



**STATE OF NEW JERSEY**

In the Matter of Norberto M. Linares,  
Recreation Assistant (S0016V)

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

CSC Docket No. 2018-447

Examination Appeal

**ISSUED:** April 3, 2018 (BS)

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Norberto M. Linares appeals the decision of the Division of Agency Services denying his request for a make-up examination for Recreation Assistant (S0016V).

The subject examination was administered on July 13, 2017. Shortly thereafter, the appellant submitted a request for a make-up examination to the Division of Agency Services in which he asserted that he did not receive the notice to appear for the subject examination until July 14, 2017, too late for him to appear for the test. The Division of Agency Services denied his request. The appellant was recorded as not showing up for the examination.

On appeal to the Civil Service Commission, the appellant was advised he had ten days in which to supplement his file with an affidavit, *i.e.*, a signed, **sworn** statement in the presence of an attorney or notary public, indicating that he did not receive a Notification to Appear for Examination. The appellant submitted the required notarized affidavit indicating that he did not receive the notification to appear for the subject examination until the following day, July 14, 2017, one day after the examination had already been administered.

**CONCLUSION**

*N.J.A.C.* 4A:4-2.9, Make-up Examinations, provides that make-up examinations, except for police, fire and professional level engineering open competitive examinations, may be authorized for the following reasons:

1. Error by the Civil Service 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; and

6. Other valid reasons.

In the instant matter, the appellant submitted an affidavit indicating that he did not receive the notice to appear for the subject examination until one day after it had been administered. Under these circumstances, the appellant has met his burden of proof in this matter and good cause exists to grant a make-up examination.

**ORDER**

Therefore, it is ordered that this appeal be granted, and that the appellant be scheduled for a make-up examination as soon as possible.

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 27TH DAY OF MARCH, 2018



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Acting Chairperson  
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c: Linares M. Norberto  
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