



STATE OF NEW JERSEY

In the Matter of Compliance Officer
Trainee, MVC

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

CSC Docket No. 2024-1529

Allocation to Noncompetitive Division

ISSUED: February 7, 2024 (HS)

The Division of Agency Services (Agency Services) requests the establishment of the noncompetitive title of Compliance Officer Trainee, MVC in accordance with *N.J.A.C. 4A:3-1.2*.¹

In support of its request, Agency Services presents that the Compliance Officer Trainee, MVC title will be used exclusively within the Motor Vehicle Commission (MVC). The primary functions of the title would involve learning to conduct scheduled audits of motor vehicle field operations, incorporating agencies, and inspection stations (including driver testing operations); learning to conduct scheduled investigations on rules, regulations, and procedures pertinent to private inspection facilities, centralized inspection facilities, mobile inspections, motor vehicle agencies, commercial and school bus operators and other related businesses licensed or regulated by the MVC; and learning to perform the more repetitive audits and investigations in a developing capacity. Incumbents who successfully complete the 12-month training period will be eligible for advancement to an appropriate primary title. *See N.J.A.C. 4A:3-3.7(j)*. The new title would replace the existing title

¹ Agency Services also requests the inactivation of Compliance Officer Apprentice MVC. It is not necessary for the Civil Service Commission (Commission) to formally act on Agency Services' inactivation of a prior title, since these functions have specifically been delegated to the Chairperson of the Commission or the designee by *N.J.A.C. 4A:3-3.3*, which, in this case, is Agency Services. *See, e.g., In re Changes in the State Classification Plan*, 460 *N.J. Super.* 358 (App. Div. 2019). However, *N.J.A.C. 4A:3-1.2(c)* specifically requires the Commission to determine if a title should be placed in the noncompetitive division of the career service.

of Compliance Officer Apprentice MVC, which would be inactivated upon the establishment of the new title, in order to further recruitment, growth opportunity, and overall support in divisions that utilize the Compliance Officer, MVC title series. Agency Services requests that the new title be assigned to the noncompetitive division due to the impracticability of competitive testing as it is an entry-level title intended to provide on-the-job training with the knowledge, skills, and abilities being learned on the job. Agency Services also requests that the effective date for the requested actions be the beginning of the first pay period following the Commission's approval.

CONCLUSION

N.J.A.C. 4A:3-3.2(a) provides that the Commission shall establish and maintain classification plans for all job titles in the career, senior executive and unclassified services. Additionally, *N.J.A.C.* 4A:3-3.3(a)2 provides that this agency shall implement and administer the classification plans and, in this regard, shall establish new titles, abolish unnecessary titles and consolidate titles.

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 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 all of the foregoing, ample reasons exist for the establishment of the subject title and its allocation to the noncompetitive division based on *N.J.A.C.* 4A:3-1.2(c)1. In this regard, Compliance Officer Trainee, MVC is an entry-level title with no experience requirement and is responsible for learning to conduct scheduled audits and investigations. Incumbents will gain the necessary skillset during the training period. Additionally, incumbents would be required to complete a four-month working test period prior to attaining permanent status. See *N.J.A.C.* 4A:4-5.1(b) and *N.J.A.C.* 4A:4-5.2(b)2. Accordingly, competitive testing is impracticable for this title.

ORDER

Therefore, it is ordered that this request be granted and the title of Compliance Officer Trainee, MVC be established and allocated to the noncompetitive division. This action shall be effective February 10, 2024.

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 7TH DAY OF FEBRUARY, 2024



Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Division of Agency Services
Angela LaMorte
Records Center