

STATE OF NEW JERSEY

In the Matter of Ronald Osadacz,
Township of Aberdeen

CSC Docket No. 2017-3918

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Intergovernmental Transfer

ISSUED: JUL 14 2017 (SLK)

The Township of Aberdeen (Aberdeen), on behalf of Ronald Osadacz, requests that he be permitted to participate in the intergovernmental transfer program and to complete his working test period as a Police Officer with Aberdeen.

By way of background, Osadacz was appointed as a Police Officer with Highlands Borough (Highlands) effective August 16, 2016. Accordingly, his 12-month working test period commenced on August 16, 2016. Although Osadacz, Highlands, and Aberdeen agreed to the terms of the transfer, the request cannot be processed since Osadacz has not achieved permanent status as a Police Officer. Absent rule relaxation procedures, an intergovernmental transfer cannot be processed on the basis that he has not achieved permanent status in a substantially similar title. See *N.J.A.C. 4A:4-7.1A(a)*.

In its request to the Civil Service Commission (Commission), Aberdeen asserts that Osadacz's service as a Police Officer has demonstrated that he is capable of performing the duties of an Aberdeen Police Officer. Further, Aberdeen explains that it is short Police Officers and will be short of manpower. Therefore, it has an immediate need to hire fully trained Police Officers. Under these circumstances, Aberdeen requests permission to allow Osadacz to complete the remainder of his working test period with Aberdeen and to process the request for an intergovernmental transfer. Aberdeen submits its request for the intergovernmental transfer agreement with a proposed effective date of July 14, 2017.

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.

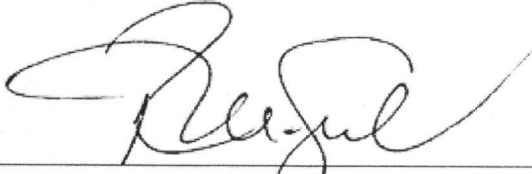
The intergovernmental transfer rules permit the transfer of permanent State, county and municipal employees between jurisdictions without loss of permanent status, subject to the approval of the transferring agency, the receiving agency, the transferring employee, and the Division of Agency Services. In this case, Osadacz is not permanent since he has not completed his working test period as a Police Officer. However, Aberdeen has agreed to the transfer, indicating that it is short Police Officers and is in immediate need of fully trained law enforcement personnel. Additionally, Aberdeen has agreed to have Osadacz complete the required 12-month working test period. Given the circumstances surrounding Aberdeen's need for trained law enforcement staff, and the staffing needs of Aberdeen, good cause exists to relax the controlling regulatory provisions in order to permit the transfer of Osadacz and to allow him to complete his working test period with Aberdeen.

ORDER

Therefore, it is ordered that this request, seeking the transfer of Ronald Osadacz, to Aberdeen, 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 13th DAY OF JULY, 2017



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