



B-18

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of County Police  
Sergeant (PC0150S), Camden County

CSC Docket No. 2016-714

Administrative Appeal

ISSUED: **AUG 24 2015** (CSM)

The Division of Agency Services (Agency Services) requests that the promotional announcement for County Police Sergeant (PC0150S), Camden County, be amended.

By way of background, on October 31, 2013, Camden County completed its one year Pilot Program for the hiring of law enforcement officers in its new Police Department. Since the sworn positions were filled outside the typical civil service process, none of the current incumbents possessed sufficient continuous service to qualify for promotional examinations for the Police Sergeant, Police Lieutenant, and Police Captain titles. Specific to this matter, none of the entry level law enforcement staff has the three years of continuous permanent service required for promotion from that title. Thus, the Civil Service Commission (Commission) approved the relaxation of *N.J.A.C. 4A:4-2.6(b)* and *N.J.A.C. 4A:4-2.6(g)* in order to open the subject promotional examination to Camden County Police Officers who have completed three or more years in any New Jersey municipality as a police officer and are certified by the New Jersey Police Training Commission (PTC). See *In the Matter of Camden County Police Department* (CSC, decided February 12, 2014). Moreover, in accordance with *In the Matter of Police Sergeant Promotional Lists* (CSC, decided June 3, 2015), the subject promotional announcement was amended and reissued on August 1, 2015 with a new closing date of September 30, 2015.

In the present matter, Agency Services presents that during the initial posting period for the subject promotional announcement, 56 applicants filed

applications, but 11 of those candidates did not indicate service as a municipal Police Officer immediately prior to their appointments as County Police Officers. Rather, these candidates indicated previous service in other law enforcement titles, such as Park Police Officer, Sheriff's Investigator, Sheriff's Officer and New Jersey State Police Sergeant, as well as possession of the required PTC certification. However, due to the language in *Camden County Police Department, supra*, these individuals, as well as any other applicant similarly situated who files as a result of the amended announcement, cannot be admitted to the test because they do not have "three or more years in a New Jersey municipality as a police officer." Given that various recruitment tools were utilized as part of the pilot program that was established to initially staff the Camden County Police Department, including the recruitment of law enforcement officers in titles such as Sheriff's Officer, Park Police Officer, and Sheriff's Investigator, Agency Services states that it would be unfair to those County Police Officers to now deem them ineligible for the subject promotional examination simply because they did not have law enforcement service exclusively in the title of municipal Police Officer. Therefore, Agency Services requests that the subject promotional announcement be amended to be open to any current Camden County Police Officer who has completed three or more years of service in any New Jersey jurisdiction in any law enforcement title, has completed two years of service with the Camden County Police Department, and is certified by the New Jersey Police Training Commission.

### CONCLUSION

*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. Additionally, *N.J.A.C.* 4A:4-2.6(a)1 states that applicants for promotional examinations shall have one year of continuous permanent service for an aggregate of one year immediately preceding the closing date in a title or titles to which the examination is open. Further, *N.J.A.C.* 4A:4-2.6(b) states that, in local service, applicants for promotion from entry level law enforcement or firefighter titles shall have three years of continuous permanent service in a title to which the examination is open, except as otherwise provided by law. Moreover, *N.J.A.C.* 4A:4-2.6(g) indicates that the time requirements specified in (a) and (b) above may be reduced to completion of the working test period if: there is currently an incomplete promotional list and/or the number of employees eligible for examination will result in an incomplete list; it appears that vacancies to be filled within the duration of the promotional list will exceed the maximum number of eligibles that could result from examination; or other valid reasons.

In reviewing the instant matter, it is clear that Agency Services has provided good cause to amend the promotional announcement to relax the continuous permanent service requirements in a New Jersey municipality as a Police Officer as set forth in *Camden County Police Department, supra, N.J.A.C.* 4A:4-2.6(a)1 and

*N.J.A.C. 4A:4-2.6(b)*. Pursuant to the Pilot Program, Camden County's sworn law enforcement officers were hired outside of the typical civil service process. Therefore, it would be unfair to exclude those individuals who were hired during the initial recruitment period who did not have experience as a municipal Police Officer, but were appointed based on their law enforcement experience and PTC certification in other titles, such as Sheriff's Officer, State Trooper, Sheriff's Investigator, and Park Police Officer, from competing for County Police Sergeant. Therefore, good cause exists to amend the promotional announcement for County Police Sergeant (PC0150S), Camden County to be open to any current Camden County Police officer who has completed three or more years of service in any New Jersey jurisdiction in *any law enforcement title*, has completed two years of service as a County Police Officer with the Camden County Police Department, and is certified by the New Jersey Police Training Commission.

ORDER

Therefore, it is ordered that this request be granted and that the Camden County Police Department Police Sergeant (PC0150S) promotional announcement be amended consistent with this decision.

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  
ON THE 19<sup>TH</sup> DAY OF AUGUST, 2015



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