



STATE OF NEW JERSEY

In the Matter of Kean University and
New Jersey City University Merger

CSC Docket No. 2026-2686

**FINAL ADMINISTRATIVE ACTION
OF THE CHAIR/
CHIEF EXECUTIVE OFFICER
CIVIL SERVICE COMMISSION**

Administrative Appeal

ISSUED: June 15, 2026 (HS)

The Division of Agency Services (Agency Services) requests rule relaxations in order to facilitate employee movements from New Jersey City University (NJCU) to Kean University (Kean) in furtherance of the Kean University and New Jersey City University Merger Act (Merger Act).

As background, the Merger Act, *see N.J.S.A. 18A:640-34, et al.*, was signed into law by Governor Philip D. Murphy on January 12, 2026. This legislation formally authorized and provided the legal and financial framework for the absorption of NJCU into Kean, effective July 1, 2026. A core provision of the Merger Act mandates that all NJCU employees shall be considered “new employees” of Kean as of the merger date. *See N.J.S.A. 18A:640-42b.* Additionally, as set forth in *N.J.S.A. 18A:640-42d*:

Nothing in the [Merger Act] shall be construed to affect the Civil Service classification status, if any, of any former employee of [NJCU] upon employment with [Kean]. All such employees who are employed in a Civil Service title that is subject to a working test period pursuant to *N.J.S.A. 11A:4-15* shall be required to undergo a working test period administered by [Kean] to determine whether the employee can satisfactorily perform the duties of the title in accordance with Civil Service Commission regulations. [Kean] shall have the discretion to waive the working test period of new employees who were formerly employed by [NJCU].

Because the Merger Act requires the former NJCU employees to enter Kean as “new employees” while maintaining their permanent status, Agency Services advises that the employee movements cannot be considered traditional lateral transfers consistent with rules outlined under *N.J.A.C. 4A:4-7.1*. Conversely, treating hundreds of employees who hold permanent career service status as new hires creates immediate conflicts with multiple provisions of Title 4A of the New Jersey Administrative Code.

Consequently, to ensure an orderly transition that honors both the statutory intent and the merit system, Agency Services requests a relaxation of all applicable rules. Agency Services advises that this includes the following:

- *N.J.A.C. 4A:4-5.1* (Working test period): Relaxation of this rule would allow Kean the option to subject transferring NJCU employees to a new working test period.
- *N.J.A.C. 4A:4-7.4* (Retention of rights): Relaxation of this rule would allow seniority for purposes of determining promotional, layoff, or demotional rights to be relinquished for some of the transferring NJCU employees.
- *N.J.A.C. 4A:8-2.3* (Exercise of special reemployment rights): Relaxation of this rule would prevent active special reemployment lists from blocking the appointments of NJCU personnel transitioning to Kean.
- *N.J.A.C. 4A:6-1.2* (Vacation leave) and *N.J.A.C. 4A:6-1.2* (Sick leave): Relaxation of these rules will permit Kean the discretion to allow employees to retain vacation and sick leave accrued during their tenure at NJCU, notwithstanding their status as “new employees.”

CONCLUSION

N.J.A.C. 4A:1-1.2(c) provides, in pertinent part, that Civil Service rules may be relaxed for good cause in a particular situation.

Upon review, the record reflects that good cause exists to grant the requested relief. In the Merger Act, the Legislature found and declared:

The preservation of [NJCU]’s mission through a merger with [Kean] is within the public interest and has an important public purpose, as it will preserve and advance the missions of both institutions to uplift the communities they serve through teaching and research by dedicated and supportive faculty, staff, and partnerships that create opportunity and will provide enhanced educational opportunities to the students of [NJCU], Hudson County, and the surrounding region.

N.J.S.A. 18A:64O-35k. The Legislature further found and declared that “[i]t is in the overwhelming public interest of the State to assist [Kean] in its merger with [NJCU].” *N.J.S.A. 18A:64O-35l.* Accordingly, good cause exists to permit Agency Services to relax any rules in Title 4A of the New Jersey Administrative Code, including those discussed above, so that it may facilitate orderly employee movements from NJCU to Kean in furtherance of the Merger Act.

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 ON
THE 15TH DAY OF JUNE, 2026



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