



STATE OF NEW JERSEY

In the Matter of Z.C., Assistant
Training Supervisor County Welfare
Agency (PC4277F), Essex County

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

CSC Docket No. 2025-2510

Examination Appeal

ISSUED: July 23, 2025 (SLK)

Z.C. appeals the test administration of the Assistant Training Supervisor County Welfare Agency (PC4277F), Essex County promotional examination.¹

By way of background, the subject examination's closing date was August 21, 2024. Z.C. has been provisionally serving in the subject title since July 2023. Initially, a total of 31 candidates, including Z.C., applied for the subject examination, and seven were admitted. Z.C. did not indicate on her application that she needed an Americans with Disabilities Act (ADA) accommodation. Thereafter, on or around March 13, 2025, Z.C. was sent notice that the subject test would be administered on April 8, 2025. Subsequently, on March 24, 2025, Z.C. requested an ADA accommodation. On the subject test administration date, six candidates, including Z.C., sat for the examination, and one candidate failed to show. Additionally, on the subject test administration date, Z.C. was approved for the accommodations of extra-time, a separate room, and a hard copy of the test. However, Z.C. was also notified that if she sat for the test that night, she could only receive the accommodation of

¹ In Z.C.'s initial appeal, she also questioned the appropriateness of the subject examination being re-announced after testing was complete. In response, this agency sent Z.C. a letter explaining that there was a mistake in the initial announcement and, therefore, the re-announcement corrected the mistake, did not penalize the initial applicants, and only resulted in one additional candidate, whose make-up test is pending. In Z.C.'s follow-up to this agency's letter, she did not address that issue. Therefore, the Civil Service Commission (Commission) finds that she accepted this agency's explanation regarding that issue, and it is not addressing that issue on appeal.

extra time, and she would forfeit her ability to take the test later. In the alternative, Z.C. was given the choice to have her test rescheduled for another date where she could receive her full accommodation. Z.C. responded that she chose to sit for the test that night with only receiving extra time as her accommodation. The scoring and ranking on the subject examination have not yet been announced.

On appeal, Z.C. states that she submitted and received approval for ADA accommodations based on a documented disability. However, she provides that less than two hours before the test, she was informed that she would not receive all requested accommodations as she would only receive extra time, and she would not be permitted to reschedule or retake the test if she declined to take it that day. Z.C. asserts that the situation left her feeling pressured and confused, which triggered her disability-related impulsivity. She indicates that she panicked and chose to sit for the test despite not being provided all requested accommodations. Z.C. believes this circumstance was unfair and violated her rights under the ADA and the State's equal opportunity laws.

Z.C. explains that she did not request an ADA accommodation with her application because she had not been diagnosed with a disability at that time. However, after receiving a formal diagnosis in October 2024, she took appropriate steps and after receiving her test administration date notification on March 21, 2025, she immediately requested an ADA accommodation on March 24, 2025. Z.C. asserts that her request for an accommodation was submitted within a reasonable time given the short notice before the April 8, 2025, test administration date. She notes that her accommodation requests of extended time, a separate room, and a hard copy of the test were approved. However, she emphasizes that less than two hours before that test administration start time, she was advised that she would only receive her accommodation of extended time if she took the test that night or she could forfeit the opportunity to test that night, despite being approved for all her accommodation requests.

Z.C. reiterates her argument that this circumstance was deeply unfair and entirely inconsistent with the ADA's equal access. She contends that she was placed in an impossible position where she could either accept partial accommodations or risk not being allowed to test at all. Z.C. emphasizes that she felt blindsided, pressured, and triggered. She believes that she was not given a fair opportunity to perform under the same conditions as others despite her timely and approved request. Z.C. asserts that it is not accurate to imply that she caused the situation by delaying her request for an accommodation as she moved promptly and in good faith at every step. She argues that this agency failed to provide her accommodations that she was legally entitled to receive and there has been no accountability for that failure. Z.C. feels that this agency's rigid process does not make room for real-life circumstances. She encourages that this agency review how last-minute notices and logistical failures impact test-takers with disabilities, especially those who request accommodations after the application deadline.

Additionally, Z.C. submits documentation to demonstrate that she did not receive the subject test administration date notice until March 21, 2025, and not around March 13, 2025. Further, she explains that she did not receive the notice until she came home from work, after 4 P.M., and she contacted this agency on Monday, March 24, 2025, to request her accommodations. Therefore, she asserts that there was no delay on her part.

CONCLUSION

N.J.A.C. 4A:4-2.14(a) provides that otherwise qualified applicants with disabilities may request an accommodation in taking an examination by indicating their request for accommodation on the examination application.

N.J.A.C. 4A:4-2.14(a)1 provides that upon receipt of the request for accommodation, the Commission staff shall make reasonable accommodation where appropriate and notify the candidate of the arrangements.

N.J.A.C. 4A:4-2.14(b) provides that the Chairperson or designee may waive an examination for an otherwise qualified candidate or provisional with a physical, mental, or emotional affliction, injury, dysfunction, impairment, or disability that makes it physically or psychologically not practicable to undergo the testing procedure for a particular title but does not prevent satisfactory performance of the title's responsibilities under conditions of actual service.

N.J.A.C. 4A:4-2.14(b)1 provides that a request for waiver shall be in writing, filed with the Chairperson or designee and contain:

- i. The examination's title and symbol number, or in the case of a provisional, his or her title and employer;
- ii. A statement from an appointing authority utilizing the title that the individual can satisfactorily perform the duties of that title under actual conditions of service;
- iii. A physician's statement with supporting medical documentation;
- iv. Whether the individual has previously filed for or taken an examination for that title, the results, if any, and whether an accommodation has previously been made; and
- v. Agreement to undergo any additional physical or psychological examinations that the Chairperson or designee deems appropriate.

N.J.A.C. 4A:4-2.14(c) provides that if reasonable accommodation can be made, the waiver request will be denied, and arrangements will be made for such accommodation.

N.J.A.C. 4A:4-2.14(d) provides that if reasonable accommodation is not possible, the Chairperson or designee will decide whether to grant a waiver, and if granted, whether the candidate will be employed or placed on an eligible list and in appropriate cases, granted seniority.

In this matter, the record indicates that Z.C. submitted her application for the subject examination by the August 21, 2024, examination closing date. She explains that she did not request an ADA accommodation at that time since she was not diagnosed until October 2024. However, Z.C. also did not request an ADA accommodation at that time. Thereafter, Z.C. received the subject examination test administration date on Friday, March 21, 2025, after work, indicating that the test was scheduled to be administered on April 8, 2025. Subsequently, she contacted this agency on Monday, March 24, 2025, requesting ADA accommodations. Further, on March 31, 2025, Z.C. submitted her completed paperwork to this agency concerning her accommodations request, and on April 2, 2025, this agency informed Z.C. that it received her paperwork and that it would be processed in the order received. Moreover, on April 8, 2025, the test administration date, in an email that was sent at 4:26 P.M., this agency informed Z.C. that she had been approved for her ADA accommodations, including extra time, a separate room, and a hard copy of the test. However, the email also informed her that she had the option of taking the test that night and she would only receive the extra time accommodation, and she would forfeit her right to take the test later with all her accommodations, or she could reschedule the test for another date where she would receive all requested accommodations. Moreover, after being informed of her choices, Z.C. chose to sit for the test that night with only the extra time accommodation.

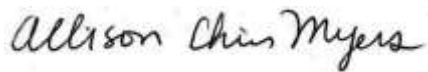
In other words, the record indicates that based on the date Z.C. submitted her ADA accommodation requests, and the time it took to review and approve her requests, Z.C. could not be given her full accommodations on the night of the scheduled test administration. Further, contrary to her statements on appeal, she was given the option to take the test at a later date with her full approved accommodations, but she chose to forfeit that right by taking the test on the scheduled test administration date. Moreover, as it was determined that a reasonable accommodation was possible, there was no basis to waive the examination requirements under *N.J.A.C.* 4A:4-2.14. Consequently, under these circumstances, there is no basis to find that Z.C. rights under the ADA or State law were violated. Finally, regardless of Z.C.'s provisional service, it would be unfair to the other candidates to waive competitive testing for her.

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 23RD DAY OF JULY, 2025



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