



B-21

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

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

CSC Docket No. 2016-433

Request for Rule Relaxation

ISSUED: JUL 31 2015 (JET)

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

J.L. is an approved recipient of donated leave and is currently participating in the program. The appointing authority indicates that J.L. previously participated in the program, receiving and utilizing 171 days of donated leave from May 13, 2012 through May 6, 2013. J.L. has been approved to receive donated leave effective January 13, 2015 but will exhaust the 260 day maximum by the time she can return to work on October 6, 2015. Due to her catastrophic condition and anticipated return to work date, the appointing authority requests that J.L. be permitted to receive more than the 260 days of donated leave.

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

CONCLUSION

The Department of Children and Families, on behalf of J.L., seeks approval to allow J.L. to receive more than the 260 donated leave days allowed to a recipient. Based on the particular circumstances presented, good cause has been established to

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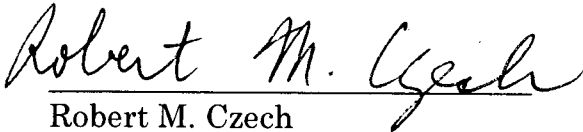
relax the provisions of *N.J.A.C.* 4A:6-1.22 to permit J.L. to receive more than 260 donated leave days.

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 29th DAY OF JULY, 2015



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