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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Winnie Boen,
Department of Children and Families

CSC Docket No. 2015-3301

Request for Rule Relaxation

ISSUED: ~~JUL~~ 20 2015 (LDH)

The Department of Children and Families, on behalf of Winnie Boen, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22(d) so as to permit Boen to donate more than 30 sick days to C.O., who is participating in the donated leave program.

Boen, an employee at the Department of Children and Families, had previously donated 30 sick days to C.O. on April 28, 2015. Boen is expected to retire on October 1, 2015, and will have approximately 83 sick days in excess of the maximum necessary to receive the full amount of supplemental compensation on retirement. Although Boen wishes to donate those 83 days to C.O., she had previously donated 30 sick days to C.O. on April 28, 2015. Thus, the appointing authority requests that Boen be permitted to donate an additional 83 days.

N.J.A.C. 4A:6-1.22(d) provides that, under the donated leave program, 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

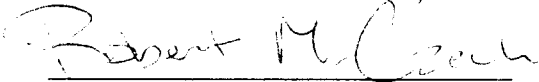
The Department of Children and Families, on behalf of Winnie Boen, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit Boen to donate 83 sick days to C.O., an approved recipient of donated leave. Based on the particular circumstances presented, namely that C.O. is a current participant of the donated leave program and Boen will have more than the minimum amount of sick leave upon donation, good cause has been established to relax the provisions of *N.J.A.C.* 4A:6-1.22 to permit Boen to donate to C.O., 83 sick days.

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 15th DAY OF JULY, 2015



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Chairperson
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and
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