



**STATE OF NEW JERSEY**

In the Matter of Administrative	:	<b>FINAL ADMINISTRATIVE ACTION</b>
Assistant Titles, Division of State	:	<b>OF THE</b>
Police, Department of Law and Public	:	<b>CIVIL SERVICE COMMISSION</b>
Safety	:	
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	:	
CSC Docket No. 2023-2744	:	Request for Title Reallocation
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**ISSUED: June 28, 2023 (HS)**

The Division of State Police, Department of Law and Public Safety (Division), requests that the titles of Administrative Assistant 2 (59901) and Administrative Assistant 3 (59902) be reallocated to the noncompetitive division of the career service on an interim basis to facilitate the initial hiring of staff in its Port Security Section.<sup>1</sup>

As background, the Division was mandated under State law, *P.L. 2017, c. 324*, to replace the Waterfront Commission of New York Harbor (Waterfront Commission) as the regulator of the shipping workforce on the New Jersey side of the Port of New York and New Jersey (Port). After the transfer date of July 17, 2023, *N.J.S.A. 53:2-9b(1)* indicates that the Division will assume all powers, rights, assets, and duties of the Waterfront Commission within the State, and those powers, rights, assets, and duties shall then and thereafter be vested in and exercised by the Division. The Division in turn created a new Port Security Section (PSS) to oversee operations and activities impacting the Port. The PSS will be responsible for streamlining processes from the Waterfront Commission and conducting Port-related investigations and intelligence gathering, timely licensing and regulation of businesses and Port workers, and maintaining audit and administrative capabilities to ensure operational efficiency. The PSS will contain three bureaus with 89 employees. As part of this transfer, the Division indicated its intent to offer employment to current Waterfront Commission employees and hire additional personnel. Thus, the Division requested,

<sup>1</sup> The Division also requested similar interim non-competitive designations for three other titles. However, as two of those titles are already in the non-competitive division and the other title is in the unclassified service, they need not be included in this matter.

in pertinent part, that the titles of Administrative Assistant 2 (59901) and Administrative Assistant 3 (59902) be placed in the noncompetitive division of the career service on an interim basis to effectuate the permanent appointment of staff to the PSS.

The Division of Agency Services (Agency Services) explains that the Division has an urgent need to staff its new PSS. To accommodate this need, Agency Services supports the Division's request that interim noncompetitive status be granted in accordance with *N.J.A.C.* 4A:3-1.2(c)3 to facilitate the initial hiring of staff in the PSS. Accordingly, Agency Services requests that the titles of Administrative Assistant 2 (59901) and Administrative Assistant 3 (59902) be designated as noncompetitive on an interim basis for one year to allow the Division to immediately appoint employees into these titles within the PSS.

### CONCLUSION

*N.J.A.C.* 4A:3-1.2(c) 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 (Commission) that it is appropriate to make permanent appointments to the title and one or more of the following criteria are met:

1. Competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job;
2. Certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions; or
3. There is a need for immediate appointments arising from a new legislative program or major agency reorganization.

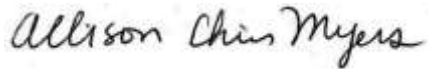
Based on the foregoing, ample reasons exist to reallocate the Administrative Assistant 2 (59901) and Administrative Assistant 3 (59902) titles to the noncompetitive division on an interim basis based on *N.J.A.C.* 4A:3-1.2(c)3. In this regard, the Division has an urgent need to staff its new PSS, which was established in response to recent legislative mandates. Additionally, *N.J.A.C.* 4A:3-1.2(g) provides 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 division.

**ORDER**

Therefore, it is ordered that the request for interim noncompetitive designations for the Administrative Assistant 2 (59901) and Administrative Assistant 3 (59902) titles in the Port Security Section be granted. These designations will be effective from July 1, 2023, and end one year later. At the end of this period, the subject titles will be returned to the competitive division of the career service.

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 28<sup>TH</sup> DAY OF JUNE, 2023



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