

intergovernmental transfer agreement to Agency Services with a proposed effective date of December 24, 2016.

CONCLUSION

N.J.A.C. 4A:4-7.1A(a) states that an intergovernmental transfer is the movement of a *permanent* employee between governmental jurisdictions operating under Title 11A or the appointment of an employee, by a governmental jurisdiction operating under Title 11A, within one year of the effective date of a layoff for reasons of economy or efficiency in which the employee is separated from service from another governmental jurisdiction operating under Title 11A.

N.J.A.C. 4A:4-5.2(d) states in pertinent part that persons appointed to entry level law enforcement officer titles shall serve a 12-month working test period in order to obtain permanent status.

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 of the New Jersey Statutes Annotated.

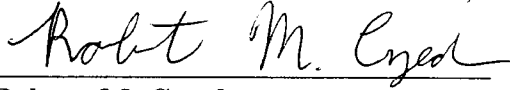
The intergovernmental transfer rules permit the transfer of permanent State, county and municipal employees between jurisdictions without loss of permanent status, subject to the approval of the transferring agency, the receiving agency, the transferring employee, and Agency Services. In this case, Bosland is not permanent since he has not completed his working test period as a Sheriff's Officer. However, Hopatcong has agreed to the transfer, indicating that it is short Police Officers and is in immediate need of fully trained law enforcement personnel. Additionally, Hopatcong has agreed to have Bosland complete the required 12-month working test period. Given the circumstances surrounding Hopatcong's need for trained law enforcement staff, and the staffing needs of Hopatcong, good cause exists to relax the controlling regulatory provisions in order to permit the transfer of Bosland. However, since the two titles are not precisely the same, Sheriff's Officers who intergovernmentally transfer to the title of Police Officer are required to complete a 12-month working test period as a Police Officer. *See In the Matter of Jason Mangano* (CSC, decided September 19, 2012).

ORDER

Therefore, it is ordered that this request, seeking the transfer of Richard Bosland, to Hopatcong, be granted. Further, it is ordered that Bosland undergo a full 12-month working test period as a Police Officer.

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 21st DAY OF DECEMBER, 2016



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