



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Frank Olsen, Police
Sergeant (PM5150N), Borough of
Runnemede

Administrative Appeal

CSC Docket No. 2017-3383

ISSUED: OCT 06 2017 (HS)

The Borough of Runnemede requests that Frank Olsen be provided with a retroactive date of permanent appointment to the title of Police Sergeant.

By way of background, Olsen received a provisional appointment to the title of Police Sergeant, effective August 2, 2011. Subsequently, Olsen appeared as the sixth ranked eligible on the Police Sergeant (PM5150N), Borough of Runnemede eligible list, which contained only non-veterans and which promulgated on August 7, 2014 and expires on August 6, 2018.¹ A certification issued on August 11, 2014 (PL140964) with Olsen listed in the sixth position. The top three listed eligibles received regular appointments from the PL140964 certification, effective September 2, 2014, and Olsen was returned to his permanent title of Police Officer. On June 3, 2015, the Mayor and Council of the Borough of Runnemede appointed Olsen by resolution to Police Sergeant. At the appointing authority's request, a certification from the eligible list issued on March 29, 2017 (PL170427) with Olsen listed in the third position. Olsen received a regular appointment from the PL170427 certification, effective March 29, 2017, and passed his working test period.

The appointing authority requests that Olsen be provided with a retroactive date of appointment to the title of Police Sergeant, effective June 3, 2015. It states that the Mayor and Council trusted that all Civil Service rules had been followed at the time they appointed Olsen as a Police Sergeant and were unaware that no certification had been requested at that time. The appointing authority also states

¹ It is noted that the eligible list was extended one year.

that Olsen has been serving in the capacity of a Police Sergeant since June 3, 2015. In support, the appointing authority submits a copy of the June 3, 2015 resolution of the Mayor and Council and a payroll history indicating that Olsen has been earning Police Sergeant's pay since June 3, 2015. It is also noted that the Division of Agency Services supports the request to retroactively appoint Olsen to the title of Police Sergeant, effective June 3, 2015.

CONCLUSION

N.J.A.C. 4A:4-1.10(c) provides that when a regular appointment has been made, the Civil Service Commission may order a retroactive appointment date due to administrative error, administrative delay or other good cause, on notice to affected parties.

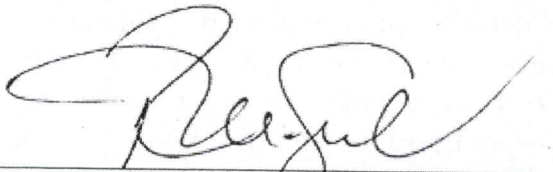
In this matter, the record establishes that the appointing authority intended to promote Olsen to Police Sergeant, effective June 3, 2015, as evidenced by the resolution of the Mayor and Council. However, due to an administrative error, the appointing authority did not request a certification to coincide with the planned appointment date. Nevertheless, had the appointing authority requested a certification at that time, Olsen would have been listed in the third position and reachable for appointment. *See N.J.A.C.* 4A:4-4.8(a)3. Further, the appointing authority verifies that Olsen has been serving as a Police Sergeant since June 3, 2015, and Olsen passed a current working test period. Accordingly, good cause exists to provide Olsen with a retroactive date of permanent appointment, effective June 3, 2015.

ORDER

Therefore, it is ordered that this request be granted and the permanent appointment of Frank Olsen to the title of Police Sergeant, effective June 3, 2015, be recorded.

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 4TH DAY OF OCTOBER, 2017



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