

CONCLUSION

N.J.A.C. 4A:1-1.2(c) states that the Commission may relax a rule for good cause in particular situations, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

N.J.A.C. 4A:6-1.10(a)1 provides, in pertinent part that an appointing authority, with this agency's approval, may grant a leave of absence without pay to non-permanent career service State employees for exceptional situations. Such leaves shall not exceed six biweekly pay periods, or the equivalent, and shall not continue beyond termination of the appointment. Such leaves may be extended up to an additional six months, upon request of the appointing authority and written approval by the Chairperson or designee, in cases of personal illness and disability.

In the instant matter, there is no basic factual dispute but, rather, the central issue involves extending a leave of absence without pay. Graf was appointed as a Correction Officer Recruit in June 2017, and through no fault of his own, was medically required to leave employment in September 2017, without completing his working test period. Corrections would like to retain this employee due to the amount of resources committed in his training and employment. Under these circumstances, good cause exists to provide Graf with a leave of absence without pay to February 1, 2019, the date that it is expected that he will be medically cleared to return to work.

ORDER

Therefore, it is ordered that the request be granted, and Joseph Graf be provided with a leave of absence without pay to February 1, 2019. Graf's personnel record should be amended in accordance with this decision.

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 20th DAY OF JUNE, 2018



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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