

attention and presence. Due to the emotional distress and logistical arrangements involved in handling her passing, I regrettably missed the Civil service exam.” In support of his appeal, the appellant provides a copy of the above noted memorial pamphlet.

During the appeal process, the appellant was provided with the opportunity to provide documentation evidencing the date of funeral and his attendance at the funeral and any additional information regarding how his aunt would meet the definition of “immediate family” pursuant to *N.J.A.C.* 4A:1-1.3. However, in a response sent on October 26, 2023, via email the appellant indicates, “Regrettably, no additional documentation can be provided at this time.” He further requests “the transfer of credit from a previous missed exam to any other future exams . . . Transferring this credit would greatly expedite the upcoming exam’s registration requirements.”

CONCLUSION

N.J.A.C. 4A:4-2.9(a) provides that make-up examinations for open competitive and general promotional testing may be authorized for the following reasons: 1. Error by the Civil Service Commission (Commission) or 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; 6. When required for certain persons returning from military service (*see N.J.A.C.* 4A:4-4.6A); and 7. Other valid reasons. *N.J.A.C.* 4A:1-1.3 defines immediate family as an employee’s spouse, domestic partner (*see* section 4 of P.L. 2003, c. 246), civil union partner, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives residing in the employee’s household or any other individual whose close association with the employee is the equivalent of a family relationship, such as a step-relative. *N.J.A.C.* 4A:2-1.4(c) provides that the appellant has the burden of proof in an appeal of this type.

In the present matter, the appellant has failed to provide adequate documentation. In this regard, in his initial request and on appeal, the appellant did not provide any documentation regarding the date of the funeral or any documentation evidencing his attendance at the funeral. While the Commission empathizes with the appellant’s circumstances, he has presented no valid basis to grant his appeal.

With regard to the application processing fee, *N.J.A.C. 4A:4-2.17(e)* provides that the fee required for each application for an open competitive or promotional examination is for processing purposes and that it does not guarantee that applicant will be admitted to an examination, or, if admitted, appointed to the position. In addition, the fee is not transferable and is not refundable, except in cases of the cancellation of the examination or untimely filing of an application. As such, his request to transfer the fee cannot be granted.

ORDER

Therefore, it is ordered that this appeal be denied.

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 22ND DAY OF NOVEMBER, 2023



Allison Chris Myers
Chairperson
Civil Service Commission

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