

In response, the appellant submits the crash investigation report documenting an incident which resulted in a condition which now prevents her from driving long distances. She also submits additional medical documentation.

CONCLUSION

In an appeal of this nature, it must be determined whether CPM properly applied the uniform regulatory criteria found in *N.J.A.C. 4A:8-2.1 et seq.*, in determining layoff rights. It is an appellant's burden to provide evidence of misapplication of these regulatory criteria in determining layoff rights and the appellant must specify a remedy. A thorough review of the record establishes that the appellant's layoff rights were properly determined.

At the heart of the title rights determination is the underlying policy to ensure that employees are afforded fair, uniform, and objective title rights without resulting in harm to the public. *See Malone v. Fender*, 80 N.J. 129 (1979). In this case, proper procedures were followed in deciding the appellant's placement in lieu of layoff. The appellant was advised of the layoff and final interview processes and provided with resources to answer questions before the layoff was administered. Her Declaration Form had five lateral choices listed, with Mercer County written in as a sixth choice. When no positions were available in her five selected counties, she accepted a position in Mercer County in lieu of layoff. Her dissatisfaction with this decision is not evidence of violation of her title rights.

In addition, a displacement which results in a hardship to the employee or his or her family does not constitute a violation of title rights, and the rules do not allow for hardship in the determination of layoff options. Lastly, the appellant does not indicate the remedy she is seeking. No error or evidence of misapplication of the pertinent uniform regulatory criteria in determining layoff rights has been established.

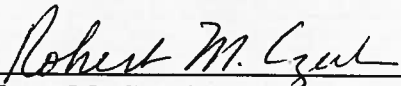
Thus, a review of the record fails to establish an error in the layoff process and the appellant has not met her burden of proof in this matter.

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 1st DAY OF APRIL, 2015



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