

## STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Samira Washington, Human Services Specialist 2 (PC0343W), Atlantic County

CSC Docket No. 2019-161

**Examination Appeal** 

**ISSUED:** August 3, 2018 (RE)

Samira Washington appeals the determination of the Division of Administrative Services (Administrative Services) denying her request for a make-up examination for Human Services Specialist 2 (PC0343W), Atlantic County.

The appellant was scheduled to take the subject examination on June 21, 2018. On June 13, 2018, the appellant faxed a request to take a make-up examination stating that her only daughter was going to graduate from high school on June 21, 2018. Administrative Services denied this request as it did not meet that criteria listed in *N.J.A.C.* 4A:4-2.9. On appeal, the appellant submits documentation regarding the date of the graduation, and her relationship to the graduate, and she indicates that she was forced to choose between her daughter's graduation and taking the examination. It is noted that this examination was competitive with 22 eligible candidates.

N.J.A.C. 4A:4-2.9(a), (Make-up examinations), provides that make-up examinations, except for professional level engineering promotional examinations and public safety open competitive and promotional examinations, may be authorized only in cases of: 1) Error by the Commission or the 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.

## CONCLUSION

The record establishes that the appellant was scheduled to take the examination on June 21, 2018 and did not do so. Given that this was the graduation ceremony for a high school, the appellant could not have changed the date. Her request was timely, and although the circumstances do not technically meet the criteria or a make-up pursuant to *N.J.A.C.* 4A:4-2.9(a), good cause exists to relax the governing provision. Thus, the appellant should be provided with a make-up examination.

## **ORDER**

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

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 1st DAY OF AUGUST, 2018

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