



STATE OF NEW JERSEY

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

In the Matter of Robert Armstrong,
Department of Human Services

CSC Docket No. 2019-3200

Request for Rule Relaxation

ISSUED: MAY 24, 2019 (SLK)

The Department of Human Services, on behalf of Robert Armstrong, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit Mr. Armstrong to donate more than 30 sick days to T.B., who is participating in the donated leave program.

Mr. Armstrong, an employee with the Department of Human Services, Division of Developmental Disabilities, previously donated 30 sick days on December 17, 2018 and is requesting to donate an additional 30 sick days to recipient T.B., an employee of the Department of Human Services, Woodbine Developmental Center. The Department of Human Services explains that T.B. has been on a leave of absence since October 18, 2018 and is on an approved leave of absence through October 15, 2019 due to a serious medical condition and continues to receive treatment. Given that Mr. Armstrong will have a remaining sick leave balance of 370.66 days after this donation, the Department of Human Services requests that Mr. Armstrong be permitted to donate an additional 30 sick days to T.B. prior to his retirement effective June 1, 2019.

N.J.A.C. 4A:6-1.22(d) states, in pertinent part, that in State service, a leave donor may not donate more than 30 sick days to any one recipient.

N.J.A.C. 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

CONCLUSION

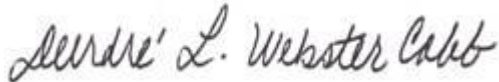
The Department of Human Services, on behalf of Robert Armstrong, requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit Mr. Armstrong to donate more than 30 sick days to T.B., an approved recipient of donated leave. It states that the recipient has been on a leave of absence since October 18, 2018, which is approved to continue through October 15, 2019, as he continues to receive treatment for his condition. Given that Mr. Armstrong will have a remaining sick leave balance of 370.66 days after this donation and his retirement shall be effective June 1, 2019, he will have a sufficient sick leave balance to cover his potential future needs. Under these circumstances, good cause has been established to relax the provisions of *N.J.A.C.* 4A:6-1.22 to permit Mr. Armstrong to donate an additional 30 sick days to T.B.

ORDER

Therefore, it is ordered that this request 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 ON
THE 22nd DAY OF MAY, 2019



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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and
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