

## STATE OF NEW JERSEY

In the Matter of David Dombrowski, Borough of North Arlington

CSC Docket No. 2015-2906

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Intergovernmental Transfer

ISSUED:

MAY 2 1 2015

(SLK)

The Borough of North Arlington (North Arlington), on behalf of David Dombrowski, requests that he be permitted to participate in the intergovernmental transfer program and to complete his working test period as a Police Officer with North Arlington.

By way of background, Dombrowski was appointed as a County Police Officer with the Bergen County Police Department effective July 23, 2014. However, his 12-month working test period commenced on December 19, 2014 when he completed the Basic Course for Police Officers. Although Dombrowski, the Bergen County Police Department, and North Arlington agreed to the terms of the intergovernmental transfer, the Division of Agency Services (Agency Services) would be unable to process the request absent rule relaxation procedures, since Dombrowski has not achieved permanent status as a County Police Officer as he has not completed his 12-month working test period. See N.J.A.C. 4A:4-7.1A(a).

In its request to the Civil Service Commission (Commission), North Arlington asserts that Dombrowski's service as a County Police Officer has demonstrated that he is capable of performing the duties of a North Arlington Police Officer. Further, North Arlington 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, North Arlington requests permission to allow Dombrowski to complete the remainder of his working test period with North Arlington and to process the request for an intergovernmental transfer.

## 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, Dombrowski is not permanent since he has not completed his working test period as a County Police Officer. However, North Arlington has agreed to the transfer, indicating that it is short Police Officers and is in immediate need of fully trained law enforcement personnel. Additionally, North Arlington has agreed to have Dombrowski complete the required 12-month working test period. Given the circumstances surrounding North Arlington's need for trained law enforcement staff, and the staffing needs of North Arlington, good cause exists to relax the controlling regulatory provisions in order to permit the transfer of Dombrowski and to allow him to complete his working test period with North Arlington.

## **ORDER**

Therefore, it is ordered that this request, seeking the transfer of David Dombrowski to North Arlington, 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 20th DAY OF MAY, 2015

Robert M. Czech Chairperson

Civil Service Commission

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