



**STATE OF NEW JERSEY**

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

In the Matter of Katelin Barone,  
Principal Engineer, Traffic  
(PS6569T), Department of  
Transportation

CSC Docket Number 2022-2689

Make-up Examination Appeal

**ISSUED: August 24, 2022 (BS)**

Katelin Barone appeals the decision of the Division of Agency Services (Agency Services) denying her request for a make-up examination for Principal Engineer, Traffic (PS6569T), Department of Transportation.

The subject promotional examination was administered on March 26, 2022. Prior to that date, the appellant submitted a request for a make-up examination to the Agency Services in which she asserted that she had pre-planned a trip to Florida to visit with her grandparents for the time the promotional examination was scheduled and that she had requested to take a make-up examination in advance of the scheduled March 26, 2022 test date. Agency Services denied her request pursuant to *N.J.A.C. 4A:4-2.9(b)*. The appellant did not show up for the examination.

On appeal to the Civil Service Commission, the appellant argues that she was on a pre-planned vacation in Florida visiting your elderly grandparents and assisting with their caretaking needs on the date the examination was scheduled. Kelly McVeigh, Supervising Highway Engineer 2, Highways, submitted a letter on the appellant’s behalf claiming that information regarding make-up examinations is not readily accessible on the Commission’s website. Further, when the appellant contacted the Commission, she was assured that a previously planned vacation was an acceptable reason for requesting a make-up examination. The appellant requests that she be granted to take a make-up for the subject promotional examination.

## CONCLUSION

*N.J.A.C.* 4A:4-2.9(b) provides in relevant part that, for professional level engineering titles, make-up examinations may be authorized only in cases of: (1) debilitating injury or illness requiring an extended convalescent period; (2) death in the candidate's immediate family as evidenced by a copy of the death certificate; (3) a candidate's wedding which cannot be reasonably changed as evidenced by relevant documentation; (4) when required for certain persons returning from military service (*see N.J.A.C.* 4A:4-4.6A); or (5) error by the Civil Service Commission or appointing authority.

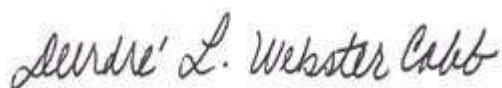
In the instant matter, the appellant had a pre-planned vacation to Florida when she was notified of the examination date. However, as emphasized in *N.J.A.C.* 4A:4-2.9(b), a pre-planned vacation is not one of the allowable areas listed for granting a make-up examination for professional-level engineering titles. As such, the Commission finds that the appellant was initially correctly denied a make-up examination. However, only three other candidates passed the subject promotional examination, a promotional eligible roster containing their names promulgated on June 9, 2022, and one of these candidates was appointed to the subject title. Under these circumstances, and in this particular instance only, the Commission relaxes the provisions of *N.J.A.C.* 4A:4-2.9(b) to allow the appellant a make-up examination for the subject title, which may provide the appointing authority with a complete list for any future vacancies. Finally, the Commission notes that information regarding make-up examinations is readily available on its website under Testing Facility Information as well as in the New Jersey Administrative Code.

## ORDER

Therefore, it is ordered that this appeal be granted, a make-up examination be scheduled as soon as possible and, if the appellant passes the make-up examination, her name be added to the subject promotional eligible list for prospective appointment consideration only.

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 24<sup>TH</sup> DAY OF AUGUST, 2022



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Deirdre L. Webster Cobb

Chairperson  
Civil Service Commission

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