



STATE OF NEW JERSEY

In the Matter of Mathew Gray, Union County Police Department	:	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
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CSC Docket No. 2024-758	:	
	:	Request for Administrative Relief
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ISSUED: November 1, 2023 (SLK)

The Union County Police Department (UCPD) requests to transfer Police Officer Matthew Gray from the Winfield Police Department, a non-Civil Service jurisdiction, to the title of Police Officer, UCPD.

In its request, the UCPD states that it has an immediate need for certified Police Officers. The UCPD indicates that it has had four recent retirements whose timing will not enable it to use replacements from the next Police Academy class. Further, it presents that it has two Police Officers who are on long term leave due to military deployments. Additionally, the UCPD provides that one of its Police Officers just resigned and two Police Officers will be out due to family leave. It notes that it has filled an additional three vacancies with Police Officers that have graduated from their respective Police Academies. However, the UCPD notes that these Police Officers will be in training for the next several months. It explains that these vacancies have left it with an immediate staffing need and public safety issue. The UCPD indicates that it has made several attempts to intergovernmentally transfer Police Officers from Civil Service jurisdictions, and it is in the process of intergovernmentally transferring one Police Officer. However, the UCPD requests that Police Officer Matthew Gray receive approval to transfer from the Winfield Police Department to the UCPD to address its immediate need for certified Police Officers. It highlights that Officer Gray is a certified Police Officer with 14 years of experience and notes that the Winfield Police Chief has consented to the transfer.

CONCLUSION

N.J.A.C. 4A:4-7.1A(a) provides, in pertinent part, that an intergovernmental transfer is the movement of a permanent employee between governmental jurisdictions operating under Title 11A, New Jersey Statutes. The intergovernmental transfer rules permit the transfer of 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 approval of the Chairperson or designee.

Since Winfield is not a governmental jurisdiction operating under Title 11A of the New Jersey Statutes, Gray does not have permanent Civil Service status and the provisions of *N.J.A.C.* 4A:4-7.1A(a) do not apply. However, the UCPD has indicated that due to various retirements, resignations, and leave, it has an immediate need for certified Police Officers, which is cannot timely fulfill through regular Civil Service procedures or through intergovernmental transfers with other Civil Service jurisdictions. Further, the UCPD represents that the Winfield Police Chief has consented to the transfer. Therefore, the Civil Service Commission (Commission) finds good cause to allow the transfer of Police Officer Matthew Gray from the Winfield Police Department, a non-Civil Service jurisdiction, to the title of Police Officer, UCPD. As this is an equitable remedy being implemented through relaxation of rules, Civil Service seniority and seniority-related privileges shall not be transferrable.

The Commission must emphasize that the remedy provided by this decision is limited to the unique facts of this case and should not be used as precedent in any other matter.

ORDER

Therefore, it is ordered that this request 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 1ST DAY OF NOVEMBER, 2023



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