



STATE OF NEW JERSEY

In the Matter of Diana Sanchez-
Romero, Claims Reviewer (S1265E),
Statewide

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

CSC Docket Nos. 2025-2613

Examination Appeal

ISSUED: July 23, 2025 (SLK)

Diana Sanchez-Romero requests to take a make-up examination for the Claims Reviewer (S1265E), Statewide open competitive examination.

By way of background, 57 individuals applied for the subject examination and 23 were initially admitted. Additionally, although Sanchez-Romero was initially determined ineligible, on appeal, she was subsequently admitted. On February 13, 2025, notice was sent indicating that the subject examination was to be administered on March 11, 2025. Thereafter, Sanchez-Romero was determined to be ineligible as she did not appear for the subject test. Subsequently, the subject eligible list promulgated on April 10, 2025, with 12 eligibles, and expires on April 9, 2027. On April 14, 2025, nine names were certified to the Division of Aging Services, Department of Human Services, on certification OS250194, and its disposition is due July 14, 2025. Additionally, on April 14, 2025, six names were certified to the Department of Health on certification OS250199, and its disposition is due July 14, 2025. It is noted that Sanchez-Romero has been provisionally serving in the subject title for the Department of Health since May 8, 2023, and the Department of Health does not have any other provisionals serving in the subject title.

On appeal, Sanchez-Romero explains that she broke her ankle on March 3, 2025, which required emergency surgery and hospitalization for two weeks. Thereafter, she was transported to a rehabilitation facility. Sanchez-Romero notes that during her hospital and rehabilitation stays, she took pain medication and was unable to subsequently respond. She highlights that she has been provisionally

serving in the subject title since April 14, 2023,¹ and asserts that she has been anxiously awaiting permanent appointment. Additionally, Sanchez-Romero submits an emailed notice that she received from this agency on March 4, 2025, which provided notice and instructions regarding the March 11, 2025, subject test administration date. The email also stated, “I understand you may want to request a makeup, so I provided the makeup process instructions below...Feel Better Soon and Good Luck to you!” Further, Sanchez-Romero attaches a March 12, 2025, doctor’s note indicating that she was still admitted at that time, but the doctor opined that she could work remotely while recovering. Moreover, she provides her discharge summary which states that she was discharged on March 31, 2025. Sanchez-Romero emphasizes that since her accident, she cannot not put weight on her ankle, which makes it difficult for her to move. She indicates that she is now in a wheelchair recovering.

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 (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:4-2.9(e) provides, in pertinent part, that a candidate must request, in writing, a make-up examination, within five days after the examination date due to one of the valid reasons set forth in (a) above, as applicable. However, a candidate must submit a written request for a make-up examination within five days of receipt of the examination notice in case of one of the valid reasons set forth in (a) above, as applicable, of which a candidate is aware upon receipt of the examination notice.

¹ As stated above, personnel records indicate that Sanchez-Romero’s provisional service began on May 8, 2023, and not April 14, 2023, as stated in her appeal.

Moreover, *N.J.A.C.* 4A:2-1.1(b) provides that, unless a different time period is stated, an appeal must be filed within 20 days after either the appellant has notice or should reasonably have known of the decision, situation or action being appealed.

In this matter, the record indicates that Sanchez-Romero made some type of inquiry to this agency about the possibility of requesting a make-up for the subject examination as she received an email from this agency on March 4, 2025, which, along with the test administration date and instructions, stated that she should feel better soon, she may want to request a make-up test date, and it provided that she needed to request a make-up test within five days. Therefore, the record is unclear as to why Sanchez-Romero did not request a make-up at that time. Regardless, her doctor opined that while she was recovering, she could work remotely. Additionally, the discharge summary stated that Sanchez-Romero was discharged on March 31, 2025. Therefore, since she could work remotely upon discharge, even looking at her request in the most favorable light, Sanchez-Romero was also capable of requesting a make-up test by or around April 1, 2025. However, the record indicates that her request for a make-up examination was not postmarked until May 23, 2025. Therefore, while Sanchez-Romero had a valid reason to request a make-up examination under *N.J.A.C.* 4A:4-2.9(a)2, her request is untimely under *N.J.A.C.* 4A:4-2.9(e) and *N.J.A.C.* 4A:2-1.1(b) and cannot be considered. While the Civil Service Commission is sympathetic to her circumstances, the fact that she was wheelchair bound while recovering is not a valid reason to excuse that she did not submit a request for a make-up examination around the same time that she was authorized to work remotely or within 20 days thereafter. Moreover, based on the number of eligibles, there is no basis to relax the rules.

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 23RD DAY OF JULY, 2025



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