



B-22

STATE OF NEW JERSEY

In the Matter of Harjeet Khosa,
Sheriff's Officer Sergeant (PC2152R),
Middlesex County

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-3143

Examination Appeal

ISSUED: APR - 2 2015 (SLK)

Harjeet Khosa appeals the determination of the Division of Selection Services¹ (Selection Services) denying his request for a make-up examination for Sheriff's Officer Sergeant (PC2152R), Middlesex County.

By way of background, the subject examination was administered on May 8, 2014. Mr. Khosa filed a request on May 12, 2014 in which he explained that he had a medical emergency while at the test center which required treatment at a hospital. In support of his request, Mr. Khosa submitted a form from the hospital, dated May 8, 2014, that described his medical condition. In a letter dated May 27, 2014, Selection Services indicated that the appellant's request did not meet the criteria pursuant to *N.J.A.C. 4A:4-2.9*.

On appeal, Mr. Khosa indicates that he was taken from the test center by ambulance to the emergency room of a hospital and therefore he could not take the subject examination. The appellant explains that he had a serious medical condition that if left untreated could cause death. Mr. Khosa submits paperwork from the emergency room visit which shows that it was recommended that he be given the next three days off from work. The appellant also provides that he was prescribed medicine to treat this condition.

¹ Now known as the Division of Agency Services.

CONCLUSION

N.J.A.C. 4A:4-2.9(c) provides that for police, fire, correction officer, sheriff's officer, juvenile detention officer and other public safety open competitive and promotional examinations, make-ups may be authorized only in cases of:

1. Death in the candidate's immediate family;
2. Error by the Civil Service Commission or appointing authority;
3. When required for certain persons returning from military service;
or
4. A catastrophic health condition or injury, which is defined as either:
 - i. A life-threatening condition or combination of conditions; or
 - ii. A period of disability required by the candidate's mental or physical health or the health of the candidate's fetus which requires the care of a physician who provides a medical verification of the need for the candidate's absence from work for 60 or more work days.

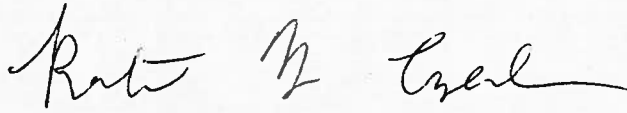
In the present matter, it is noted that the information Mr. Khosa presents does not technically meet the criteria for a make-up pursuant to *N.J.A.C.* 4A:4-2.9. However, given that Mr. Khosa has provided a form from the hospital confirming that he was unable to sit for the test on the administration date, it is appropriate to relax the governing provision on equitable grounds. Thus, Mr. Khosa should be provided with a make-up examination.

ORDER

Therefore, it is ordered that this appeal be granted. The appellant shall be scheduled for a make-up examination at the next regularly scheduled administration date in May 2015 for the Sheriff's Officer Sergeant Examination.

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
THE 1st DAY OF APRIL, 2015**



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and
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