

B-9



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Elizabeth Bowman,
Department of Children and Families
and

Request for Rule Relaxation

CSC Docket No. 2015-1910

ISSUED: FEB - 6 2016 (WR)

The Department of Children and Families (DCF), on behalf of Elizabeth Bowman, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit Ms. Bowman to retroactively donate 19 sick days to Keith Dienes.

Mr. Dienes is an approved recipient of donated leave and is currently participating in the program. The appointing authority indicates that Ms. Bowman left State service, effective January 1, 2015, and wishes to donate the full balance of her sick leave, 19 days, to Mr. Dienes.

N.J.A.C. 4A:6-1.22 (Donated Leave Program) states, in pertinent part, that in State service, a leave recipient shall receive no more than 260 sick or vacation days, and shall not receive any such days on a retroactive basis. Additionally, *N.J.A.C.* 4A:6-1.22(d) provides that a leave donor may not donate more than 30 such days to any one recipient and that a leave donor shall have remaining at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

DCF on behalf of Ms. Bowman, seeks approval to allow her to donate all of her sick leave time upon her resignation even though she will not have 20 sick days remaining as required by *N.J.A.C.* 4A:6-1.22(d). Based on the particular

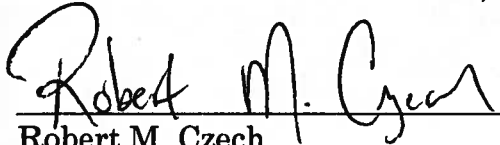
circumstances presented, namely that Ms. Bowman has left State service and has no need for the balance of her sick days, good cause exists to permit Ms. Bowman to retroactively donate her remaining 19 sick days to Mr. Dienes.

ORDER

Therefore, it is ordered that this request be granted.

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 4th DAY OF FEBRUARY, 2015**



**Robert M. Czech
Chairperson
Civil Service Commission
Inquiries
and
Correspondence**

**Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Records Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312**

**c: Elizabeth Bowman
Linda Dobron
Kenneth Connolly
Joseph Gambino**