



STATE OF NEW JERSEY

In the Matter of South Essex Services
Regional Agency

CSC Docket No. 2022-3283

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Request for Title Reallocation on an
Interim Basis

ISSUED: JULY 5, 2022

The Division of Agency Services recommends the reallocation of several titles to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2(c)3* for the purpose of facilitating the establishment of a Joint Meeting.

The rationale for reallocating the subject titles is to provide South Essex Services, a Joint Meeting to be established in accordance with *N.J.S.A. 40A:65-14 et seq.*, with the flexibility needed to more efficiently and quickly meet their hiring responsibilities during the period of transition. As the establishment of the South Essex Services Regional Agency Joint Meeting represents a major reorganization that will combine the South Orange Fire Department, a Civil Service and a non-Civil Service jurisdiction, the Maplewood Fire Department, into a new Civil Service jurisdiction, the South Essex Services Regional Agency, interim non-competitive designations for the titles of Fire Fighter, Fire Captain, and Deputy Fire Chief is necessary. In this regard, this agency has not yet announced or developed the entry level Fire Fighter examination for the 2022 testing cycle and the next promotional examination announcement cycle for the fire service is not scheduled to begin until early 2023. In other words, this agency is not able to provide the newly established Joint Meeting eligible lists in a timely manner should the need for appointments arise. Additionally, the South Orange Fire Department Local 240, South Orange Fire Department Local 40, Maplewood Fire Department Local 25, the New Jersey State Firemen’s Benevolent Association and the South Essex Services Regional Agency agreed to a selection process that it will follow, that is consistent with current Civil Service law and rule, until this agency is able to issue competitive lists.

CONCLUSION

N.J.A.C. 4A:3-1.2(c)3 provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined by the Civil Service Commission that it is appropriate to make permanent appointments to the title and there is a need for immediate appointments arising from a new legislative program or major agency reorganization.

N.J.A.C. 4A:3-1.2(g) states that if a title is designated noncompetitive on an interim basis, at the end of the interim noncompetitive period, which shall be no greater than one year, the job title shall be redesignated as competitive. Individuals appointed during the interim noncompetitive period shall, upon successful completion of their working test periods, attain permanent status in the competitive

Based on all of the foregoing, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service on an interim basis for one year. Reallocating the listed titles will to provide South Essex Services, a Joint Meeting to be established in accordance with *N.J.S.A.* 40A:65-14 *et seq.*, with the flexibility needed to more efficiently and quickly meet their hiring responsibilities during the period of transition. As the establishment of the South Essex Services Regional Agency Joint Meeting represents a major reorganization that will combine the South Orange Fire Department, a Civil Service and a non-Civil Service jurisdiction, the Maplewood Fire Department, into a new Civil Service jurisdiction, the South Essex Services Regional Agency, interim non-competitive designations for the titles of Fire Fighter, Fire Captain, and Deputy Fire Chief is appropriate. The interim designation will ensure that the newly established Joint Meeting will be able to make initial and promotional appointments in a timely manner to fill critical public safety positions. Although South Essex Regional Services requests Fire Chief be reallocated on an interim basis, it has been determined that the record does not evidence an immediate need for a new appointment to that title prior to inclusion in the next promotion testing cycle. Should a need arise, the SEFD can subsequently request for reconsideration at that time.

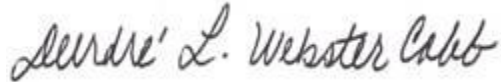
It is noted that the South Orange Fire Department Local 240, South Orange Fire Department Local 40, Maplewood Fire Department Local 25, the New Jersey State Firemen's Benevolent Association and the South Essex Services Regional Agency agreed to a selection process that it will follow, that is consistent with current Civil Service law and rule, until this agency is able to issue competitive lists.

ORDER

Therefore, it is ordered that the Fire Fighter, Fire Captain, and Deputy Fire Chief titles be reallocated to the non-competitive division on an interim basis for a period of one year. The interim non-competitive designations will become effective July 1, 2022.

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 29TH DAY OF JUNE 2022



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