

B-31



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of B.P., Motor Vehicle
Commission

CSC Docket No. 2017-2589

Request for Rule Relaxation

ISSUED: FEB 22 2017 (WR)

The Motor Vehicle Commission (MVC) requests that *N.J.A.C. 4A:6-1.22(d)* be relaxed so as to permit B.P. to donate more than 30 sick days to G.P.

G.P. was approved for donated leave on December 29, 2016 and is currently participating in the program. As of February 16, 2017, he had received and used four days of donated leave. Additionally, the appointing authority indicates that B.P. has a total of 33.5 days of vacation leave and 177 days of sick leave. She has donated five days of sick leave to G.P., of which he has used two. The appointing authority requests that *N.J.A.C. 4A:6-1.22(d)* be relaxed so as to permit B.P. to donate more than 30 days of leave to G.P.

N.J.A.C. 4A:6-1.22(d) provides that a leave donor may not donate more than 30 such days to any one recipient and that a leave donor shall have remaining at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave. *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 MVC, on behalf of B.P., seeks approval to allow her to donate more than the 30 days of leave time permitted in *N.J.A.C. 4A:6-1.22*. Based on the particular circumstances presented, namely that G.P. is a current participant in the donated leave program and B.P. will have more than the minimum amount of sick leave left

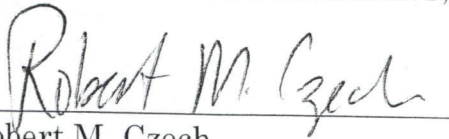
upon donation, good cause exists to permit B.P. to donate more than 30 sick days to G.P.

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 FEBRUARY, 2017



Robert M. Czech
Chairperson
Civil Service Commission
Inquiries
and
Correspondence

Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Records Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: B.P.
Valerie Stutesman
Kelly Glenn
Records Center