



STATE OF NEW JERSEY

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

In the Matter of Jonathan Bregman,
Police Officer, West Milford

CSC Docket No. 2017-3758

Administrative Appeal

ISSUED: July 31, 2017 (RE)

The Division of Agency Services (DAS), on behalf of West Milford, requests revival of the list for Police Officer (S9999R) (OL150363) and retroactive regular appointment to the title of Police Officer, effective January 25, 2016, for Jonathan Bregman.

By way of background, Jonathan Bregman was a Sheriff's Officer for Passaic County when he filed an application for the entry-level Law Enforcement Examination (LEE) (S9999R). He appeared as the 10th ranked eligible on the certification Police Officer, West Milford (OL150363). Mr. Bregman had resigned from his position as the Sheriff's Officer on January 24, 2016, and began employment with West Milford with an appointment date of January 25, 2016 when personnel had hired the next available eligible candidate, Mr. Bregman, from the certification (OL150363). The appointing authority failed to request a certification and, as a result, Mr. Bergman was not recorded as permanent in the County And Municipal Personnel System (CAMPS). The West Milford personnel office notified DAS in April 2017 of this error. Official records indicate that the eligible list for LEE (S9999R) expired on March 22, 2017. The certification (OL150363) was issued on March 20, 2015, had a disposition due date of September 21, 2015, and two appointments were made. In its request, DAS explains that had another certification been issued from this list in January 2016, Mr. Bregman would have been reachable under the "rule of three." It recommends approval of granting a retroactive appointment for Mr. Bregman in the title Police Officer.

N.J.A.C. 4A:4-3.3(b) provides, in pertinent part, that promotional lists shall be promulgated for three years from the date of their establishment. *N.J.A.C.* 4A:4-3.4(a)5 states that the Commission may revive an expired eligible list for good cause. See also *N.J.S.A.* 11A:4-6. *N.J.A.C.* 4A:4-1.10(c) provides that the Commission may order a retroactive appointment date for good cause.

CONCLUSION

In the instant matter, there is no basic factual dispute but, rather, the central issue involves reviving an expired promotional employment list in order to effectuate the appointment of Mr. Bregman. Mr. Bregman has been performing the duties of Police Officer since January 25, 2016 and he is reachable under the “rule of three” on the certification for (OL150363) in accordance with *N.J.A.C.* 4A:4-4.8. Under these circumstances, good cause exists to revive the list and give Jonathan Bregman a regular appointment retroactive to January 25, 2016, and he shall be considered to have served his Working Test Period starting on this date.

ORDER

Therefore, it is ordered that the request be granted, the S9999R list be revived. Jonathan Bregman be provided with a regular appointment as Police Officer, effective January 25, 2016. Mr. Bregman’s personnel record should be amended in accordance 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
THE 26th DAY OF JULY, 2017



Robert M. Czedh, Chairperson
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