



STATE OF NEW JERSEY

In the Matter of Korey Crosby, City
of Pleasantville

CSC Docket No. 2017-902

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Request for Administrative Relief

ISSUED: **NOV 28 2016** (SLK)

The City of Pleasantville (Pleasantville), on behalf of Korey Crosby, requests that he be permitted to participate in the intergovernmental transfer program and to complete his working test period as a Police Officer with Pleasantville.

By way of background, Crosby was appointed as a Sheriff's Officer with Camden County effective November 8, 2015. Accordingly, his 12-month working test period commenced on November 8, 2015. Although Crosby, Camden County, and Pleasantville agreed to the terms of the transfer, the Division of Agency Services (Agency Services) was unable to process the request since Crosby had not achieved permanent status as a Sheriff's Officer. Since he has not completed his 12-month working test period, absent rule relaxation procedures, an intergovernmental transfer cannot be processed on the basis that he has not achieved permanent status in a substantially similar title. See *N.J.A.C.* 4A:4-7.1A(a).

In its request to the Civil Service Commission (Commission), Pleasantville asserts that Crosby's service as a Sheriff's Officer has demonstrated that he is capable of performing the duties of a Pleasantville Police Officer. Further, Pleasantville explains that it is short Police Officers and will be short of manpower. Therefore, it has an immediate need to hire fully trained Police Officers. Under these circumstances, Pleasantville requests permission to allow Crosby to complete the remainder of his working test period with Pleasantville and to process the request for an intergovernmental transfer. Pleasantville submitted its request for the intergovernmental transfer agreement to Agency Services (Agency Services)

with a proposed effective date of September 1, 2016. However, due to a lack of quorum, the Commission was not able to review the request at that time. Thereafter, the intergovernmental transfer agreement was administratively processed by this agency.

CONCLUSION

N.J.A.C. 4A:4-7.1A(a) states that an intergovernmental transfer is the movement of a *permanent* employee between governmental jurisdictions operating under Title 11A or the appointment of an employee, by a governmental jurisdiction operating under Title 11A, within one year of the effective date of a layoff for reasons of economy or efficiency in which the employee is separated from service from another governmental jurisdiction operating under Title 11A.

N.J.A.C. 4A:4-5.2(d) states in pertinent part that persons appointed to entry level law enforcement officer titles shall serve a 12-month working test period in order to obtain permanent status.

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 of the New Jersey Statutes Annotated.

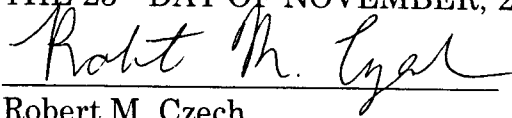
The intergovernmental transfer rules permit the transfer of permanent State, county and municipal employees between jurisdictions without loss of permanent status, subject to the approval of the transferring agency, the receiving agency, the transferring employee, and Agency Services. In this case, Krosby is not permanent since he has not completed his working test period as a Sheriff's Officer. However, Pleasantville has agreed to the transfer, indicating that it is short Police Officers and is in immediate need of fully trained law enforcement personnel. Additionally, Pleasantville has agreed to have Krosby complete the required 12-month working test period. Given the circumstances surrounding Pleasantville's need for trained law enforcement staff, and the staffing needs of Pleasantville, good cause exists to ratify the action of this agency and relax the controlling regulatory provisions in order to permit the transfer of Krosby and to allow him to complete his working test period with Pleasantville. Moreover, if necessary, it is appropriate to approve the retroactive intergovernmental transfer of Krosby. *See In the Matter of Nicholas Rizzitello, Police Officer, Newark* (CSC, decided June 9, 2010).

ORDER

Therefore, it is ordered that this request, seeking the transfer of Korey Crosby, to Pleasantville, 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 23rd DAY OF NOVEMBER, 2016



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