

Bilingual Korean/English Municipal and Police Officer Bilingual Korean/English County.

See: 31 N.J.R. 3539(a).

Public Notice: Correction Officer Recruit/Bilingual Spanish/English, Parole Officer Recruit/Bilingual Spanish/English and Senior Parole Officer/Bilingual Spanish/English.

See: 31 N.J.R. 3539(b).

Public Notice: Parole Officer Recruit—Bilingual Spanish/English Juvenile Justice Commission and Senior Parole Officer Bilingual Spanish/English Juvenile Justice Commission.

See: 31 N.J.R. 3539(c).

Public Notice: Police Sergeant Bilingual Spanish/English—Municipal, Police Sergeant Bilingual Spanish/English—County, Police Lieutenant Bilingual Spanish/English—Municipal and Police Lieutenant Bilingual Spanish/English—County.

See: 31 N.J.R. 4132(a).

Public Notice: Fire Officer 1-County, Fire Officer 1-Municipal, Fire Officer 2-County, Fire Officer 2-Municipal, Fire Officer 3-County, Fire Officer 3-Municipal, Fire Officer 4-County, Fire Officer 4-Municipal.

See: 32 N.J.R. 2262(a).

Amended by R.2001 d.66, effective February 20, 2001.

See: 32 N.J.R. 4060(a), 33 N.J.R. 684(a).

Created neutral gender references throughout; added new (k) and (l).

Public Notice: Sheriff's Officer, Bilingual.

See: 34 N.J.R. 2473(b).

Public Notice: District Fire Captain (Washington Twp.), District Fire Captain/Training Officer (Washington Twp.), Assistant Fire Chief (Livingston).

See: 34 N.J.R. 3545(b).

Public Notice: Senior Emergency Services Specialist (Hopewell Twp).

See: 35 N.J.R. 1596(d).

Public Notice: Correction Officers and Sheriff's Officers, Somerset County.

See: 35 N.J.R. 2533(c).

Public Notice: Notice of proposal to include the civil service positions in the Police and Firemen's Retirement System.

See: 35 N.J.R. 2958(a), 2958(b).

Public Notice: Police Chief, Police Lieutenant, Police Sergeant, Police Officer, Palisades Interstate Park Commission.

See: 35 N.J.R. 4148(b).

Public Notice: Chief, Fire Apparatus (UFD).

See: 35 N.J.R. 5450(b).

Public Notice: Police Chief, Brookdale Community College.

See: 35 N.J.R. 5451(a).

Public Notice: Detective, Waterfront Commission of New York Harbor.

See: 36 N.J.R. 1245(a).

Public Notice: Notice of Proposal to Include the Non-Civil Service Positions of Assistant Chief, Firefighter/Emergency Medical Technician, and Firefighter/Emergency Medical Technician/Inspector in the Police and Firemen's Retirement System.

See: 37 N.J.R. 4478(b).

Public Notice: Notice of Proposal to Include the Civil Service Positions of Ranger, Ranger Sergeant, Ranger Lieutenant, and Chief of Parks and Law Enforcement in the Police and Firemen's Retirement System.

See: 37 N.J.R. 4479(a).

Amended by R.2006 d.130, effective April 3, 2006.

See: 37 N.J.R. 4521(a), 38 N.J.R. 1578(a).

In (a), added "statutory" and statutory citation; in introductory paragraph (b), substituted "subchapter" for "section"; in (b)4, inserted "(Division)"; in introductory paragraphs (c) and (d), inserted "Trustees" following "Board of", and in the last sentence, substituted "Director and the Board of Trustees" for "Board"; rewrote (f), (g) and (i); added (l)6 and 7; and added (m) and (n).

Public Notice: Notice of Proposal to Include Non Civil Service Position of Fire Official/Firefighter in the Police and Firemen's Retirement System.

See: 38 N.J.R. 1774(b).

Public Notice: Notice of Proposal to Include the Non Civil Service Position of Firefighter/Inspector in the Police and Firemen's Retirement System.

See: 38 N.J.R. 3329(b).

Public Notice: Notice of Proposal to Include the Non Civil Service Position of Lieutenant Public Safety in the Police and Fireman's Retirement System.

See: 38 N.J.R. 4763(b).

Public Notice: Notice of Proposal to Include the Non Civil Service Position of Firefighter/Driver in the Police and Firemen's Retirement System.

See: 39 N.J.R. 1535(a).

Public Notice: Notice of Proposal to Include the Non Civil Service Position of Assistant Fire Chief in the Police and Firemen's Retirement System.

See: 39 N.J.R. 2664(c).

Public Notice: Notice of Proposal to Include the Non Civil Service Position of Chief Fire Inspector and Fire Inspector in the Police and Firemen's Retirement System.

See: 39 N.J.R. 4004(c).

17:4-2.2 Compulsory enrollment

Membership in the Police and Firemen's Retirement System of New Jersey is mandatory, a condition of employment for every "police officer" or "firefighter" under the provisions of N.J.S.A. 43:16A-1 et seq.

Amended by R.2001 d.66, effective February 20, 2001.

See: 32 N.J.R. 4060(a), 33 N.J.R. 684(a).

Rewrote the section.

Case Notes

As a firefighter, age 38, was hired under the mistaken belief that his service in the military and as a police officer would enable him to meet N.J.S.A. 40A:14-12's age limit for firefighters (age 35), and the firefighter, acting in good faith and reasonably, left other employment to accept the position, the Board of Trustees of the New Jersey Police and Firemen's Retirement System (PFRS) had to consider whether the firefighter could enroll in PFRS on equitable grounds despite the age limit of 35 set out in N.J.S.A. 43:16A-3 and N.J.A.C. 17:4-2.5. *Sellers v. Board of Trs. of the Police & Firemen's Ret. Sys.*, 399 N.J. Super. 51, 942 A.2d 870, 2008 N.J. Super. LEXIS 62 (App.Div. 2008).

17:4-2.3 Medical requirements

The employer must furnish evidence of good health sufficient to satisfy the Board of Trustees. If the Division or the Board has a question regarding the evidence of good health provided, the Division or Board may request that the applicant be examined by an independent physician designated to conduct such an examination for the Retirement System.

Amended by R.2001 d.66, effective February 20, 2001.

See: 32 N.J.R. 4060(a), 33 N.J.R. 684(a).

Added (a)3.

Amended by R.2006 d.130, effective April 3, 2006.

See: 37 N.J.R. 4521(a), 38 N.J.R. 1578(a).

Rewrote the section.

17:4-2.4 (Reserved)

17:4-2.5 Age requirements

(a) Applicants must be appointed to an eligible title on or prior to their 35th birthday.

(b) The age of candidates for positions covered by the Police and Firemen's Retirement System with employers who have adopted the provisions of Title 11A of the New Jersey Statutes (Civil Service) is determined at the announced clos-

ing date of the examination offered by the Department of Personnel for those positions. Candidates must not be one day past the date of their 35th birthday on the announced closing date of the examination. Those candidates meeting the age requirements at that time will be considered as having met the age maximum requirement for the duration of the list promulgated as a result of such examination. (N.J.S.A. 43:16A-3(1))

(c) N.J.S.A. 38:23A-1 et seq. is recognized as a modification of the age maximum for certain “veterans.” Persons having served in the active military service of the United States during “time of war” and conflict as defined in N.J.S.A. 43:16A-11.7 can for the purpose of meeting the maximum age requirement for entrance into this retirement system reduce their actual age by the stipulated period of such military service. Should this reduced age meet the age maximum in effect, the applicant will be considered as having met the age maximum for enrollment.

(d) The period of time to be deducted from an individual’s age is limited to actual time served during the war or conflict. Earlier or later periods of military service cannot be used to reduce individuals’ ages so as to enable them to meet any maximum age limits.

(e) Any active military service terminating in dishonorable discharge is not creditable.

(f) An applicant is permitted to reduce their actual age in order to meet the maximum age requirement of 35 years for the position of municipal police officer if, in accordance with N.J.S.A. 40A:14-127.1, they have previous service as a former State trooper, sheriff’s officer or deputy, or county or municipal police officer. Prior experience in Federal law enforcement agencies or in law enforcement agencies of other states that would meet the requirements of police officer in New Jersey would also qualify for the purpose of reducing the candidate’s age for the position of a municipal police officer. “Age reductions” may also be granted for persons seeking employment as municipal police officers who have prior service with the Delaware River Port Authority Police, Amtrak or South Eastern Pennsylvania Transportation Authority (SEPTA) police departments. No person may be appointed over the age of 45 except for those who were previously involuntarily terminated from their former law enforcement officer employment.

(g) Individuals seeking employment with a municipality in an eligible PFRS title who are over age 35 on the closing date of the examination with a Civil Service employer or over age 35 on the date of hire with a non-Civil Service employer, even after “reductions in age” have been taken into account, cannot establish membership in any State-administered retirement system. Since enrollment in the PFRS is a condition of employment (N.J.S.A. 43:16A-3(1)), these individuals cannot be hired.

(h) Municipal statutes provide that in some situations volunteer and exempt fire fighters in municipalities may be ap-

pointed to full-time fire fighter positions if they are not over 40 years of age at the time of their appointments. This proper appointment of someone who is past their 35th birthday to a municipal fire department does not negate the eligibility requirement that someone not be past their 35th birthday to be enrolled in the PFRS. Therefore, any appointees under this provision are required to enroll in the Public Employees’ Retirement System.

Amended by R.2000 d.292, effective July 17, 2000.

See: 32 N.J.R. 1320(a), 32 N.J.R. 2599(a).

Rewrote (c) and (d); and recodified former (d)3 as (e).

Amended by R.2003 d.204, effective May 19, 2003.

See: 35 N.J.R. 508(a), 35 N.J.R. 2186(a).

Rewrote (b).

Amended by R.2006 d.130, effective April 3, 2006.

See: 37 N.J.R. 4521(a), 38 N.J.R. 1578(a).

Added (f)-(h).

Case Notes

As a firefighter, age 38, was hired under the mistaken belief that his service in the military and as a police officer would enable him to meet N.J.S.A. 40A:14-12’s age limit for firefighters (age 35), and the firefighter, acting in good faith and reasonably, left other employment to accept the position, the Board of Trustees of the New Jersey Police and Firemen’s Retirement System (PFRS) had to consider whether the firefighter could enroll in PFRS on equitable grounds despite the age limit of 35 set out in N.J.S.A. 43:16A-3 and N.J.A.C. 17:4-2.5. *Sellers v. Board of Trs. of the Police & Firemen’s Ret. Sys.*, 399 N.J. Super. 51, 942 A.2d 870, 2008 N.J. Super. LEXIS 62 (App.Div. 2008).

17:4-2.6 Enrollment date

(a) An employee who is appointed to a permanent position from a civil service list shall be considered as having begun eligibility for enrollment on the date of regular appointment.

1. For employers who report on a monthly basis, the compulsory enrollment date shall be fixed as the first of the month of regular appointment for an employee whose regular appointment date falls between the first through the 16th of the month and the compulsory enrollment date shall be fixed as the first of the following month for an employee whose regular appointment date falls between the 17th and the end of the month.

2. For employers who report on a biweekly basis, the compulsory enrollment date shall be fixed as the first day of the pay period of regular appointment for an employee whose appointment date falls on the first through seventh day of the biweekly pay period. The compulsory enrollment date shall be fixed as the first day of the following biweekly pay period for an employee whose appointment date falls on any subsequent date within that pay period.

(b) An employee in the unclassified service shall be considered as beginning service on the date employment began. The compulsory enrollment date shall be fixed as the first of the month of hire for an appointee whose beginning employment date falls between the first through the 16th of the month and the compulsory enrollment date shall be fixed as the first of the following month for an appointee whose beginning employment date falls between the 17th and the end of the month.

(c) For local employers not covered by civil service, a regular appointment shall constitute the date the employee originally accepted employment in a regular budgeted position.

1. For local employers not covered by civil service who report on a monthly basis, the compulsory enrollment date shall be fixed as the first of the month of hire for an employee whose beginning employment date falls between the first through 16th of the month and the compulsory enrollment date shall be fixed as the first of the following month for an employee whose beginning employment date falls between the 17th and the end of the month.

2. For local employers not covered by civil service who report on a biweekly basis, the compulsory enrollment date shall be fixed as the first day of the pay period of hire for an employee whose date of hire falls on the first through seventh day of the biweekly pay period. The compulsory enrollment date shall be fixed as the first day of the following biweekly pay period for an employee whose date of hire falls on any subsequent date within that pay period.

(d) An employee of a civil service employer who is not permanent in a classified position or an employee of a non-civil service employer who is not in a regular budgeted position may be considered a temporary employee by the