



**STATE OF NEW JERSEY**

In the Matter of Rachel Baum,  
Lieutenant Campus Police  
(PS4357J), Rowan University

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

CSC Docket No. 2018-797

Examination Appeal

**ISSUED: October 24, 2017**  
(JH)

Rachel Baum appeals the determination of the Division of Agency Services denying her request for a make-up for the promotional examination for Lieutenant Campus Police (PS4357J), Rowan University.

By way of background, the subject announcement was issued on May 1, 2017. Notices dated July 27, 2017 informed candidates that the subject test was to be administered on August 17, 2017.

On appeal, Ms. Baum contends that she did not receive adequate notice of the test date. In this regard, she indicates that the test administration date “fell during a family vacation to Disneyworld . . . and due to extremely short notice I was unable to reschedule my vacation or receive a refund if I opted to cancel it.” She further indicates that the reservation was made on January 17, 2017 and “due to the fact that this reservation was for multiple rooms for a total of 10 family members, it was unable to be changed with the 14 days notice that I was given . . .” In support of her appeal, she submits additional documentation including: a reservation confirmation indicating that the vacation was booked on January 17, 2017 for August 16 through August 23, 2017; an airfare confirmation dated May 3, 2017 for a departure date of August 16, 2017; and a copy of her vacation itinerary.

**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-up examinations 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. *N.J.A.C.* 4A:1-1.2(c) provides that a Civil Service Commission rule may be relaxed for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the present matter, Ms. Baum indicates that on January 17, 2017, she booked a vacation in Florida from August 16 through August 23, 2017. The subject announcement, which issued on May 1, 2017, did not indicate a tentative test date. By notices dated July 27, 2017, candidates were informed that the test would be administered on August 17, 2017. As a result, Ms. Baum was unable cancel her vacation plans or make arrangements to return to New Jersey solely for the purpose of taking the test.<sup>1</sup> Although the information Ms. Baum presents does not technically meet the criteria for a make-up pursuant to *N.J.A.C.* 4A:4-2.9, good cause exists to relax the controlling regulation given the unique circumstances presented. Thus, Ms. Baum should be provided with a make-up for the subject examination.

### ORDER

Therefore, it is ordered that this appeal be granted.

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



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Robert M. Czedz, Chairperson  
Civil Service Commission

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<sup>1</sup>It is noted that *N.J.A.C.* 4A:4-2.9(a) provides, in pertinent part, that make-up examinations, except for professional level engineering promotional examinations and public safety open competitive and promotional examinations may be authorized for 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.

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