



Commission, Mr. Rizk reiterates this information and submits a copy of the towing report dated November 9, 2013 which indicated that the auto body shop had been called at 7:12 AM and the car was serviced at 8:45 AM.

N.J.A.C. 4A:4-2.9(c), (Make-up examinations), provides that make-up examinations for police, fire, correction officer, sheriff's officer, juvenile detention officer, and other public safety open competitive and promotional examinations, may be authorized only in cases of: 1) death in the candidate's immediate family; 2) error by this agency or the appointing authority; or 3) a catastrophic health condition or injury, which shall be defined as either: i) a life-threatening condition or combination of conditions; or ii) a period of disability required by the candidate's mental or physical health or the health of the candidate's fetus which requires the care of a physician who provides a medical verification of the need for the candidate's absence from work for 60 or more work days. It is noted that the resultant eligible list of the names of 20,422 passing candidates was issued in May 2014.

### CONCLUSION

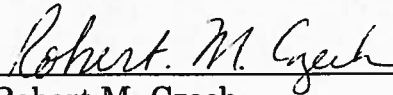
The record establishes that appellant was scheduled to take the subject examination on November 9, 2013 and did not do so. The examination was scheduled for 8:30 AM, and the appellant did not arrive until several hours later. In the present matter, the appellant has submitted documentation that his car was disabled on the morning of the test date, and that it was repaired two days later. Based on the unique facts of this case, good cause exists to afford the appellant a make-up examination under *N.J.A.C. 4A:4-2.9(a)7* for prospective appointment only.

### ORDER

Therefore, it is ordered that this appeal be granted, and that the appellant be given 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  
THE 17<sup>th</sup> DAY OF DECEMBER, 2014

  
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