



STATE OF NEW JERSEY

In the Matter of James Bellamy,
Hudson County

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

CSC Docket No. 2024-2203

Request for Administrative Relief

ISSUED: May 22, 2024 (SLK)

Hudson County requests to transfer County Correctional Police Sergeant James Bellamy from the Somerset County Sheriff’s Office, a non-Civil Service jurisdiction, to the title of County Correctional Police Officer.

In its request, the Hudson County Department of Corrections and Rehabilitation submits Bellamy’s resume which indicates that he has been a County Correctional Police Sergeant for the Somerset County Sheriff’s Office-Jail Division from May 2015 to the present and was a County Correctional Police Officer for Hunterdon County Department of Public Safety and Health-Division of Corrections from January 2012 to May 2015. Additionally, Bellamy provides that he is Police Training Commission certified, and he completed the basic course for Correctional Police Officer through the Somerset County Police Academy. Further, Hudson County presents that Chief Frank J. Apisa, Somerset County Sheriff’s Office-Correctional Division, indicated that he is in full agreement with the request as he will do anything to help with the process because his department is in “limbo” because it is unsure as to whether how many officers will be laid off.

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 the Somerset County Sheriff's Office is not a governmental jurisdiction operating under Title 11A of the New Jersey Statutes, Bellamy 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 Somerset County Sheriff's Office has indicated that it may need to lay off officers. Therefore, it supports the transfer of its officers who are interested in transferring to Hudson County. Further, by agreeing to accept Bellamy's transfer request, it appears that Hudson County has an immediate need for certified County Correctional Police Officers, which it cannot timely fulfill through regular Civil Service procedures or through intergovernmental transfers with other Civil Service jurisdictions. Therefore, the Civil Service Commission (Commission) finds good cause to allow the transfer of County Correctional Police Sergeant James Bellamy from the Somerset County Sheriff's Office, a non-Civil Service jurisdiction, to the non-supervisory title of County Correctional Police Officer. As this is an equitable remedy being implemented through relaxation of rules, Civil Service seniority and seniority-related privileges shall not be transferrable.

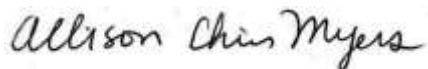
The Commission must emphasize that the remedy provided by this decision is limited to the unique facts of this case and should not be used as precedent in any other matter.

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 22ND DAY OF MAY, 2024



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Dulce A. Sult-Villamor
Deputy Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: James Bellamy
Edward Nestor
Elinor Gibney
Frank Apisa
Records Center
Division of Human Resource Information Services