



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Andrea Portovedo
Hollen, Administrative Analyst 4
(PS1264K) and Program Specialist 4
(PS1280K), Department of Human
Services

Examination Appeals

CSC Docket Nos. 2024-1974 and 2024-
1975

ISSUED: December 18, 2024 (MC)

Andrea Portovedo Hollen requests a make-up examination for the promotional examinations for Administrative Analyst 4 (PS1264K) and Program Specialist 4 (PS1280K), Department of Human Services.

By way of background, the subject examinations were administered simultaneously as a supervisory test battery (STB) and which was originally held on November 14, 2023. Subsequently, on November 17, 2023, the appellant submitted make-up requests, stating that she had been hospitalized since November 6, 2023 and that her date of discharge was yet to be determined. The appellant's request was granted, and she was re-scheduled to take the examinations on January 17, 2024. On January 17, 2024, the appellant appeared and took the examination. The appellant failed the examination.¹

In her appeal dated March 27, 2024, the appellant maintains that during the January 17, 2024 examination, she began to experience fatigue, was feverish and felt disoriented. The appellant maintains that she told the monitor she was not feeling well and she claims she was told that since she already started the examination, she needed to do the best she could.² The appellant submits a physician's note, dated

¹ For the STB, candidates are told at the end of the test, their raw score and whether they passed or failed, and they are sent an email notifying them of the same. Later, they are sent a notice with their converted score, and reiterating whether they passed or failed.

² There is no record in the monitor's notes or the Center Supervisor's Report of the appellant's complaint.

January 23, 2024, stating she was discharged from the hospital on January 17, 2024 and that due to her medical condition she had experienced unexpected adverse reactions which caused her to do poorly.

CONCLUSION

N.J.A.C. 4A:4-2.9(a) provides that make-up examinations, except for professional level engineering promotional examinations and public safety open competitive and promotional examinations, may be authorized for the following reasons:

1. Error by Civil Service 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;
6. When required for certain persons returning from military services (*see N.J.A.C.* 4A:4-4.6A); and
7. Other valid reasons.

N.J.A.C. 4A:4-6.3(b) provides, in pertinent part, that the appellant shall have the burden of proof in examination appeals. *N.J.A.C.* 4A:4-2.14(a) (Accommodation and waiver of examinations for persons with disabilities) states that otherwise qualified applicants with disabilities may request an accommodation in taking an examination by indicating their request for accommodation on the application.

In this matter, the appellant asserts that she did not feel well while taking the test. According to agency records, the appellant did not request any ADA accommodations or a make-up prior to taking the examination on January 17, 2024.. As noted earlier, a review of the monitor's notes and the Center Supervisor's Report do not evidence that the appellant raised concerns at the test center on the night of the examination.

While the Civil Service Commission is sympathetic to the appellant's claims, she has already been exposed to the testing material. To provide an opportunity to again take the examination that she has already been exposed to, would create an unfair advantage over the other applicants. Finally, it is also apparent that the appellant was familiar with the procedure for requesting a make-up as she had

previously done so for this examination. Thus, the appellant's situation does not meet the criteria for a make-up examination.

ORDER

Therefore, it is ordered that this request 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 18TH DAY OF DECEMBER, 2024



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