



STATE OF NEW JERSEY

In the Matter of Randolph Plis,
Police Officer, Lacey Township

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

CSC Docket No. 2019-443

Request for Administrative Relief

Corrected Decision

ISSUED: April 1, 2019 (JH)

Lacey Township requests that the provisions of *N.J.A.C.* 4A:4-7.1A(b) be relaxed in order to permit the intergovernmental transfer of Randolph Plis from the title of Sheriff's Officer, Ocean County Sheriff's Department, to the title of Police Officer, Lacey Township.

By way of background, Plis sought an intergovernmental transfer from his title of Sheriff's Officer in the Ocean County Sheriff's Department, to Police Officer, Lacey Township. The appointing authority for the Ocean County Sheriff's Department approved his request on August 8, 2018 and indicated that it had approved his separation for August 9, 2018. The appointing authority for Lacey Township also approved the request and indicated a proposed effective date of August 10, 2018. However, the intergovernmental transfer agreement was not submitted to the Division of Agency Services (Agency Services) until August 13, 2018. Upon receipt of the agreement, Agency Services advised Lacey Township that it could not process the transfer because the agreement was effectuated without prior written consent from this agency as required by *N.J.A.C.* 4A:4-7.1A(b).

In its request to the Civil Service Commission (Commission), the Township explains that due to administrative oversight, the Township believed that the approvals it had obtained from Ocean County were all that was required to effectuate the transfer and it was unaware that it had to seek prior approval from Agency Services. As such, Lacey Township requests that Plis be intergovernmentally transferred with an effective date of August 10, 2018.

CONCLUSION

N.J.A.C. 4A:4-7.1A-(b) provides that an intergovernmental transfer shall require the consent in writing of the sending jurisdiction, if any, the receiving jurisdiction and the affected employee, and the approval of the Chairperson or designee. *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.

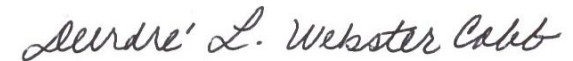
The purpose of the Intergovernmental Transfer Program is to promote more efficient public service by allowing State and local jurisdictions to obtain the services of talented and experienced individuals from other jurisdictions within the Civil Service system. However, absent a compelling emergent situation, such as public safety, accepting and employing interested applicants prior to formal approval by Agency Services could seriously circumvent the Civil Service system and frustrate the legislative goals of appointments based on merit and fitness as demonstrated in a competitive testing situation. Nevertheless, based on the particular circumstances presented in this case, including the fact that Plis has been satisfactorily performing the duties of a Police Officer since August 10, 2018, good cause exists to provide administrative relief to permit the permanent transfer of Plis to Lacey Township. *See In the Matter of Kenneth Dowzycki* (MSB, decided December 1, 2004).

ORDER

Therefore, it is ordered that this request be granted and Randolph Plis be intergovernmentally transferred from the Ocean County Sheriff's Department to Lacey Township effective August 10, 2018.

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 27TH DAY OF MARCH, 2019



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and
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