

B-95



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Claudio Camacho,
Heavy Equipment Operator
(PC0163T), Mercer County

Examination Appeal

CSC Docket No. 2016-1304

ISSUED: **DEC 21 2015** (LDH)

Claudio Camacho requests a make-up for the Heavy Equipment Operator (PC0163T), Mercer County examination.

By way of background, a promotional announcement for the subject examination was issued on June 1, 2015 with a closing date of June 22, 2015. The examination was announced opened to individuals who possessed one year of permanent service and were currently serving in the title of Equipment Operator. The list promulgated on December 10, 2015 and expires on December 9, 2018.

On appeal to the Civil Service Commission (Commission), the appellant requests a make-up examination. He argues that he did not receive notice of the subject examination. He maintains that during the time the announcement was issued he was off from work for extended periods to help his oldest brother who is suffering from a serious medical illness. The appellant contends that he was informed about the subject announcement after he returned from his absence. In support, *inter alia*, the appellant submits a notarized statement under oath stating he did not receive notice of the subject announcement, a notarized statement under oath from his brother stating that the appellant was helping him with his illness and the appellant's attendance record.

CONCLUSION

N.J.A.C. 4A:4-2.9(a) provides that make-up examinations, except for police, fire and professional level engineering promotional examinations, may be authorized for the following reasons:

1. Error by the Commission or 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.

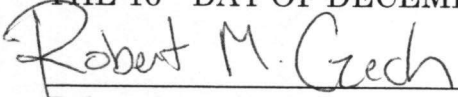
In the instant matter, the appellant has met his burden of proof. The appellant is serving in the title of Equipment Operator. The appellant maintains he never received notice of the promotional announcement. Furthermore, the appellant submits a notarized statement under oath stating that he did not receive any notice of the announcement of the subject title. *See In the Matter of Salena Bradley* (CSC, decided July 16, 2014) (Commission restored appellant's name to the Correction Officer Recruit (S9988R) eligible list as she submitted a sworn notarized statement that she had not received the e-mail from the Department of Corrections notifying her of the date she was to appear for pre-employment processing). Accordingly, under these circumstances, the appellant has met his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant be allowed a make-up for the Heavy Equipment Operator (PC0163T), Mercer County 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 ON
THE 16th DAY OF DECEMBER, 2015



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- c. Claudio Camacho
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THE BOARD OF DIRECTORS
OF THE
FEDERAL RESERVE SYSTEM

MEMORANDUM FOR THE BOARD OF DIRECTORS
SUBJECT: [Illegible]

[Illegible text]