



## CONCLUSION

*N.J.A.C.* 4A:4-2.9(a) provides that make-up examinations, except for police, fire and professional level engineering promotional examinations, may be authorized for the following reasons: (1) error by the Civil Service Commission or appointing authority; (2) serious illness or disability of the candidate on the test date, provided the candidate submits a doctor's certificate specifying that the candidate was not able to take the test on that day for medical reasons; (3) documented serious illness or death in the candidate's immediate family; (4) natural disaster; (5) prior vacation or travel plans outside of New Jersey or any contiguous state, which cannot be reasonably changed, as evidenced by a sworn statement and relevant documentation; and (6) other valid reasons.

A review of the record finds that the appellant received notice on June 25, 2014 to appear for the Administrative Analyst (M0864R) exam on July 10, 2014. As he was going to be out-of-state at that time on a pre-planned vacation to California, he requested a make-up examination. Since he provided documentation and it satisfied the criteria, his request for a make-up exam was granted. The make-up examination was then scheduled for July 24, 2014. The appellant did not provide his entire travel itinerary which indicated he would not be returning to New Jersey until July 28, 2014. After his return, by letter dated August 12, 2014, he requested another make-up examination, and submitted his entire trip itinerary in support of his request. This time, the Division of Selection Services denied his request since it was received more than five days from when he was notified of the July 24, 2014 make-up examination.

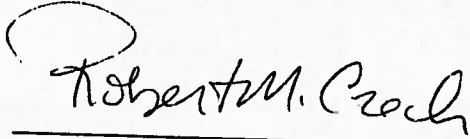
The Commission finds plausible the appellant's assertion that he did not realize the make-up examination would be scheduled so quickly. Additionally, the documentation supports the fact that the appellant would be out-of-state on a pre-planned vacation to California for the period July 6, 2014 through July 28, 2014. Had the appellant had the foresight to submit all of this information initially, a make-up examination would have been scheduled for a later date. However, the appellant did attempt to rectify the situation. The Commission is also mindful that even if the appellant had requested a make-up examination the day he returned from his trip, the request would have still been considered untimely by the Division of Selection Services. Under these unique circumstances, the Commission finds that the appellant should be granted a make-up examination.

## ORDER

Therefore, it is ordered that this appeal be granted and the appellant be scheduled for a make-up examination.

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 19TH DAY OF NOVEMBER, 2014**



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