



**STATE OF NEW JERSEY**

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

In the Matter of Juvenile Detention  
Officer and Juvenile Detention  
Officer, Bilingual in Spanish and  
English from the Competitive to the  
Non-Competitive Division of the  
Career Service

CSC Docket No. 2018-1641

Request for Title Reallocation

**ISSUED: APRIL 2, 2018**

**(ABR)**

The Division of Agency Services (Agency Services) recommends the reallocation of the Juvenile Detention Officer and Juvenile Detention Officer, Bilingual in Spanish and English titles to the non-competitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2.

The rationale for reallocating these titles is to provide local appointing authorities with the flexibility needed to more efficiently and quickly meet their hiring responsibilities. Agency Services explains that competitive testing is not practicable due to the nature of the knowledge, skills and abilities associated with these positions. In this regard, it notes that both titles require only a high school diploma. Further, it observes that these titles do not have experience requirements, since the skills required to perform each job are basic and elementary skills gained through on-the-job training.

Any existing eligibility lists for these titles and any current announcements for which examinations have not been administered will be cancelled upon completion of the reallocation process. Nevertheless, local agencies wishing to do so may recruit and appoint from the cancelled lists. However, resulting appointments will be recorded as regular appointments in the non-competitive division (RAN). Appointment types for existing employees in these titles as of the effective date will be handled in accordance with *N.J.A.C.* 4A:3-1.2(f), which states:

1. Permanent employees in that title as of the effective date shall have their appointment types changed to RAN, and shall retain their permanent status in the non-competitive division.
2. Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the non-competitive division.
3. Provisional employees who remain in that title as of the effective date shall receive regular appointments (RAN) and begin serving their working test period on the effective date.

Agency Services advises that all affected appointing authorities with incumbents in these titles were provided the opportunity to review the proposal and all feedback received from the affected appointing authorities has been positive. In addition, the affected appointing authorities were directed to provide notice of this proposed reallocation to applicable collective bargaining representatives, and notice of this proposal has been posted to the Civil Service Commission website. Agency Services did not receive any feedback based upon those notifications. Finally, Agency Services requests that the changes specified in this title reallocation become effective beginning on the first pay period following Civil Service Commission (Commission) approval of these actions.

*N.J.A.C.* 4A:3-1.2 provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions.

Based on all of the foregoing, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service. The only education required for the titles at issue is a high school diploma. Furthermore, these titles do not have specific experience requirements, as the skills required to perform these jobs are basic and elementary, requiring skills learned through on-the-job training. Such skills are best assessed by direct observation during the approved training program that appointees would be required to complete pursuant to the Police Training Act, *N.J.S.A.* 52:17B-66, *et seq.*, and during the one-year working test period that they would serve upon successful completion thereof in accordance with *N.J.A.C.* 4A:4-5.2(d). Therefore, competitive testing is not practicable for these titles.

## **ORDER**

Based on all of the above, it is ordered that the titles of Juvenile Detention Officer and Juvenile Detention Officer, Bilingual in Spanish and English be

reallocated to the non-competitive division. It is further ordered that such action be effective December 23, 2017.

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 27<sup>TH</sup> DAY OF MARCH, 2018



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