bell, a Probation Officer, with the Judiciary, Vicinage 7-Mercer County, of her 10 working day suspension, on charges, was heard by Administrative Law Judge Andrea Specak (ALJ), who rendered her initial decision on August 6, 2026. No exceptions were filed.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, the Civil Service Commission (Commission), at its meeting on September 2, 2026, adopted the ALJ's Findings of Facts and Conclusions of Law and her recommendation to reverse the 10 working day suspension.

Since the suspension has been reversed, the appellant is entitled to 10 working days of back pay, benefits, and seniority pursuant to *N.J.A.C. 4A:2-2.10*. Moreover, the appellant is entitled to reasonable counsel fees pursuant to *N.J.A.C. 4A:2-2.12*.

This decision resolves the merits of the dispute between the parties concerning the disciplinary charges and the penalty imposed by the appointing authority. However, per the Appellate Division's decision, *Dolores Phillips v. Department of Corrections*, Docket No. A-5581-01T2F (App. Div. Feb. 26, 2003), the Commission's decision will not become final until any outstanding issues concerning counsel fees are finally resolved.

ORDER

The Civil Service Commission finds that the action of the appointing authority in suspending the appellant was not justified and reverses that action. The Commission further orders that the appellant be granted 10 working days of back pay, benefits, and seniority. The amount of back pay awarded is to be reduced as

provided for in *N.J.A.C.* 4A:2-2.10(d)3. The Commission also orders reasonable counsel fees pursuant to *N.J.A.C.* 4A:2-2.12(a). Proof of income earned, and an affidavit in support of reasonable counsel fees shall be submitted by or on behalf of the appellant to the appointing authority within 30 days of issuance of this decision.

Pursuant to *N.J.A.C.* 4A:2-2.12(b), the parties shall make a good faith effort to resolve any dispute as to the amount of counsel fees.

The parties must inform the Commission, in writing, if there is any dispute as to counsel fees within 60 days of issuance of this decision. In the absence of such notice, the Commission will assume that all outstanding issues have been amicably resolved by the parties and this decision shall become a final administrative determination pursuant to R. 2:2-3(a)(2). After such time, any further review of this matter shall be pursued in the Superior Court of New Jersey, Appellate Division.

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 2ND DAY OF SEPTEMBER, 2026



Mary Cruz
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Shannon L. Dalton
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. CSV 14608-25

AGENCY DKT. NO. 2026-307

**IN THE MATTER OF SYKEEMA BELL,
SUPERIOR COURT OF NEW JERSEY,
MERCER VICINAGE.**

Judith Amorski, Esq., for appellant Sykeema Bell (The Law Office of Judith Amorski)

Susanna Morris, Esq., for respondent Superior Court of New Jersey, Mercer Vicinage (Counsel's Office, Administrative Office of the Courts, attorneys)

Record Closed: June 22, 2026

Decided: August 6, 2026

BEFORE **ANDREA SPEVAK**, ALJ:

STATEMENT OF THE CASE

On September 16, 2024, Kayleigh Johannemann, a senior probation officer for respondent, the Superior Court, Mercer Vicinage, reported that appellant, Sykeema Bell, also a probation officer for respondent, made racially discriminatory statements upon meeting a new colleague. However, a preponderance of the evidence does not exist that Bell made such statements. Must the Superior Court discipline Bell for what

Johannemann reported? No. To discipline a public employee for misconduct, the public employee must have engaged in misconduct. See N.J.A.C. 4A:2-2.3.

PROCEDURAL HISTORY

On February 4, 2025, the Superior Court served Bell with a Preliminary Notice of Disciplinary Action. In the notice, the Superior Court alleges that Bell engaged in conduct unbecoming a public employee in violation of N.J.A.C. 4A:2-2.3(a)(6) for making racially discriminatory statements, and other sufficient cause in violation of N.J.A.C. 4A:2-2.3(a)(12) for violating the Superior Court's Equal Employment Opportunity and Affirmative Action policy. In its specifications, the Superior Court alleges that Bell stated, "[Is] he going to be sitting at the front desk, because it isn't for everyone, really a certain shade," in reference to a colleague.

On May 5, 2025, and May 9, 2025, the Superior Court held a department hearing.

On July 22, 2025, the Superior Court served Bell with a Final Notice of Disciplinary Action upholding all the charges and specifications in the Preliminary Notice of Disciplinary Action and suspending Bell for ten working days, effective July 28, 2025.

On July 25, 2025, Bell appealed the determination to the Civil Service Commission.

On August 7, 2025, the Civil Service Commission transmitted this case to the Office of Administrative Law, where it was filed as a contested case under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the act establishing the Office of Administrative Law, N.J.S.A. 52:14F-1 to -13, for a hearing under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1 to -21.6.

On May 5, 2026, I held the hearing but kept the record open for written summations.

On June 22, 2026, I received the written summations and closed the record.

DISCUSSION AND FINDINGS OF FACT

On September 16, 2024, Zaire Bellamy, judiciary clerk 2, started a new job working at the front desk of the probation unit in the Superior Court, Mercer Vicinage. Bellamy, who is black, previously worked in the court's child support unit. Bellamy's new position was client-facing and involved talking to members of the public.

Around 9 a.m., Maria Denis, clerical supervisor, walked Bellamy through the office to meet his colleagues, most of whom were probation officers, including Bell. When Bellamy walked past Bell's cubicle, Bellamy and Bell engaged in a brief and friendly conversation. Bell welcomed Bellamy to the unit and asked Bellamy if he could handle his new job. Bell told Bellamy that the role is not for everybody. Bellamy laughed and said that he could do the job. Both Bellamy and Bell heard someone yell, "Don't scare [Bellamy] away."

At 9:55 a.m., Johannemann texted Michael Nicolini, senior probation officer, "Did you hear the racist comment [Bell] made[?] She asked if [Bellamy] was sitting by the window. [Bell] goes, 'It's not for everyone, really a certain shade.' Nicolini responded, 'I did hear that.'"

Later that morning, Johannemann reported to her supervisor, Ellis Tamasi, that Bell said, "Is he going to be sitting at the front desk, because it isn't for everyone, really a certain shade."

That same day, Cara Giovinazzo, the vicinage's equal employment opportunity and affirmative action officer, opened an investigation into Johannemann's allegation against Bell, including Bell saying the word "shade."

The next day, on September 17, 2024, Giovinazzo interviewed Johannemann. Johannemann maintained that she heard Bell say, "Is he going to be sitting at the front desk, because it isn't for everyone, really a certain shade," and named Nicolini as a witness.

On September 27, 2024, Giovinazzo interviewed Nicolini. Later that day, Giovinazzo emailed Nicolini asking if he heard Bell say, “Is he going to be sitting at the front desk, because it’s not for everyone, really a certain shade.” The same day, Nicolini responded “yes.”

On November 19, 2024, almost two months later, Giovinazzo interviewed Bell. This was the first time Bell learned of the allegations against her. Bell denied that she said the word “shade” in reference to Bellamy or anyone else.

Also on that same day, Giovinazzo interviewed Maria Denis, who denied hearing anyone say “shade.”

At the hearing, Johannemann testified that Bell said “shade,” but neither Bell, Bellamy, nor Nicolini testified that Bell said it. In addition, Johannemann was not a participant in Denis’s introduction of Bellamy to Bell. In fact, Johannemann sat several cubicles away from Bell when Denis made the introduction. As such, a preponderance of the evidence does not exist that Bell said what Johannemann alleges Bell said that day. Accordingly, I **FIND** that Bell did not say, “Is he going to be sitting at the front desk, because it isn’t for everyone, really a certain shade.”

DISCUSSION AND CONCLUSIONS OF LAW

In New Jersey, a public employee may be subject to major discipline, which includes suspension of more than five working days at one time, for improper conduct, including conduct unbecoming a public employee, N.J.A.C. 4A:2-2.3(a)(6), and other sufficient cause, N.J.A.C. 4A:2-2.3(a)(12).

In appeals concerning major disciplinary action, the appointing authority bears the burden of proof. N.J.A.C. 4A:2-1.4(a). The burden of proof is by a preponderance of the evidence, Atkinson v. Parsekian, 37 N.J. 143, 149 (1962), and the hearing is de novo, Henry v. Rahway State Prison, 81 N.J. 571, 579 (1980). On such appeals, the Civil Service Commission may increase or decrease the penalty, N.J.S.A. 11A:2-19, and the

concept of progressive discipline guides that determination, In re Carter, 191 N.J. 474, 483–86 (2007).

In this case, a preponderance of the evidence does not exist that Bell engaged in the misconduct for which she is charged. Johannemann alleges that Bell said, “[Is] he going to be sitting at the front desk, because it isn’t for everyone, really a certain shade,” in reference to a colleague, but I found that a preponderance of the evidence does not exist that Bell said it. Since a preponderance of the evidence does not exist that Bell said what is alleged, I **CONCLUDE** that a preponderance of the evidence does not exist that Bell engaged in conduct unbecoming a public employee in violation of N.J.A.C. 4A:2-2.3(a)(6), for making racially discriminatory statements, and other sufficient cause in violation of N.J.A.C. 4A:2-2.3(a)(12), for violating the Superior Court’s Equal Employment Opportunity and Affirmative Action policy.

ORDER

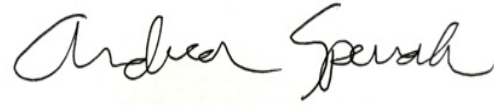
Given my findings of fact and conclusions of law, I **ORDER** that this case is **DISMISSED** and that Bell be **AWARDED** all back pay, seniority, counsel fees, and costs.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312**, marked

“Attention: Exceptions.” A copy of any exceptions must be sent to the judge and to the other parties.

A handwritten signature in black ink, reading "Andrea Spevak", is positioned above a horizontal line.

August 6, 2026

DATE

ANDREA SPEVAK, ALJ

Date Received at Agency:

August 6, 2026

Date Mailed to Parties:

August 6, 2026

AS/gd

APPENDIX

Witnesses

For Appellant:

Sykeema Bell

Zaire Bellamy

For Respondent:

Kayleigh Johannemann

Michael Nicolini

Ellis Tamasi

Cara Giovinazzo

Michelle Gilbert

Exhibits

For Appellant:

None

For Respondent:

R-1 Email exchange between Giovinazzo and Johannemann dated September 17, 2025, and September 18, 2025

R-2 Email between Giovinazzo and Tamasi dated September 23, 2024, and September 24, 2024

R-3 Email exchange between Giovinazzo and Nicolini dated September 27, 2024

R-4 Email exchange between Giovinazzo and Johannemann dated September 27, 2024

R-5 Email exchange between Giovinazzo and Bell dated November 19, 2024

R-6 Email exchange between Giovinazzo and Denis dated November 19, 2024

- R-7 Revised Judiciary Policy Statement on Equal Employment Opportunity, Affirmative Action, and Anti-Discrimination
- R-8 Judiciary Learning Management System transcript for Bell
- R-9 Preliminary Notice of Disciplinary Action dated February 4, 2025
- R-10 Final Notice of Disciplinary Action dated July 22, 2025
- R-11 Recommended decision of department hearing officer
- R-12 Text messages between Johannemann and Nicolini dated September 16, 2025