



STATE OF NEW JERSEY

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

In the Matter of Christina Blum,
Records Technician 3 Motor Vehicles
(PS4527T), Motor Vehicle
Commission

Examination Appeal

CSC Docket No. 2018-792

ISSUED: October 24, 2017 (RE)

Christina Blum appeals the determination of the Division of Agency Services (Agency Services) denying her request for a make-up examination for Records Technician 3 Motor Vehicles (PS4527T), Motor Vehicle Commission.

The appellant was scheduled to take the subject examination at 6:00 p.m. on August 17, 2017. On August 15, 2017, the appellant faxed a request to take a make-up examination stating that she was leaving at work on Thursday at 3:00 p.m. for a family reunion in North Carolina, that she was scheduled off on Friday, August 18, 2017, and that she would be returning on Sunday August 20, 2017. She states that she was driving, and could produce an E-Z Pass statement when she returned. She included an ECATS leave request notification that she was taking 2 hours of sick time on August 17, 2017 and 18 hours of sick time on August 18, 2017. Agency Services denied this request as it did not meet that criteria listed in *N.J.A.C. 4A:4-2.9*. On appeal, Ms. Blum provides the same information she provided to Agency Services and she includes transaction views for her E-Z Pass showing tolls for travel on August 17 and August 20, 2017.

N.J.A.C. 4A:4-2.9(a), (Make-up examinations), provides that make-up examinations, except for professional level engineering promotional examinations and public safety open competitive and promotional examinations, may be authorized only in cases of: 1) Error by the 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; and 6) Other valid reasons. It is noted that this examination was competitive with 26 passing candidates.

CONCLUSION

The record establishes that the appellant was scheduled to take the examination on August 17, 2017 at 6:00 p.m. and did not do so. At the outset, is noted that the make-up criteria are listed on the Commission's website and available in the general multiple-choice orientation guide. Although the appellant was on notice that she needed to provide a sworn statement and relevant documentation, she did not do so. She was again informed by Agency Services that this was needed, and she produced only scant relevant documentation regarding travel and she did not produce a sworn statement. Therefore, the circumstances presented by the appellant do not meet the above noted criteria.

Lastly, the Commission notes that the appellant provided copies of ECATS leave requests for August 17 and 18, 2017 indicating the use of sick leave, when she maintains that she was traveling to North Carolina for a family reunion. See *N.J.A.C. 4A:6-1.3(g)* provides that sick leave may be used by employees were unable to work because of personal illness or injury, exposure to contagious disease, to care for a seriously ill member of the employee's immediate family, or death in the employee's immediate family. In light of Mrs. Blum's comments, the Commission finds it relevant to refer this information to the appointing authority.

A thorough review the record indicates that the appellant has failed to support 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
THE 18th DAY OF OCTOBER, 2017



Robert M. Czedo, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Christina Blum
Valerie Stutesman
Michele Karngbaye
Records Center