



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of L.C., Department of  
Children and Families

CSC Docket No. 2016-2197

Request for Rule Relaxation

ISSUED: **OCT 25 2016** (LDH)

The Department of Children and Families, on behalf of L.C., requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit L.C. to receive more than the 260 donated leave days allowed to a recipient.

L.C. is an approved recipient of donated leave and is currently participating in the program. The appointing authority indicates that L.C. received the lifetime maximum of 260 days of donated leave and requested that her leave of absence be extended through December 17, 2016.<sup>1</sup> Therefore, the appointing authority requests that *N.J.A.C.* 4A:6-1.22 be relaxed to permit her to receive an additional 278 days that have been donated pending approval of this request.<sup>2</sup>

*N.J.A.C.* 4A:6-1.22 (Donated Leave Program) provides, in pertinent part, that, in State service, a leave receipt shall receive no more than 260 sick or vacation days and shall not receive any such days on a retro-active basis. *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.

<sup>1</sup> Due to the lack of quorum since January 1, 2016, this request was not able to be considered prior to L.C.'s exhaustion of her donated leave on February 12, 2016.

<sup>2</sup> L.C.'s leave was also continued pending approval of this request.

## CONCLUSION

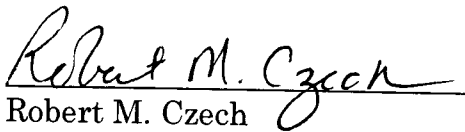
The Department of Children and Families, on behalf of L.C., requests the relaxation of the provisions of *N.J.A.C.* 4A:6-1.22 so as to permit L.C. to receive more than the 260 donated leave days allowed to a recipient, as set forth in *N.J.A.C.* 4A:1.22(d)1. Under these particular circumstances, good cause has been established to relax the provisions of *N.J.A.C.* 4A:6-1.22 to allow L.C. to receive the additional 278 donated leave days, retroactive to February 12, 2016.

## ORDER

Therefore, it is ordered that this request be granted. It is ordered that L.C. be deemed eligible to receive the additional 278 donated leave days.

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 19TH DAY OF OCTOBER 2016



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