

20-5.112e (cont'd)

- d. Such education and/or training is not related to the duties and responsibilities prescribed for the position in which the employee is incumbent.

6. Ineligible Employees:

The following employees are ineligible for tuition aid:

- a. Employees on temporary status;
- b. Employees with less than one year of service at the time of registration;
- c. Employees whose last performance evaluation is less than "satisfactory";
- d. Employees who are pursuing education which is not directly related to the duties and responsibilities prescribed for the position in which they are incumbent.
- e. Employees who are receiving or are eligible to receive scholarship and/or tuition assistance through the school in which he/she is in attendance and/or through other public or private agency resources.
- f. Employees on part-time status.

7. Reimbursable Costs:

Departments may pay in whole or in part appropriate costs attendant to the employee's education.

8. Academic Standards:

Employees must maintain no less than an academic average consistent with the minimum acceptable standards established by school in which he/she is enrolled in order to be eligible for reimbursement.

20-5.112e (cont'd)

2. Administration:

The department training officer should be responsible for approving or disapproving requests for tuition aid subject to the following:

- a. Availability of funds;
- b. Recommendation of the applicants' supervisor and division head;
- c. Conditions, limitations and priorities of these regulations and/or the department or agency training plan;
- d. Eligibility of candidate(s).

3. Criteria for Selection:

Each department shall develop uniform and specific criteria for selection of employees to receive tuition aid and notify the Department of Civil Service of these criteria through filing of its tuition aid plan (20-5.112e, 1).

4. Authorization for Expenditure:

Each department or agency shall obtain authorization for remuneration for each participant in the program in accordance with the standards governing expenditures for training as specified in this Subpart and Subpart 20-5.101f, (1) (c). Such requests must be submitted to the Department of Civil Service on a Staff Training Request (CS-94) no less than two weeks prior to enrollment.

5. Ineligible Education and/or Training:

Department may not authorize remuneration for tuition and other costs (20-5.112e, 7) when:

- a. Such education and/or training may be obtained through State or other resources at a lesser cost.
- b. The employee is eligible to receive remuneration for such education and/or training through scholarships or assistance other than that available from the department.
- c. Such education and/or training is not of direct value to the State and/or department.

20-5.112e (cont'd)

9. Employee Commitment:

As a condition of accepting and receiving tuition aid, the employee should agree in writing to remain in the employ of the sending department for no less than one month for each month in which he/she received tuition aid to a maximum of two years; or to reimburse the sending department on the same basis (Refer to 20-5.112e, 12).

10. Reimbursement Procedure:

Reimbursement of tuition and other eligible related costs (20-5.112e, 7) should be made upon presentation by the employee of:

- a. Official evidence of satisfactory completion of the course(s) of study for which the employee was originally approved.
- b. Receipted invoices for those eligible costs.
- c. A signed statement by the employee attesting to the fact that he/she did not receive tuition or scholarship assistance from the school or other sources in addition to those provided by the department.

11. Withdrawal:

An employee accepted for tuition aid may withdraw from the program in which he/she is enrolled, without prejudice or sanctions imposed by the sending department; however, in so doing he/she should waive the right to any reimbursement for tuition, registration or other related costs.

12. Termination:

- a. An employee who terminates employment with the sending department prior to completion of the education and/or training should waive entitlement to tuition aid.
- b. Repayment may be made at a rate and in a manner agreed to by the department and employee.

20-112e

(cont'd)

13. Travel:

- a. Reimbursement for travel expenses incurred in the use of public transportation or private vehicles may be made only if an employee is directed to attend courses by the sending agency.
- b. State owned vehicles may be used only for travel to and from the educational site when an employee is directed to enroll in an educational program by his/her employing agency.

14. Modification of Work Schedules:

The department may authorize modification of work schedules in order to permit an employee to attend education programs (for which the employee is receiving tuition aid). When modification of work schedules is not practical, the sending agency may grant up to four hours per week to the employees to attend instruction.

15. Credit Hours:

Remuneration for any candidate's tuition and other related costs shall not exceed 15 credit hours or the equivalent in any fiscal year.

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20-6.101c (cont'd.)

(b) The period of assignment shall not be less than two months nor for more than 12 months; however, the President of the Civil Service Commission is authorized to set a time period of less than two months of assignment in order to accommodate emergency situations, e.g. a call for fire wardens to help control a fire in a neighboring state.

"Emergency situations" does not allow for a reduced time period to permit a desirable, but not crisis, interchange with less than a two month assignment period.

(c) An employee shall not receive such assignments for more than 12 months during any 36 month period;

(d) The participating employee shall agree to remain in the employ of the sending agency for a period of at least one year after the termination of the period of interchange.

2. The Department of Civil Service shall review all forms CS-118 described in Regulations 1.(a) above to insure compliance with these regulations and the intent of N.J.S.A. 52:14-6.10.
3. The sending agency or the receiving agency may terminate a program of employee interchange without reason provided 30 days written notice is given to (1) the other agency, (2) the participating employee, and (3) the Department of Civil Service.
4. No employee shall be assigned as a participating employee or continue in such assignment without his freely - given consent. If the employee agrees to participate s/he shall be assigned to a receiving agency but continue as an employee of the sending agency, except for purposes of supervision which shall be determined by agreement between the sending and receiving agencies. During this period of assignment all rights and benefits shall be continued including but not limited to: salary, seniority, promotion, re-employment, retirement, pension, insurance, vacation, sick leave and if necessary Workmen's Compensation.

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5. A participating employee shall receive his salary from the sending agency. No compensation shall be received from the receiving agency except as may be reimbursed for the necessary per diem and mileage expenses.

6. The sending agency may pay the expenses incurred by a participating employee in transporting the employee's immediate family, household goods and personal effects from and to the regular place of employment and the assigned place of employment provided that the period of assignment is more than 8 months in duration.

20-6.101d Procedures:

The Division of Employee Services, Department of Civil Service, is responsible for administering these regulations. It shall assist any New Jersey Governmental unit in participating in government employee interchange programs pursuant to N.J.S.A. 52:14-6.10 et seq. or in any comparable acts of the Federal government or other State.

PART 20-6 EMPLOYEE INTERCHANGE

Subpart 20-6.101 Administration of the Government Employee Interchange
Act of 1967

20-6.101a Subject:

This subpart sets forth regulations and procedures issued pursuant to (N.J.S.A. 52:14-6.10) Government Employee Interchange Act of 1967. They shall apply to any department, division, office, agency, bureau or section of this state or any political subdivision of the State, or any authority or instrumentality created or chartered by the State.

20-6.101b Objectives:

1. The objectives of the act are to provide for the temporary interchange of federal, state and local governmental employees to:
 - A. Encourage and improve intergovernmental cooperation,
 - B. Provide a means for the State and local governments to develop or increase the knowledges, skills and abilities of their employees, and
 - C. Assist in the resolution of problems of the sending or receiving agency.
2. The act will not apply to the assignment of an employee;
 - A. As a student to an established education institution.
 - B. To any unit of government outside the territorial limits of the United States or its possessions.

20-6.101c Regulations:

1. Any unit of government in the State of New Jersey is authorized to participate, as either a sending agency or a receiving agency, in interchanging employees with any other unit of Federal, State or local government of the United States, provided:
 - A. The chief executive officer of (a) the sending agency, and (b) the receiving agency and (c) the participating employee shall have executed and filed with the President of the New Jersey Civil Service Commission the prescribed form CS-118;

20-6.101c (cont'd.)

- B. The period of assignment shall not be less than two months nor for more than 12 months;
 - C. An employee shall not receive such assignments for more than 12 months during any 36 month period;
 - D. The participating employee shall agree to remain in the employ of the sending agency for a period of at least one year after the termination of the period of interchange.
2. The Department of Civil Service shall review all forms CS-118 described in Regulations 1.A. above to insure compliance with these regulations and the intent of N.J.S.A. 52:14-6.10.
 3. The sending agency or the receiving agency may terminate a program of employee interchange without reason provided 30 days written notice is given to (1) the other agency, (2) the participating employee, and (3) the Department of Civil Service.
 4. No employee shall be assigned as a participating employee or continue in such assignment without his freely - given consent. If he agrees to participate he shall be assigned to a receiving agency but continue as an employee of the sending agency, except for purposes of supervision which shall be determined by agreement between the sending and receiving agencies. During his period of assignment all his rights and benefits shall be continued including but not limited to: salary, seniority, promotion, re-employment, retirement, pension, insurance, vacation, sick leave and if necessary Workmen's Compensation.
 5. A participating employee shall receive his salary from his sending agency. He shall not receive any compensation from the receiving agency except that he may be reimbursed for his necessary per diem and mileage expenses.
 6. The sending agency may pay the expenses incurred by a participating employee in transporting his immediate family, household goods and personal effects from and to his regular place of employment and his assigned place of employment provided that the period of assignment is more than 8 months in duration.

20-6.101d Procedures:

The Division of Employee Services of the Department of Civil Service is assigned responsibility for administering these regulations. It shall also assist any New Jersey Governmental unit to participate in government employee interchange programs pursuant to N.J.S.A. 52:14-6.10 or any comparable acts of the Federal government or any other State.

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(State Service)

Repeal

CIVIL SERVICE PERSONNEL MANUAL
(STATE SERVICE)

Please be advised that the following subpart has been repealed; please remove the subpart from your manual:

<u>Subpart</u>	<u>Issue Date</u>	<u>Repealed Date</u>
20-7.101	4/9/73	7/9/81

PART 20-7 CAREER DEVELOPMENT

Subpart 20-7.101 Employee Advisory Service

20-7.101a Subject:

This subpart describes the operation and regulations of the Employee Advisory Service established by the Department of Civil Service.

20-7.101b Purpose:

The purpose of the Employee Advisory Service is to provide a means of assisting employees in any department whose work has been rated unsatisfactory to again achieve a work performance which is satisfactory.

The Employee Advisory Service may be utilized by any state employee on a voluntary basis should an employee feel he or she has problems relating to work performance.

20-7.101c Procedure:

1. The names and titles of employees who have received EPEIS ratings of "unsatisfactory" will be referred to the Employee Advisory Service in the Department of Civil Service.

2. Any employee whose job performance is of such a nature as to cause concern will be referred by the line supervisor to the personnel office of his department and in turn to the Employee Advisory Service.

3. Any employee may utilize the Employee Advisory Service on a voluntary basis and may contact Employee Advisory Service directly.

4. The Employee Advisory Service will interview the referrals and in turn refer to community resources which will provide specific services.

5. The Employee Advisory Service will arrange with the personnel office of the employee's department to have the employee excused from work to keep specific appointments.

6. The Employee Advisory Service will maintain continuing follow-up on referrals to determine progress of the employee.

7. The Employee Advisory Service will also maintain follow-up concerning the employee's job performance.

20-7.101c (cont'd)

8. The records, information, and any material in the Employee Advisory Service Program will be strictly confidential.

9. State Employee Associations and Unions may refer to the Employee Advisory Service and their support of the program is solicited.

10. The Employee Advisory Service will function as a unit in the Bureau of Employee Services, Department of Civil Service.

11. In those situations where the client does not have a medical, mental health, or personal problem, the client will be referred to the Chief, Bureau of Employee Services who will interview the client and then contact the personnel officer in the department where the client is employed.

12. No employee who is in process with the Employee Advisory Service will be dismissed before the Chief, Bureau of Employee Service, Department of Civil Service has conferred with the personnel officer of the employee's department.

13. An employee who is referred to the Employee Advisory Service and does not accept the referral or an employee who does not keep referral appointments will be subject to disciplinary action. However, prior to taking disciplinary action for this reason against such employee the personnel officer will submit the matter to the Chief, Bureau of Employee Services, Department of Civil Service for review. If required, the matter will be submitted to the Chief Examiner and Secretary for presentation to the Civil Service Commission.

14. Should the Employee Advisory Service need to interview a supervisor concerning an employee's work performance, the personnel office or the individual who is responsible for the personnel function will arrange for the supervisor to report to the Employee Advisory Service.

15. Division Directors, Bureau Chiefs and other administrative and executive personnel will cooperate with the Employee Advisory Service in the rehabilitation of any employee.

PART 20-8 EMPLOYEE ADVISORY SERVICE

Subpart 20-8.101 Policy and Procedure

20-8.101a Subject:

This subpart describes the operation and regulations of the Employee Advisory Service established by the Department of Civil Service.

20-8.101b Purpose:

The purpose of the Employee Advisory Service is to provide a means of assisting State employees who have demonstrated a capability for satisfactory work performance but have been performing less than satisfactorily or in such a manner as to cause concern because of personal or job related problems.

20-8.101c Policy:

It is the policy of the State of New Jersey to assist employees in achieving and maintaining the highest level of job performance of which they are capable. The Employee Advisory Service arranges for the referral of employees, or members of an employee's household, for counseling or other professional services if, a) the employee's job performance is less than satisfactory or b) the employee is experiencing personal problems which are manifested on the job or c) a member or members of an employee's household has personal problems which adversely affect the employee's job performance.

All appointing authorities and employees are encouraged to utilize the Employee Advisory Service. Appointing authorities should refer employees to the Service when an employee's job performance causes concern, rather than relying on a report of job performance. State employee associations and unions may refer employees to the Employee Advisory Service if the employee agrees to the referral.

20-8.101d Composition:

The Employee Advisory Service, a unit in the Bureau of Employee Services, Division of Personnel Services and Employee Development, Department of Civil Service, is composed of professional counselors who evaluate employees and refer them to community resources for medical, psychiatric or other professional assistance.

20-8.101e Definitions:

1. Active Client Status: status of an employee when s/he, or a member of his/her household, is currently being counseled or is scheduled to undergo counseling with the Employee Advisory Service or referral agency.

20-8.101e (Cont'd)

2. Employee: a State employee or a member of his/her household.
3. Employer referrals: employees referred to the Service by management because of less than satisfactory job performance or problems manifested on the job.
4. Personnel officer: any individual authorized to be responsible for agency personnel functions.
5. Self-referrals: employees who, on their own initiative, contact the Employee Advisory Service.

20-8.101f Confidentiality:

1. All information concerning an employee, whether stated, written or known, in the Employee Advisory Service files or referral files, shall be confidential.
2. Only the client can authorize the release of information concerning his/her contact with the Employee Advisory Service.
3. In order to release information:
 - (a) A release form must be signed by the client and his/her treatment agency or counselor.
 - (b) The client may state an expiration date for the release form after which confidentiality is restored and reestablished.
 - (c) When a client signs a confidentiality release form s/he is allowing full disclosure of information. There is no provision for partial disclosure.

20-8.101g Procedure:

1. Referrals
 - (a) The employing agency is to refer an employee to the Employee Advisory Service for evaluation as soon as problems are manifested which may affect job performance.

20-8.101g (cont'd)

- (b) The names and titles of employees who have received job performance ratings of less than satisfactory will be referred to the Chief, Employee Services, Division of Personnel Services and Employee Development, Department of Civil Service.
- (c) An employee whose job performance is cause for concern may be referred by the line supervisor to the personnel officer in his/her department and in turn to the Employee Advisory Service.
- (d) If the Employee Advisory Service counselor determines that the client's situation is not within the scope of the Service, the counselor may refer the employee to the Chief, Employee Services, who will interview the client. The Chief, Employee Services, may contact the personnel officer in the client's department in an effort to work out a solution to the employee's problem.
- (e) When an employee who is referred to the Employee Advisory Service does not accept the referral by the Employee Advisory Service to a community resource or when an employee who has been referred to the Employee Advisory Service does not keep referral appointments, the counselor will inform the referring department.

2. Interviews:

- (a) Employer-referred employees will be scheduled for appointments through the personnel officers of their departments.
- (b) Should the Employee Advisory Service need to interview the supervisor concerning an employee's work performance, the personnel officer will arrange for the supervisor to report to the Service.

3. Time Off:

- (a) Employees who are referred by their personnel officer to the Employee Advisory Service will be excused from work assignments for up to two visits.
- (b) Employees will be charged vacation, sick leave, or administrative leave for subsequent visits.
- (c) Arrangements beyond the two excused visits are to be worked out between the employee and management with or without participation by the Employee Advisory Service.

20-8.101g (cont'd)

4. Follow-up:

- (a) The Employee Advisory Service will maintain follow-up on all clients to determine their progress.
- (b) If the employee does not follow the course of action recommended by the Employee Advisory Service, or no further follow-up services can be performed, the employee shall no longer remain in active client status. The appointing authority shall determine what course of action to take concerning said employee.

5. Financial responsibility:

The employee must assume the financial responsibility for use of community referral agencies whose fees are not covered by the State.

20-8.101h Removal:

Before seeking removal of an employee who is in active client status, the appointing authority shall consult with the Chief, Employee Services.

Subpart 20-8.102 Examination Of Public Records

20-8.102a Subject:

This subpart will detail the State policy on examination by citizens of public records in accordance with Executive Order No. 11.(1974)

20-8.102b Policy:

Public records are to be readily accessible for examination by citizens of this State for the protection of the public interest. All records which are required by law to be made, maintained and kept on file by State and local governmental agencies are public records, subject to inspection and examination and must be available for copying.

20-8.102c Exceptions:

Except as otherwise provided by law or when essential to the performance of official duties or when authorized by a person in interest, governmental instrumentalities shall not disclose to anyone other than a person duly authorized by this State or the United States to inspect such information in connection with their official duties, personnel or pension records of an individual, except that the following shall be public:

1. An individual's name, title, position, salary, payroll record, length of government service, date of separation from government service and reason for separation; and the amount and type of pension the individual is receiving;
2. Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but in no event shall detailed medical or psychological information be released.

20-8.102d Effective:

Executive Order 11 became effective November 15, 1974.

ISSUED: 8/14/75

Series 21

Enforcement, Prohibitions, Penalties

PART 21-1 EQUAL EMPLOYMENT OPPORTUNITY

Subpart 21-1.101 State Affirmative Action Program

21-1.101a Subject:

This subpart promulgates the directives of Executive Order No. 61, signed by Governor Brendan T. Byrne on October 12, 1977.

21-1.101b Authority:

The State is required to comply with Federal and State laws that mandate equal employment opportunity, including Title VII of the Civil Service Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the New Jersey Law Against Discrimination, and Executive Order No. 61. By Executive Order No. 61, the Governor has vested in the Division of Equal Employment Opportunity, Department of Civil Service, the authority to develop, implement, and administer a Statewide Equal Employment Opportunity and Affirmative Action Program for all departments and agencies subject to the Order.

21-1.101c Scope of Executive Order No. 61:

All departments in the Executive Branch and all appointees of the Governor in the Executive Branch and their staff shall comply with Executive Order No. 61. "Departments" shall include each of the principal departments in the Executive Branch of State government and all boards, commissions, agencies, councils, authorities, bureaus and State colleges, now existing or hereafter established. The Executive Order extends to the unclassified as well as the classified service of State government. "Protected class persons" shall include race/ethnic minorities as defined in Subpart 21-2.102, women and the physically handicapped.

21-1.101d Policy:

There shall be equal employment opportunity for all employees and all applicants seeking employment in all departments, regardless of race, creed, national origin, age, sex, or physical handicap. Affirmative action shall be undertaken to provide protected class persons with equal employment opportunity in New Jersey State government.

21-1.101e Equal Employment Opportunity and Affirmative Action Program:

The head of each department shall ensure equality of opportunity for all departmental employees and applicants in the areas of recruitment, selection, hiring, training, promotion, transfer, layoff, return from layoff, compensation, fringe benefits, and all other terms and conditions of employment.

21-1.101e (cont'd)

Each department head shall appoint at least one individual as the Affirmative Action Officer. Such individual shall be directly responsible to the office of the department head. Affirmative Action Officers shall serve in a full-time capacity; any exceptions are subject to the approval of the Director of the Division of Equal Employment Opportunity.

21-1.101f Program Administration:

1. The Director of the Division of Equal Employment Opportunity and Affirmative Action shall:

- a. Be responsible to the Governor and the President of the Civil Service Commission for the administration of the Statewide Equal Employment Opportunity and Affirmative Action Program.
- b. Review State personnel policies and procedures including recruitment, selection, and promotion procedures, to identify and facilitate the elimination of artificial barriers to equal employment opportunity.
- c. Ensure that each department develops appropriate affirmative action and equal employment goals for protected class persons.
- d. Ensure that each department complies with all laws and regulations relating to equal employment opportunity and Executive Order No. 61.
- e. Seek correction of discriminatory practices and procedures.
- f. Act as liaison with Federal, State and local enforcement agencies.
- g. Develop necessary Civil Service Personnel Manual Subparts to further interpret Executive Order No. 61 and describe related procedures to be used by the Department of Civil Service and the departments relative to the Statewide Affirmative Action Program. Subparts will be promulgated through the normal Civil Service administrative process. Operational procedures will also be promulgated in an Equal Employment Opportunity and Affirmative Action Procedural Manual. This Manual will be distributed at least to all departmental affirmative action officers and personnel officers.

21-1.101f (cont'd)

h. Recommend necessary legislation through the Department of Civil Service Legislative Liaison and perform other actions deemed necessary by the Governor and the President of the Civil Service Commission to implement Executive Order No. 61.

2. The Department of Civil Service, through the Division of Equal Employment Opportunity and Affirmative Action shall:

a. Provide a pool of protected class applicants for consideration for vacant classified and unclassified positions. (See Subpart 21-2.103)

b. Review Civil Service regulations to identify those regulations which serve to discriminate against minorities, the physically handicapped and women and recommend elimination of same to the Civil Service Commission.

c. Review testing procedures to eliminate those which serve to discriminate against minorities, the physically handicapped, and women. (See Subpart 21-2.103)

d. Analyze job specifications to identify and eliminate those prerequisites which are not legitimate occupational qualifications.

e. Ensure selection devices are validated. (see Subpart 21-2.103)

f. Receive and review all discrimination complaints of State government service employees and applicants for State government service; evaluate trends and recommend appropriate policy and procedural changes.

g. Receive, analyze and transmit to the Governor at least semi-annually progress reports on affirmative action in all departments.

21-1.101f (cont'd)

h. Make available to the public statistics relating to affirmative action progress.

3. Each department shall:

a. Submit an affirmative action plan complete with goals and timetables to the Director of the Division of Equal Employment Opportunity and Affirmative Action. Each plan shall identify existing inequities in hiring, promotion, and all other terms and conditions of employment and provide specific remedies for such inequities and establish time periods for accomplishing remedial action.

b. Submit quarterly affirmative action reports to the Director of the Division of Equal Employment Opportunity and Affirmative Action.

c. Submit for approval an annual update of the departmental affirmative action plan.

d. No press release regarding the affirmative action program or departmental affirmative action plans should be released without consultation with the Director of the Division of Equal Employment Opportunity and Affirmative Action, in order to avoid inadvertent violations of the program.

21-1.101g Enforcement Authority:

1. The head of each department shall be held accountable to the Governor for achieving and maintaining compliance in the Affirmative Action Program.

2. The Director of the Division of Equal Employment Opportunity and Affirmative Action shall recommend appropriate sanctions to the Governor and to the President of the Civil Service Commission for non-compliance of laws and regulations relating to equal employment opportunity and Executive Order No. 61.

3. Sanctions and penalties recommended by the Director of Equal Employment Opportunity and Affirmative Action may be applied by the Civil Service Commission in accordance with Federal and State regulations, subject to the concurrence of the Governor and the President of the Civil Service Commission, when a department fails to achieve its goals and to demonstrate good faith efforts.

4. Agencies achieving outstanding affirmative action results shall be cited by the Governor for their efforts.

21-1.101h N.J. Equal Employment Opportunity Advisory Commission:

The N.J. Equal Employment Opportunity Advisory Commission has been created by Executive Order No. 61 to advise the Division of recommended improvements in the State's affirmative action effort. The Advisory Commission will consist of 11 members appointed by the Governor.

The Director of the Division of Equal Employment Opportunity and Affirmative Action shall serve as Executive Secretary to the Advisory Commission.

SUPERSEDED

PART 21-1 EQUAL EMPLOYMENT OPPORTUNITY

Subpart 21-1.101 Administration of the State Affirmative Action Program

21-1.101a Subject:

Executive Order No. 14 of December 23, 1974, mandates that all executive departments and agencies take affirmative action to eliminate job discrimination based on race, color, creed, national origin, ancestry, sex, marital status, age, and physical handicap to insure equality in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rate of compensation, training, and all other terms and conditions of employment. This Executive Order is in accord with the U. S. Civil Rights Act as amended (P. L. 92-261) the Law Against Discrimination (10:2-1 et seq. NJSA), and Title 11, NJSA, The Civil Service Law.

21-1.101b Operational Policy and Procedures:

The Department of Civil Service will administer Executive Order No. 14 to the full extent of its obligation by the formulation and implementation of a State affirmative action plan binding on all executive departments and agencies in State government. The plan shall include, but not be limited to:

1. A commitment by all State executive departments and agencies to adhere to the policy as enunciated in Executive Order No. 14 and the State Affirmative Action Plan. It is suggested that no press release regarding the affirmative action program be issued without consultation with the Governor's Affirmative Action Officer or the Civil Service Department so as to avoid inadvertent violations of the Governor's program or of federal guidelines.
2. All departments and agencies will instruct minority and women applicants, who desire assistance, in how to fill out Civil Service open-competitive examination application forms. The organizational job titles that the applicant most probably would qualify for should be used on the form. Departments and agencies will forward applications to the Career Development Unit of the Department of Civil Service. Symbols and codes will be added by the Career Development Unit when examinations are announced.

SUPERSEDED

21-1.101b (cont'd)

Prior to filling provisional, temporary or unclassified positions, in accordance with paragraphs 4 and 5 of Executive Order No. 14, departments and agencies will request from the Career Development Section of the Department of Civil Service applications from the minority and female pool for interviews. The Career Development Section will have five working days to furnish names of interested applicants.

3. Affirmative Action Officers shall be separate from Personnel Officers and shall have the enforcement power to ensure the objectives of Executive Order No. 14 are attained -- each department or agency shall employ both minorities and women at least in proportion to their population in the relevant surrounding Labor Market Area, and at all levels of responsibility.

4. The designation by the Civil Service Department of an Affirmative Action Coordinator whose responsibilities will be, among other things, to:

- a. Perform continuous collection and analysis of personnel data as to race, sex, salary, location, occupational category, and other related criteria;
- b. Submit reports to Federal Government (EEO-4) annually and submit reports to the Governor on a bi-monthly basis;
- c. Provide technical assistance to executive departments;
- d. Ensure that a grievance system involving job discrimination claims is provided (employees have the option of using the system or that of the Division of Civil Rights);
- e. Recommend structural changes of personnel policies and procedures to provide a non-discriminatory personnel system;

SUPERSEDED

21-1.101b (cont'd)

c. Departmental reports shall include:

- (1) New hires by titles, unit, race, gender, annual salary, and job status (temporary, provisional or permanent);
- (2) Promotions by job titles, unit, race, gender, annual salary, and examination list or 4:1-8.5 appointments;
- (3) Demotions for any reason;
- (4) Terminations by resignation, layoff, and removal for cause;
- (5) Transfers;
- (6) Comments concerning program progress.

6. In all cases, involving job discrimination, the normal grievance system will serve as the avenue for settlement. Where the termination of a provisional or unclassified employee is involved, the grievance procedure will continue after such termination. Where permanent employees are involved the normal Civil Service grievance provisions will remain in effect. The Departmental Affirmative Action office shall participate concurrently at the same step as that of Management personnel.

7. The Civil Service Department, Career Development Section, shall institute analysis of areas in which personnel titles, criteria and procedures could be more job-related and will recommend changes therein in consultation with affirmative action coordinators.

8. All job titles will be continually analyzed by the Career Development Section to determine whether or not the stated prerequisites are bona fide occupational qualifications.

9. As provided by Executive Order No. 14, all departments and agencies of the executive branch shall submit affirmative action plans to the Department of Civil Service by November 1, of each year, such plans to be analyzed and made public, with any deficiencies delineated. Plans shall include at least the following: statement of policy, an employee utilization analysis, problem areas, remedial action in-

SUPERSEDED

21-1.101b (cont'd)

- f. Develop programs to remedy deficiencies with particular emphasis given to upward mobility;
 - g. Coordinate activities with departmental Affirmative Action Officers;
 - h. Recommend sanctions where appropriate to the Governor's Affirmative Action Officer;
 - i. Delineate criteria for departmental affirmative action plans the minimum components of which shall include a statement of policy, an employee utilization analysis, problem areas, remedial action with goals and timetables, and responsibility for implementation. These goals shall be in accord with the uniform guidelines on employee selection procedures as enunciated by the U. S. Equal Employment Opportunity Coordinating Council. Waivers, if any, for Labor Market Areas involved, will be decided by the Career Development Section with consultation of the Governor's Affirmative Action Officer;
 - j. Approve or disapprove departmental affirmative action plans;
 - k. Maintain a pool of qualified interested applicants to be available when jobs become available.
5. Personnel reports and records will be kept for a period of two years except for application forms and other pre-employment records for seasonal and temporary positions.
- a. Each department will submit a bi-monthly Equal Employment Opportunity Report to the Career Development Section, Civil Service Department, that will close as of the 20th day of the months of January, March, May, July, September, and November, and will be forwarded by the last day of that month.
 - b. The Career Development Section, Civil Service Department, will send a compilation of these reports to the Governor's Office by the 10th day of the following month.

SUPERSEDED

21-1.101b (cont'd)

cluding goals and timetables, and responsibility for implementation. Non-compliance with the formulation and implementation of departmental affirmative action plans and documented good faith efforts in achieving these plans may result in withholding approval of the making of further departmental appointments until compliance is effected.

10. The Department of Civil Service, through the efforts of the Career Development Section and Recruitment Unit, will increase its recruitment efforts to ensure that a pool of qualified minority and women applicants for classified and unclassified job exists.

11. When a layoff situation of provisional, temporary, or unclassified employees occurs, recognition will be given to the department's affirmative action plan. In these situations where seniority is not provided for layoffs for the aforementioned types of employees will be at least in proportion to the complement of minorities and females in that department as a minimum leading to the proportion of minorities and females in the relevant labor market areas.

PART 21-2 DISCRIMINATION

Subpart 21-2.101 Non-Discriminatory Employment Practices

21-2.101a Subject:

This subpart sets forth non-discriminatory employment practices which must be adhered to in all appointments, demotions, removals or any other personnel practice.

21-2.101b Definitions:

(1) Non-Discriminatory Practice - A practice which does not express overtly or covertly, any limitation, specification, preference, or discrimination based on race, creed, color, natural origin, ancestry, citizenship, age, marital status, physical handicaps, sex, political affiliation, or has the intent of making such a limitation unless such is a bona fide occupational qualification.

(2) Bona-Fide Occupational Qualification - Qualification which is essential to the successful performance of respective function based on documentary evidence.

21-2.101c Policy:

It is the policy of the State of New Jersey to provide equal employment opportunities and to administer its personnel system in a non-discriminatory manner.

21-2.101d Application:

Implementation of this non-discriminatory policy as it relates to appointments, demotions, removals, or any other personnel practice shall be the responsibility of the operating divisions of the Department of Civil Service.

The Division of Classification and Compensation in consultation with the Division of Personnel Management and Employee Development shall insure that at the State level there will be non-discriminatory titles, and that appointments, demotions, removals will be made on a non-discriminatory basis.

21-2.101d (cont'd)

The Division of Examinations will validate examinations which it administers and promulgate eligible lists and certify individuals in a non-discriminatory manner.

21-2.101e Cross Reference:

For additional direction on non-discriminatory employment practices see Subparts as follows:

- 6-3.102 (Determination and Application of Non-Discriminatory Titles by the Department of Civil Service)
- 8-10.101 (Discriminatory Inquiries on Pre-Employment Application Forms).
- 12-7.101 (Requests from Appointing Authorities Regarding Selective Certification Based on the Sex of Eligibles)

PART 21-2 Information Subpart

Subpart 21-2.102 Standard Race/Ethnic Categories

21-2.102a Subject:

This subpart is issued to advise of the government-wide standard race/ethnic categories established by the Equal Employment Opportunity Commission, by memorandum dated October 13, 1976.

21-2.102b Defined Categories

- a. White, not of Hispanic Origin -- Persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- b. Black, not of Hispanic Origin -- Persons having origins in any of the Black racial groups of Africa.
- c. Hispanic -- Persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race.
- d. American Indian or Alaskan Native -- Persons having origins in any of the original people of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- e. Asian or Pacific Islander -- Persons having origins in any of the original people of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

Subpart 21-2.103 Equal Employment Opportunity and Affirmative Action Program

21-2.103a Subject:

This subpart will establish programs to be implemented by the Department of Civil Service under the direction of the Chief Examiner and Secretary as the administrative officer in accordance with N.J.A.C. 4:1-3.8, with the concurrence of the Director of the Division of Equal Employment Opportunity and Affirmative Action pursuant to Section 3 and 5, Executive Order No. 61.

21-2.103b State Policy:

Executive Order No. 61 has established the Statewide policy that there shall be equal employment opportunity for all employees and all applicants seeking employment in all departments regardless of race, creed, color, national origin, age, sex, or physical handicap. Affirmative action shall be undertaken to provide protected class persons with equal employment opportunity in New Jersey State government. "Protected class persons" shall include race/ethnic minorities as defined in Subpart 21-2.102 and women.

21-2.103c Department of Civil Service Programs:

In compliance with the Statewide policy of undertaking affirmative action, the Chief Examiner and Secretary will direct specific programs to be implemented. Programs will also be implemented to ensure employee selection mechanisms are directly related to qualifications necessary for satisfactory job performance. Programs to be implemented will include but are not limited to:

1. Data Processing Systems:

A data processing support system will be developed for affirmative action program needs and for statistical projections. Information retrieved by such a system will be used to monitor and analyze personnel actions from an equal employment opportunity and affirmative action standpoint.

2. Provisional Appointment Clearance:

"No authorization for a provisional appointment shall be given when the name of any person eligible and willing to accept appointment remains on any eligible list for that class except that an eligible person remaining on the list may request such provisional appointment, in which case his/her appointment must be made pending a complete list of eligible persons, unless the position is made vacant, or unless the employee is sooner removed for sufficient cause." (N.J.A.C. 4:1-14.2(a)). In instances where there are no eligible lists existing for a class, requests for provisional appointments pending open-competitive examination or temporary appointments will not be approved until the appointing authority has received resume bank clearance with the Division of Equal Employment Opportunity and Affirmative Action. Provisional and temporary appointments will be monitored by the Division for equal employment opportunity and affirmative action compliance.

21-2.103c (cont'd)

3. Position Classification:

Existing and proposed position classification specifications will be reviewed to ensure accurate descriptions of knowledges, skills, and abilities necessary to perform satisfactorily the duties and responsibilities of positions and to preclude or eliminate artificial barriers. New and revised specifications must be reviewed and approved by a review committee consisting of representatives of the Division of Classification, Equal Employment Opportunity, and Examinations.

4. Recruitment:

All State government recruitment programs will be intensified and concentrated on Affirmative Action needs.

5. Examination Applicant Profiles:

The EEOC profile of persons admitted to each open-competitive examination will be analyzed to determine if protected classes are proportionately represented. Test scheduling will not proceed if protected classes are not proportionately represented and there is a failure to demonstrate qualified protected class applicants are not available for the title.

6. Test Content and Procedures -- Validation for Job Relatedness:

Test constructions will be reviewed to insure that test content relates to the knowledges, skills and abilities identified by analysis as being job related, and that individual test questions are written in accordance with the Technical Standards Manual. All tests will be certified by the examination unit supervisor and/or the Assistant Director for Examination Development as having met established standards prior to administration.

7. Test Scores:

Raw score distributions and statistical analysis including item statistics and normative data, will be reviewed prior to setting examination passing points. Test results must fall within an accepted range of standards and reliability factors. Non-defensible test results would be cause for cancellation prior to issuing an eligible list. All examination results will be certified by the examination unit supervisor and/or Assistant Director for Examination Development as meeting established standards prior to issuing an eligible list.

8. Existing Eligible Lists:

Existing eligible lists will be reviewed to determine if protected classes are proportionately represented, based on the availability of qualified applicants. The President of the Civil Service Commission will be advised of those lists which are not representative.

21-2.103c (cont'd)

9. Lists Made Appropriate:

All lists which have been determined to have protected class representativeness will be used as appropriate for positions requiring similar skills, knowledges and abilities at the same or lower evaluated content level in accordance with Civil Service rules and in accordance with existing certification procedures.

10. Certifications:

All certification dispositions will be reviewed for equal employment opportunity and affirmative action compliance. Non-compliance would result in disapproval of a disposition.

NOTE:

All references to "standards" made above refer to existing Department of Civil Service standards. Any action taken must comport with these standards as well as the standards of due process normally adhered to by this agency including notification of any action with the reason therefore. All rights of appeal will be observed.

Subpart 21-2.104 Prohibition of Sexual Harassment in State Government

21-2.104a Subject:

This subpart defines sexual harassment and describes the regulations and procedures to be used in issuing appointing authority policies and for filing complaints of sexual harassment.

21-2.104b Policy:

State employees have a primary responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure proper performance of the State's business. Any employee conduct which violates these standards cannot be condoned.

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. All employees must be allowed to work in an environment which is free from sexual overtures. Sexual harassment debilitates morale and interferes with the work productivity of its victims and co-workers.

Sexual harassment is a prohibited personnel practice when it results in discrimination for or against an employee on the basis of conduct not related to job performance, the taking or refusal to take a personnel action, including promotion of employees who submit to sexual advances, or refusal to promote employees who resist or protest sexual overtures.

Specifically, sexual harassment is deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature which is unwelcome.

A supervisor who uses implicit or explicit coercive sexual behavior to control, influence, or effect the career, salary, or job of an employee is engaging in sexual harassment. Any employee in the workplace who participates in deliberate or repeated unsolicited verbal comment(s), gesture(s), or physical contact of a sexual nature which is unwelcome is also engaging in sexual harassment. Similarly a non-employee who behaves in this manner toward a State employee in the process of conducting business with the State is engaging in sexual harassment.

It is the policy of the Civil Service Commission that sexual harassment is unacceptable conduct and will not be condoned. Personnel management within State service shall be implemented free from prohibited personnel practices and consistent with merit system principles. All employees shall avoid conduct which undermines these merit principles. At the same time, it is not the intent of the Commission to regulate the social interactions or relationships freely entered into by State employees.

21-2.104c Authority:

In accordance with Executive Order #61, and N.J.S.A. 11:2D-1 et seq all departments in the Executive branch and all appointees of the Governor in the Executive branch and their staff are to comply with State and Federal laws against discrimination. Harassment on the basis of sex is a violation of Title VII of the Civil Rights Act of 1964, as amended, and the New Jersey Law Against Discrimination.

21-2.104d Definitions:

Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, regardless of where such conduct or action is initiated, constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

21-2.104e Standards:

The head of each State department, as an employer, is responsible for:

1. Its acts and the acts of its agents and supervisory employees with respect to sexual harassment, regardless of: 1) whether the specific acts complained of were authorized or even forbidden by the employer; 2) whether the employer knew or should have known of the occurrence; and where such conduct or action is initiated.
2. Acts of sexual harassment between employees in the workplace where the employer or his/her agents or supervisors knew or should have known of the conduct, unless it can be shown that immediate and appropriate corrective action was taken.
3. Acts of sexual harassment of employees by non-employees which occur in the workplace, where the employer knew or should have known of the conduct and failed to take immediate or corrective action.

21-2.104f Procedure:

Each State agency or department head shall:

1. Issue and post the policy statement found in CSPM 21-2.104b,

21-2.104 Cont' (d)

2. Identify sanctions (consistent with Civil Service law, rules and regulations) which will be imposed,
3. Advise employees of their right to file complaints and the procedure for same,
4. Identify specific steps which will be taken to ensure a work environment which is free of sexual intimidation,
5. Develop and institute methods to sensitize all concerned to the issues of sexual harassment via training sessions and/or training information packages for all supervisory personnel. Training and information packages are to be designed to make supervisory personnel aware of what is objectionable behavior. Sensitivity training and information should provide instructions concerning objectionable behavior such as language use, attitude, and stereotyping,
6. Amend departmental/agency affirmative action plans to include the State government policy and this regulation. Include in the affirmative action plan specific steps which will be taken to ensure a work environment which is free of sexual intimidation,
7. Make sure that all employees are aware of the department's/agency's policy on sexual harassment, and
8. Take immediate and appropriate corrective actions both for the employee who has been determined to have been sexually harassed and against the employee, agent, or supervisor who has sexually harassed an employee.

21-2.104g Complaints of Sexual Harassment:

Complaints of sexual harassment will be reviewed according to the discrimination complaint process outlined in Subpart CSPM 21-2.105.

Persons wishing to file complaints of sexual harassment also may have the right to file such complaints with the Division on Civil Rights or the U.S. Equal Employment Opportunity Commission and shall be advised that the Division on Civil Rights and the Equal Employment Opportunity Commission also have jurisdiction over discrimination complaints.

It is recognized that the question of whether a particular action or incident establishes a purely personal, social relationship without a discriminatory effect requires a factual determination. Determinations of sexual harassment require a review of the facts. The record as a whole and the totality of the circumstances must be reviewed, emphasizing the nature of the sexual advances and the context in which incidents occurred.

21-2.104h Disciplinary Action:

When it is determined that sexual harassment has occurred, disciplinary action may be taken, commensurate with the degree of misconduct. As is true of all personnel actions, any disciplinary action taken must comply with Civil Service law, rules, and regulations.

Subpart 21-2.105 Discrimination Appeals

21-2.105a Subject:

This subpart describes the discrimination appeal process.

21-2.105b Definition:

The discrimination appeal process encompasses all appeals of unlawful differentiation (different treatment or having the effect of different treatment) among or between employees or applicants on the basis of age, sex, marital status, handicap, race, ancestry, national origin, political or religious opinions or affiliations, or criminal record. Both classified and unclassified employees may file discrimination appeals.

21-2.105c Burden Of Proof:

The appellant shall bear the burden of proof in a discrimination appeal.

21-2.105d Matters That May Be Appealed:

1. Claims of discrimination which arise in the following situations, but not limited to only these situations, may be filed through the discrimination appeal system:

- a) Work assignment locations,
- b) Supervisor/subordinate relations,
- c) Assignment of duties (other than classification and salary appeals),
- d) Work environment issues,
- e) Interviewing process,
- f) Provisional appointments.

2. Claims of discrimination which arise in the following situations will be reviewed in the regular course of disciplinary or non-disciplinary hearings or written record reviews and shall not be directly appealed through this discrimination appeal system:

- a) Removal from service,
- b) Suspensions, fines or demotions (of more than three times in any one year, more than five days at any one time, or for an aggregate period of fifteen days in one calendar year),
- c) Demotions and layoffs,
- d) Removal at the end of or during the working test period,
- e) Classification review,
- f) Examinations and appointments,
- g) Unsatisfactory performance of an employee.

The Civil Service Commission, the Chief Examiner and Secretary, the Director, Division of Examinations and the Director, Division of Classification and Compensation shall refer appeals not involving hearings and which raise discrimination issues to the Division of EEO/AA for review. On the appeals which are referred to the Division of EEO/AA by the Director, Division of Examinations or the Director, Division of Classification and Compensation, a joint decision letter shall be issued. If agreement cannot be arrived at by the divisions, the matter shall be referred to the Commission for resolution.

21-2.105e First Level of Appeal of Discrimination:

1. To initiate the process, the appellant shall submit a written appeal which shall include

- a) Appellant's name, title and appointing authority,
- b) The basis (i.e. age, sex, etc.) on which appellant contends to have been discriminated against, and
- c) Detailed information concerning the alleged discriminatory action.

2. The written appeal shall be submitted to the
Director
Division of EEO/AA
Department of Civil Service
CN 315
Trenton, New Jersey 08625

3. Such appeals must be filed within 20 calendar days of the alleged discriminatory act.

4. Upon receipt of discrimination appeals the Division of EEO/AA will acknowledge receipt and

- a) Advise appellants that the New Jersey Division on Civil Rights and U.S. Equal Employment Opportunity Commission (EEOC) also have jurisdiction over discrimination complaints, and
- b) Refer the appeal to the affirmative action representative of the appointing authority against whom the charge of discrimination has been made.

5. The affirmative action representative shall investigate the complaint and prepare a written report to the appointing authority. The appointing authority shall issue a written determination to the appellant within 45 calendar days of the affirmative action representative's receipt of the complaint. The appointing authority may have an additional 15 days in which to respond, provided the appellant so agrees, and the Division of EEO/AA is notified. The appointing authority's written determination to the appellant shall include findings of fact and conclusions, and information regarding the right to appeal to the Division of EEO/AA within 20 calendar days of receipt of the determination. A copy of the appointing authority's written determination shall be sent to the Division of EEO/AA.

21-2.105f Second Level Of Appeal Of Discrimination:

1. An appellant may appeal the determination of the appointing authority to the Division of EEO/AA within 20 calendar days of receipt of same. Upon appeal to the Division of EEO/AA, a de novo review shall be made. A decision letter which shall include findings of fact, conclusions and information regarding the right of appeal to the Civil Service Commission shall be issued.

21-2.105g Third Level of Appeal of Discrimination:

1. Appellants have a right to appeal to the Civil Service Commission from the decision of the Director, Division of Equal Employment Opportunity and Affirmative Action within 20 calendar days of receipt of that determination. Appeals should be addressed to the

Director, Division of Administrative
Practices and Labor Relations
CN 312
Trenton, New Jersey 08625.

On appeal to the Commission, only those issues and related proofs or arguments presented to the Director of the Division of EEO/AA will be considered.

2. An appeal to the Commission must include all information as previously specified. Upon receipt of such an appeal, the Director, Division of Administrative Practices and Labor Relations shall compile all necessary information from the Department of Civil Service and the parties.

3. When all the necessary information is compiled, the appeal will be presented to the Commission for its review.

4. If there is more than one party to an appeal from a determination of the Director, Division of EEO/AA, each party must serve copies of all materials submitted on all other parties.

5. Appeals to the Civil Service Commission from the determination of the Director, Division of EEO/AA will be treated as a review of the written record. No hearing will be granted except in those limited instances where the Commission determines, following its review of the written record, that a significant dispute of material fact exists which can only be resolved through a hearing.

6. Where the Civil Service Commission determines the matter is a contested case, it may transmit the case to the Office of Administrative Law for a hearing pursuant to N.J.A.C. 1:1 et seq. Final administrative determination shall be rendered by the Commission.

21-2.105h Appeal From A Decision Of The Civil Service Commission:

A decision of the Civil Service Commission is a final administrative determination. As such, any further appeal should be directed to the Appellate Division of the Superior Court.

PART 21-3 INFORMATION SUBPART

Subpart 21-3.101 Prohibition Against Political Activity

21-3.101a Subject:

This subpart deals with the restrictions on political activities of State officers subject to the provisions of the Hatch Act as modified by Section 401(a) of the Federal Elections Campaign Act Amendments of 1974.

21-3.101b Authority:

The following was sent out by the Attorney General's Office and is provided for your information:

"The Office of the Attorney General has often indicated to officials in the State government that in instances where a principal executive department, division or agency administers activities and programs which are financed in whole or in part by loans or grants made by the United States government to the State of New Jersey, the executive or administrative head and employees of such department, division or agency fall within the purview of the limitations on political activity spelled out in the Hatch Act. 5 U.S.C. 1501 et seq. The restrictions on political activities of State officers and employees subject to the provisions of the Act are set forth in Section 1502(a) as follows:

- '(a) A state or local officer or employee may not--
 - (1) use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 - (2) directly or indirectly coerce, attempt to coerce, commend, or advise a State or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or
 - (3) take an active part in political management or in political campaigns.'

"Please be advised that Section 401(a) of the recently enacted Federal Elections Campaign Act Amendments of 1974 (P.L. 93-443) has significantly modified the restrictions imposed on the political activities of State officers and employees insofar as it eliminates any ban on active

21-3.101b (cont'd)

participation in political management and campaigns as of January 1, 1975. The restriction to be imposed by section 1502(a) (3) of the Hatch Act as of January 1, 1975 will simply foreclose a covered official or employee from being a candidate for partisan elective office. Therefore, State officers and employees subject to the political limitations imposed by the Hatch Act may take an active part in political management and in political campaigns as of January 1, 1975 except that they may not be candidates for partisan elective office. However, the limitations on political activities set forth in section 1502(a) (1) and (2) of the Act relating to the use of official influence on elections and coercion of employees to contribute for political purposes remain in force and effect."

Subpart 21-3.102 Information -- Hatch Act

21-3.102a Subject:

This subpart is issued to advise of further interpretations of the Hatch Act issued by the Office of the Attorney General.

21-3.102b Restrictions on Hatch Act Employees:

The format of the information will be a question followed by the answer determined by the Attorney General to be the proper application of the Hatch Act. All the following information appears exactly as that prepared by the Attorney General.

- q. What is the Hatch Act?
 - a. The Hatch Act was originally passed by Congress in 1939 (and subsequently amended) to govern the political conduct of Federal and State and local government employees.
- q. What State and local employees are restricted in their political activity by the Hatch Act?
 - a. Executive Branch employees in any agency of a State or local government whose principal employment is in connection with an activity financed in whole or in part by Federal loans or grants are covered by the law.
- q. What does "principal employment" mean?
 - a. If an employee has only one position or job, that is his principal employment. When an employee holds two or more employments, his principal employment is usually the one which accounts for more of his work time and earned income than any other job.
- q. Are any employees of a State or local government specifically exempt from the Hatch Act?
 - a. Yes, the Act exempts the Governor, Lieutenant Governor, the Mayor of a City, and other elected officers of a State or local government if the elective office is their principal employment.

Also exempted from the statute, are employees of educational and research institutions, establishments, agencies, or systems supported in whole or in part by a State or local government or by a recognized religious, philanthropic, or cultural organization.

21-3.102b (cont'd)

- q. What prohibitions are contained in the Hatch Act?
 - a. An employee may not use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office. He may not directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a political party, committee, organization, agency or person, for a political purpose. Under a recent amendment, he may take an active part in political management or in political campaigns, but he may not be a candidate for partisan elective office.

- q. What is the penalty for a violation of the Hatch Act?
 - a. If the United States Civil Service Commission finds that the offense warrants dismissal from employment, the employing agency may either (1) dismiss the employee or (2) forfeit part of the Federal assistance (equal to two years' salary of employee).

PART 21-6

Subpart 21-6.101 Information Subpart

21-6.101a Subject:

Representation of State employees when accused of disorderly persons or criminal charges for acts occurring within their scope of employment.

21-6.101b Exposition:

The Attorney General or his designee is charged, by statute, with the responsibility of making a judgment as to whether or not State employees charged with criminal or disorderly persons offenses should be provided legal representation by the State of New Jersey. In order to clarify the procedures which should be followed for the Attorney General to determine if employees so charged should be provided with State representation, the following was prepared by the Attorney General.

21-6.101c Procedures:

A. The Procedures For Determining Whether To Provide Representation

(1) The employee who is charged shall make a written request for representation addressed to the head of his agency or his designee. The request shall include a full description of the events involved in the charge as well as a copy of the complaint and other documents.

(2) The employing agency shall review the request with emphasis upon ascertaining whether the matter arose out of or within the scope of the employee's duties, and the relationship of the charges to the operation of the agency. If the agency feels that representation should be supplied, it should forward a written request to that effect to the Attorney General together with its reasons for believing that representation would be appropriate. The latter statement should include the indication that the agency's belief is to the innocence or guilt of the employee and its view of the pertinent facts as they relate to the performance of the employee's duties.

(3) Based upon the materials submitted, and upon any outside information, the Attorney General or his designee will then make a judgment as to whether representation is in the best interest of the State.

21-6.101c (cont'd)

B. When Representation Will Be Supplied

Although the facts of each individual case must be examined to determine whether the State should provide representation to an employee accused of a criminal or disorderly persons offense, the State ordinarily will provide representation in the following cases:

- (1) Where the complaint was filed in bad faith or is totally lacking in substance; or
- (2) Where the complaint was filed as a means of harassing the State official in the performance of his official duties; or
- (3) Where the subject matter of the complaint calls a fundamental interest of the State of New Jersey into question which must be defended; or
- (4) Where the criminal or disorderly complaint or proceeding is filed or initiated by a citizen and not by a law enforcement official; or
- (5) Where other special reasons or circumstances exist to warrant representation.

C. Who Will Provide Representation

Representation may be undertaken either through a deputy attorney general or outside counsel selected from an impartially compiled list of competent attorneys whose fees shall be approved by the Attorney General or his designee. The determination whether to provide representation through a deputy attorney general or outside counsel shall depend on the circumstances of the individual case, but in no instance will a deputy attorney general be appointed to defend a public employee where the prosecution will be conducted by a county prosecutor or the Division of Criminal Justice. A public employee who has himself retained private counsel in a criminal matter where an acquittal or dismissal has occurred may request the State to pay for all or part of the cost of his private counsel.

Series 22

Awards Programs

Civil Service Personnel Manual
(State Service)

Series 22
Part 22-1

PART 22-1 Awards Programs

Subpart 22-1.101 Awards Programs Established

22-1.101a Purpose:

The purpose of the Awards Programs is to promote efficiency and economy in State government by rewarding individual employees for meritorious performance and suggestions which improve State government operations. To accomplish this purpose, the following awards are hereby established:

Awards for Suggestions
Awards for Heroism
Awards for Professional Accomplishment
Awards for Service
Retirement Recognition Awards

22-1.101b Authority for Program:

New Jersey Statutes Annotated, 11:2C-1 et seq.; New Jersey Administrative Code, 4:1-22.1, 4:1-22.2; and Civil Service Personnel Manual, Series 22.

22-1.101c Location and Scope of Program:

The Awards Program is established in the Department of Civil Service and applies to the employees and the improvement of the operations of the:

Office of the Governor
Department of Agriculture
Department of Banking
Department of Civil Service
Department of Community Affairs
Department of Corrections
Department of Defense
Department of Education
Department of Energy
Department of Environmental Protection
Department of Health
Department of Higher Education
Department of Human Services
Department of Insurance
The Judiciary

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22-1.101c (cont'd)

Department of Labor and Industry
Department of Law and Public Safety
Department of the Public Advocate
Department of State
Department of Transportation
Department of the Treasury
Office of Legislative Services
Public Broadcasting Authority

PART 22-1 Awards Programs

Subpart 22-1.101 Awards Programs Established

22-1.101a Purpose:

The purpose of the Awards Program is to promote efficiency and economy in State government by rewarding individual employees for meritorious performance and suggestions which improve State government operations. To accomplish this purpose the following awards are hereby established:

- Awards for Suggestions
- Awards for Heroism
- Awards for Professional Accomplishment
- Awards for Service

22-1.101b Authority for Program:

New Jersey Statutes Annotated, 11:2C-1 et seq.; New Jersey Administrative Code, 4:1-22.1, 4:1-22.2; and Civil Service Personnel Manual, Series 22.

22-1.101c Location and Scope of Program:

The Awards Program is established in the Department of Civil Service and applies to the employees and the improvement of the operations of the:

- Office of the Governor
- Department of Agriculture
- Department of Banking
- Department of Corrections
- Department of Civil Service
- Department of Community Affairs
- Department of Defense
- Department of Education
- Department of Energy
- Department of Environmental Protection
- Department of Health
- Department of Higher Education
- Department of Human Services
- Department of Insurance
- The Judiciary

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22-1.101c (cont'd)

Department of Labor and Industry
Department of Law and Public Safety
Office of Fiscal Affairs
Department of the Public Advocate
Public Broadcasting Authority
Department of State
Department of Transportation
Department of the Treasury

SUPERSEDED

PART 22-1 Awards Programs

Subpart 22-1.101 Awards Programs Established

22-1.101a Purpose:

The purpose of the Awards Program is to promote efficiency and economy in State Government by rewarding individual employees for meritorious performance and suggestions which improve State government operations. To accomplish this purpose the following awards are hereby established:

- Awards for Suggestions
- Awards for Heroism
- Awards for Professional Accomplishment
- Awards for Service

22-1.101b Authority for Program:

New Jersey Statutes Annotated, 11:2C-1 et seq.; New Jersey Administrative Code, 4:1-22.1, 4:1-22.2; and Civil Service Personnel Manual, Series 22.

22-1.101c Location and Scope of Program:

The Awards Program is established in the Department of Civil Service and applies to the employees and the improvement of the operations of the:

- Office of the Governor
- Department of Agriculture
- Department of Banking
- Bicentennial Commission
- Department of Civil Service
- Department of Community Affairs
- Department of Defense
- Department of Education
- Department of Environmental Protection
- Department of Health
- Department of Higher Education
- Department of Institutions and Agencies
- Department of Insurance
- The Judiciary

SUPERSEDED

22-1.101c (cont'd)

Department of Labor and Industry
Department of Law and Public Safety
Office of Fiscal Affairs
Department of the Public Advocate
Department of Public Utilities
Public Broadcasting Authority
Department of State
Department of Transportation
Department of the Treasury

PART 22-1 PROGRAM ESTABLISHED

Subpart 22-1.101 New Jersey State Employees' Awards Program

22-1.101a Subject:

This subpart describes the organization, operation and regulations of the awards programs established pursuant to N.J.S.A. 11:2C-1 et seq. by the Department of Civil Service and the Awards Committee.

The purpose of the Awards Program is to promote efficiency and economy in State Government and to reward individual employees for meritorious performances and suggestions. To accomplish this purpose the following awards are hereby established:

1. Awards for Suggestions
2. Awards for Heroism
3. Awards for Professional Accomplishment
4. Awards for Service

22-1.101b Organization:

The Awards Program is established in the Department of Civil Service and is administered by an employee committee known as the New Jersey State Employees' Awards Committee (hereinafter "Committee"). Departmental awards committees (hereinafter "departmental committees") are established in each Executive Department, and in the Judiciary Branch. Others may be established in any permanent department, board or commission in the Legislative branch of State Government. Divisional and institutional awards committees may be established with the approval of the Committee and the President of the Civil Service Commission (hereinafter "President").

1. New Jersey State Employees' Awards Committee

a. The Committee consists of five State officers or employees. No two members of this Committee shall be employed by the same department. The members of the Committee are appointed by the Governor upon the nomination of the President for a term of three years or until their successor shall have been appointed and qualified. If a vacancy on the Committee occurs by reason other than expiration of term, the vacancy shall be filled for the unexpired term.

b. Members of the Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performing their duties as members of the Committee.

SUPERSEDED

22-1.101b (cont'd)

c. The Committee shall meet and organize as soon as practicable after the annual appointment of new members and select a Chairman from among its members. The Committee shall hold regular meetings at least once each month during the year, except during July and August, and special meetings may be held at the call of the Chairman or the President.

d. The Committee is responsible for the formulation of awards programs and for the supervision and direction of departmental level committees. It has the authority to adopt and promulgate rules and regulations for the conduct and operation of awards programs under the supervision and direction of the President. The Committee shall submit monthly reports to the President concerning operations of the Awards Program which shall include data on the number of suggestions approved and disapproved and the amount of savings to the State resulting from these suggestions. This data will be broken down by department and a copy will be furnished to each department head. The Committee shall submit an annual report, through the President, to the Governor concerning the operations of the Awards Program and the results obtained from each department.

e. The administrative work of the Committee shall be performed by an Executive Secretary (hereinafter "Secretary") and other necessary staff assigned by the President. It shall be the duty of the Secretary to attend the regular and special meetings of the Committee, act as its secretary, record its official actions and maintain minutes of its official proceedings. He/she shall establish and maintain necessary records; establish and maintain an adequate employee and public relations program; investigate and make recommendations concerning the effect of the Awards Program and report the findings to the Chairman; perform such other related work as may be required.

f. It shall be the responsibility of the Committee to make changes in these regulations as may be required. Departmental committees are encouraged to make recommendations for changes which will improve the Program.

22-1.101b (cont'd)

g. The Committee shall be responsible for reviewing suggestions and the evaluations and recommendations from departmental committees and determining whether or not a suggestion will be approved and the award which will be granted. For those suggestions involving an award of \$50 or less, the Executive Secretary of the Committee may authorize the award.

2. Departmental Awards Committees

a. Each principal department of the Executive Branch of State Government shall establish an awards committee to be known as the "Awards Committee of the Department of _____". Departmental committees shall consist of at least three employees of the department who shall be appointed by the head of the department for a term of one year, effective each May 18. An awards committee of not less than three members shall be appointed by the Chief Justice from among the employees of the Judicial Branch of the State Government and an awards committee of not less than three members may be appointed by the head of any other permanent department, board or commission in the Legislative Branch of the State Government.

b. The departmental committees and the awards committees for the Judicial and Legislative branches of government shall be responsible for the conduct and operation of the Awards Program within their respective departments or branches. Departmental and branch committees shall meet regularly and operate under the supervision and direction of, and in accordance with rules and regulations promulgated by, the Committee. They shall establish rules and regulations for the processing of awards and suggestions within their departments with the approval of the Committee.

c. The departmental committees shall be responsible for suitable ceremonies for the presentation of awards to employees of their department and shall use all available means, as the Committee may propose, to prompt participation in the Awards Program by employees of their department.

SUPERSEDED

22-1.101b (cont'd)

d. The departmental committee will report its activities to the Committee through the personnel officer of the respective department. The personnel officer will ensure that a suitable committee is established in the department and will act as liaison between the two committees to ensure that suggestions are evaluated expeditiously and implementation is effected.

e. Departmental committees may request the State Committee to publish notable problems connected with their departments for which they seek employee advice in the form of suggestion for solution of the problems. The Committee, if it is determined to be in the best interests of the State, will cause the "problems" to be published in suitable publications.

22-1.101c Awards for Suggestions:

An award for a suggestion shall be made to any eligible employee whose constructive proposal has been implemented or ordered implemented by competent authority, in accordance with regulations established by the Committee and approved by the President.

1. How to submit a suggestion

The suggestion shall be in writing. Special forms are available although they are not required. A suggestion must be a constructive proposal which will produce notable economy or improvement in any operation of the State government. It also may concern service, safety or employee welfare. It must be original, or propose a new application of an old idea. It must be related to the change or improvement. The suggestion shall include:

a. A brief statement describing the present condition, method or practice, and where it exists.

b. A specific statement of what is suggested and how it can be accomplished. Sketches, charts and additional data may be attached.

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22-1.101c (cont'd)

c. A concise statement of the benefits which will accrue.

The suggestion shall also include the suggestor's name and signature, social security number, title of position, department and division, and home mailing address.

2. Awards

a. Awards for suggestions shall be in cash. No cash awards shall be for less than \$10 nor more than \$5,000.

Awards for suggestions may include, at the option of the employee, time off as follows:

(1) One day of additional time off in lieu of an award of from \$25-\$49.

(2) Two days of additional time off in lieu of an award of from \$50-\$100.

b. An employee normally shall receive the full amount of his/her award when his/her suggestion is implemented. Where implementation is not complete but specific steps have been taken, a token or full award may be paid at the Committee's discretion. It shall be the responsibility of the departmental committee to inform the Secretary when a suggestion has been placed into operation. Where there is a question regarding date of implementation the Committee's determination shall prevail.

c. A cash or other award shall be in addition to the regular compensation of the recipient, and the acceptance of such award shall constitute an agreement that the use by the State of New Jersey of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the State of New Jersey by the employee, his/her heirs, or assigns.

d. A special award of a plaque will be presented to the department with the best record of employee participation for a fiscal year as demonstrated by the highest number of suggestions approved per one hundred employees in that department. Likewise, a similar award will be given to the department whose employees have contributed most through the program to overall savings to the State.

SUPERSEDED

22-1.101c

(cont'd)

e. Special awards consisting of plaques will be presented to suggesters whose accumulated awards total \$5,000 - or result in \$50,000 in savings to the State. In addition, they will become lifetime members of an Advisory Board to the Committee. However, to preserve their eligibility to continue participating in making suggestions, they will not be asked to evaluate or pass on suggestions.

f. When a suggestion is determined to be meritorious and is adopted solely or primarily because it will result or has resulted in the saving of money, the amount of the award shall be based on 10% of the estimated net annual savings in the first year of operation. Under exceptional conditions the Committee may select a typical year, or may average several years to determine a fair award.

g. When a suggestion is adopted primarily upon the basis of improvement in such areas of safety, health, welfare, morale, etc., the Committee, after consideration of the departmental committee's recommendations, shall determine the amount of the award, commensurate with the benefits anticipated from the suggestion. The chart in Appendix I will be used by the Committee to determine award for intangible suggestions. An award may be made, when justified, on the basis of both monetary savings and intangible benefits.

h. In case of receipt of identical or similar suggestions by the Committee, the suggestion received first shall normally receive any award.

i. Persons who leave the State service after having submitted a suggestion are still eligible for an award. In case of death, the award will be paid to the next of kin or estate.

3. Procedure for Processing Suggestions

Option No. 1

a. When a suggestion is received by the Committee, and the suggester indicates that his/her name should not be disclosed, it will be reviewed by the Secretary and a letter of acknowledgement sent to him immediately. The name of the suggester shall be removed from the suggestion and a serial number substituted to ensure its impartial consideration on an anonymous basis. Copies of the suggestion shall then be forwarded to the appropriate department committee or committees for investigation and recommendation.

SUPERSEDED

22-1.101c (cont'd)

b. When a suggestion is received by the Committee, and the suggester indicates that his/her name may be disclosed, it will be reviewed by the Secretary and a letter of acknowledgement sent to him/her immediately. Copies of the suggestion, with the name and department of the suggester, will then be forwarded to the appropriate departmental committee or committees for investigation and recommendation.

Option No. 2

a. When a suggestion concerns an employee's own area of work and he/she wishes to work directly with his/her supervisor and departmental committee, the suggestion is entered on an Employee Suggestion Form, a copy of which is sent to the New Jersey State Employees' Awards Program to protect the employee's rights, and the employee then participates directly in the development and refinement of the suggestion. When completed, the departmental committee submits to the State Employees' Awards Committee a copy of the suggestion, their recommendation and evaluation, and, in the cases where adoption of the suggestion is recommended, the endorsement of the department head and an eligibility certification.

b. In either option, the departmental committee shall make a thorough and objective investigation and evaluation of the suggestion. Following investigation, the departmental committee shall meet and, by majority vote, recommend approval or disapproval of the suggestion on a prescribed form. In all cases, approval or disapproval, a full report with supporting documents is furnished to the Secretary. If, however, the recommendation is for adoption, the report shall be forwarded to the department head for approval and implementation, or disapproval recommendation. The report shall then be returned to the Secretary for a final determination by the Committee. In cases where the suggester requests that his/her name should not be disclosed, the suggester shall remain anonymous until the evaluation has been completed and shall, during processing, be revealed to no source except

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22-1.101c (cont'd)

the State Awards Committee, the Secretary, and the State Awards program staff. The identity of the evaluator should remain anonymous except to department heads, departmental committees, the State Awards Committee, the Secretary, or the staff of the State Awards Committee.

- a. The Committee shall review the departmental committee's report and recommendation, and decide by majority vote whether or not an award is merited and the amount of the award.
- b. When the departmental committee recommends an award of \$500 or more, the full report will be forwarded to the Director of the Division of Budget and Accounting for review and recommendation and then returned to the Secretary.
- c. After an award is approved by the department head, the suggester's eligibility must be certified by the department. If the identity of the suggester is known to the departmental committee, as in Option No. 1 suggestions, where the suggester indicates that his/her name may be disclosed and all of Option No. 2 suggestions, the certification should accompany the recommendation and endorsement to the Committee. For those suggestions where the suggester indicates that his/her name should not be disclosed, the departmental committee should, after the suggestion is approved by the department head, contact the State Awards program staff for the name of the suggester. In those cases where the suggester is from a department other than the one doing the evaluation, the suggestion will be returned to the Secretary who will seek certification of eligibility from the suggester's department. Then the award must be approved by the President. The Secretary is authorized to to approve for the Committee all awards of \$50 or less (or the equivalent option in time off if so requested by the suggester).
- d. Suggestions, as they are received by the program staff, will be reviewed to ensure that the correct department or departments are included in the scope of applicability. Should

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22-1.101c (cont'd)

the review disclose that the suggestion refers to the wrong department, or that the scope of applicability should be narrowed to include fewer departments, or widened to include additional departments than those listed by the suggester, or widened to include additional departments than those listed by the suggester, the Employee Suggestion Form will be changed accordingly and the suggester notified of the change. Recommendations and evaluations will be sought from the departments included in the revised scope, after which the Committee will then decide on whether or not to adopt the suggestion and make an award. In deciding the Committee may, or may not, extend the applicability of the suggestion to all or a specified number of the departments included in the scope of the suggestion, departmental rejection recommendations notwithstanding. The award would be based on the value of the idea as affected by the number of departments covered, importance, ingenuity, and presentation-whether the department recommended approval or not- and payment of the award would be from each of these departments on a shared basis.

e. Under ordinary circumstances, departmental committees will return suggestions with their recommendations and, whenever possible for those which are approved, the department head's endorsement and eligibility certification, within thirty days after receipt from the suggestion program staff. Upon receipt, the Secretary will ensure that the suggestion is on the next agenda of the State Committee meeting. The suggester will be notified concerning the award for the suggestion, or notified of the disapproval, within sixty days of the submission date for all suggestions submitted under Option No. 1 unless there are complications, such as the need for a trial period or unavoidable delays in implementation. In these cases, however, the suggester will be informed of the status of the suggestion within the sixty-day period. For Option No. 2 suggestions, the notification will be within thirty days of receipt of the departmental committee. The Committee Secretary may grant extensions to the departmental committee for valid reasons upon request from the departmental personnel officer.

f. Any suggestion not processed or explained satisfactorily within that period will be referred to the department head. If no corrective action is taken by that office within two weeks, these suggestions will be reported to the President for the appropriate action.

SUPERSEDED

22-1.101c (cont'd)

h. If it is determined by the Committee that it is necessary to use State personnel or outside consultants in either the development or evaluation of a suggestion, the costs involved, if any, may be added to the implementation costs and the award reduced accordingly.

i. Suggestions which are disapproved by the departmental committee may for cause be referred back for reconsideration and in the event of an impasse, referred directly to the department head by the Committee. If referred to the department head, the Committee will include justification as to why the suggestion should be reconsidered. If the impasse continues after referral to the department head, the Committee will refer the suggestion with supportive data and a recommendation to the President for appropriate action.

4. Exceptions - no award shall be paid:

a. To any employee for any suggestions which represent a part of the normal duties of his/her position and which he/she has the authority to change. Accordingly, a supervisor could not receive an award for a suggestion to make a change in his/her section where he/she has the responsibility and authority to do so in accordance with his/her regular duties.

b. To an employee, whose primary duty is research and planning for any suggestion concerning his/her department or division (unless it is clearly outside his responsibility).

c. To any member of the Committee, departmental committee or their staffs. Under very special circumstances the Committee may authorize exceptions.

d. For a disapproved suggestion, if the idea appears to be implemented within two (2) years from the date it was originally received by the Committee, the suggestion may be re-evaluated for an award. In all other cases it shall be the responsibility of the suggester to resubmit his/her disapproved suggestion by the end of the two-year period if he/she wishes to protect his/her interest in the idea.

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22-1.101c (cont'd)

e. For a suggestion which is received by the Committee more than six months (excluding necessary trial period) after it has been placed into use.

f. For a suggestion concerning routine maintenance of buildings, equipment, or grounds, which should be normally reported through regularly established channels. Where sustained complaints have not resulted in correction the Committee may consider such a suggestion for an award.

g. For suggestions involving new structures, equipment, materials, and procedures under trial, experiment or development during an initial period considered reasonable by the Committee.

5. Procedure for making awards

When an award is approved a check will be authorized by the State Treasurer and Budget Director to be drawn upon a State appropriation and prepared to the order of the suggestor for the gross amount of the award. The check will then be forwarded to the departmental committee for presentation (except when the Committee elects to arrange a special ceremony). At the end of year every award recipient will be given a Form 1099 indicating total earnings for tax purposes.

6. Records

a. The Committee shall maintain the following records:

- (1) Official copies of the minutes of all meetings and official actions which shall be public information.
- (2) All suggestions received, with supporting documents and recommendations from departmental committees. Records will be retained for a three year period after final action.

b. Each departmental committee shall maintain the following official records:

- (1) Official copies of the minutes of all meetings and official actions.
- (2) One copy of each suggestion referred by the Committee and a copy of its report to the Committee.

SUPERSEDED

22-1.101c (cont'd)

Records will be kept on file for three years after final action.

7. Suggester of the Year (See Appendix II)
8. Appeals Procedure

a. A suggester dissatisfied with the disapproval or other decisions concerning his/her suggestion may inform the Secretary, stating his/her objections in writing.

b. The Secretary will acknowledge the objection and request the departmental committee involved to review its initial recommendation, considering the new information. The departmental committee will then furnish the suggestion to the State Committee along with their recommendation and all supportive data. The suggestion will be reviewed by the Committee, a determination made and the suggester will be notified of the subsequent findings.

c. Should the suggester remain dissatisfied, he/she may request, in writing, an opportunity to appear in person.

Where there is a question of interpretation of Program regulations or a ruling in special cases, the Secretary may omit formal referral (b, above) to the departmental committee and transmit the appeal directly to the Committee.

d. The Committee shall render a final judgment, subject to the suggester's inherent legal rights. In every case the suggester shall be notified of the results of his/her appeals. (The Civil Service Commission does not exercise jurisdiction in these appeals).

e. If a suggestion is being appealed, the suggester will have the right to review and copy any part of the file concerning his/her suggestion except that the name of the evaluator shall not be disclosed to him/her.

Eligibility will be continued throughout the appeal process if:

- (1) The appeal is received within the two-year eligibility period or

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22-1.101c (cont'd)

(2) An appeal is received within 30 days after the suggester is notified of the final decision.

Otherwise, the Committee may, at its discretion, entertain an appeal to insure equitable treatment for a suggester.

22-1.101d Awards for Heroism:

Awards in this category shall be made to any State employee or group of state employees who performs an act of bravery or heroism which is above and beyond the duties or responsibilities of his/her position and which reflects credit upon the State Service.

1. Procedure for processing awards for heroism

a. A nomination for an award for heroism may be initiated by an employee or by any resident of New Jersey. The nomination shall be submitted in writing to the Committee and shall include data substantiating the proposal. When the nomination is received by the Committee it will be reviewed by the Secretary and a letter of acknowledgement sent to the nominator. Copies of the nomination shall then be forwarded to the appropriate departmental committee(s) for investigation and recommendation.

b. The departmental committee shall make a thorough investigation of the nomination. Following investigation, the departmental committee shall meet and by majority vote, recommend approval or disapproval. If the recommendation is for disapproval, the original nomination shall be forwarded to the Secretary with an explanation of the reasons for disapproval, with supporting documents. If the recommendation is for approval, the original nomination with recommendations and supporting documents shall be forwarded to the department head for his/her information. The original nomination with recommendations and supporting documents shall then be forwarded to the Secretary for action by the Committee.

c. The Committee shall consider the nomination and the departmental committee's recommendations and decide by majority vote whether or not an award is merited and the type of award. When an award is approved by the Committee the nomination with all supporting documents shall be

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22-1.101d (cont'd)

forwarded to the President for final approval and authorization to present the award. When an award is not authorized, it shall be the responsibility of the Committee to advise the nominator in writing, of the action of the Committee.

2. Awards for heroism

Awards for heroism shall be letters of commendation, certificates, citations, plaques or other devices. Recommendations concerning the appropriate award to be presented shall be submitted to the departmental committees with each proposal investigated. The Committee shall make the final determination of the type of award in each case and shall be responsible for the design of awards, which shall be uniform for all State employees.

22-1.101e Awards for Professional Accomplishment

Awards in this category may be made to any state employee or group of state employees in recognition of meritorious or distinguished accomplishments. The accomplishments need not fall entirely within the scope of normal duties, but shall be in the nature of a major contribution in a definite field, vocation or profession, or personal outstanding act or conduct reflecting credit on the individual and the State service.

1. Awards may be made to those persons who:

a. Through fruitful study and investigation have initiated and successfully established new and outstanding methods, practices, plans or designs having fundamental values. (Such as - pioneering or research and development work in administration, engineering, law, medicine, natural resources, the social sciences, etc.).

b. Through unselfish devotion to duty, far and above normal requirements, have contributed significantly to the advancement of the State service on a professional or sub-professional level. (Such as - organization, employee relations, humanities, vocations, etc.).

c. Have achieved honors from professional societies, institutions of learning or recognized groups for outstanding performance encompassed in the fields of work of State departments.

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22-1.101e (cont'd)

d. Have assisted and who have been intimately associated with the recipient of an award: such award shall be a letter of commendation or a citation, presented at the time of the award for distinguished accomplishment.

2. Procedure for processing awards for professional accomplishment

a. A nomination for an award for professional accomplishment may be initiated by an employee or by any resident of New Jersey. The nomination shall be submitted in writing to the Committee and shall include data substantiating the proposal. When the nomination is received by the Committee it will be reviewed by the Secretary and a letter of acknowledgement sent to the nominator. Copies of the nomination shall then be forwarded to the appropriate departmental committee(s) for investigation and recommendation.

b. The departmental committee shall make a thorough investigation of the nomination. Following investigation, the departmental committee shall meet and by majority vote, recommend approval or disapproval. If the recommendation is for disapproval, the original nomination shall be forwarded to the Secretary with an explanation of the reasons for disapproval, with supporting documents. If the recommendation is for approval, the original nomination with recommendations and supporting documents shall be forwarded to the department head for his/her information. The original nomination with recommendations and supporting documents shall then be forwarded to the Secretary for action by the Committee.

c. The Committee shall consider the nomination and the departmental committee's recommendations and decide by majority vote whether or not an award is merited and the type of award. When an award is approved by the Committee the nomination with all supporting documents shall be forwarded to the President for final approval and authorization to present the award. When an award is not authorized, it shall be the responsibility of the Committee to advise the nominator in writing, of the action of the Committee.

3. Awards for professional accomplishment

Awards for professional accomplishment shall be letters of commendation, certificates, citations, plaques or other devices. Recommendations concerning the appropriate award to be presented shall be submitted by the departmental

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22-1.101e (cont'd)

committees with each proposal investigated. The Committee shall make the final determination of the type of award in each case and shall be responsible for the design of awards, which shall be uniform for all State employees.

22-1.101f Awards for Service:

Awards for service shall be given to all employees who have completed the required number of years of employment with the State of New Jersey listed in Appendix III or at time of retirement. Such service shall include employment in the classified or unclassified service in either a regular or temporary capacity. In determining years of employment the same basis will be used as is used for computing annual vacation leave (N.J.A.C. 4:1-17.10). Any dispute or question regarding eligible service shall be referred to the Committee for resolution.

1. Procedure for Processing Awards for Service

a. It shall be the responsibility of each department to annually determine the employees who will be eligible for Service Awards during the fiscal year.

b. The presentation of Awards for Service to eligible employees at suitable ceremonies shall be the responsibility of departmental committees.

2. Awards

Awards for Service shall be certificates, citation, emblems, and jewelry and are subject to change by the Committee with the approval of the President. (See Appendix III).

3. Awards for retiring employees

a. Each employee, at retirement, shall be presented with a "Certificate of Appreciation" for service to the State. Certificates, signed by the Governor, will be supplied by the Awards Program upon request of the department's personnel officer. The certificate will be presented with suitable ceremony by the employee's department head or the latter's representative.

SUPERSEDED

22-1.101f (cont'd)

b. Each employee who, at retirement (exclusive of vested retirement), shall be presented with a Retirement Recognition Award for Service to the State as determined by the Committee with approval by the President. The department will be responsible for any personalized markings it desires.

c. Only one Retirement Recognition Award for Service to the State will be presented to any employee.

4. Procedure for Obtaining Awards for Service

The following is the procedure to be used by operating agencies to obtain Service Awards:

a. Prior to July 1, review personnel records to determine the employees of the unit who will be eligible for service awards during the next fiscal year.

b. Prior to July 1, distribute copies of the colored brochure of Service Award Jewelry (to be supplied by the Secretary) to those employees who will be eligible for 10, 15, 20, 25, 30, 35, 40, 45 and 50 year awards.

c. By July 1, have eligible employees indicate their choice of jewelry items to the personnel office.

d. By July 15, summarize all departmental requests for various awards and certificates, and report to the secretary.

e. Place order directly with the contract vendor at least 30 days prior to anticipated date of presentation. Set up funds on Form PB-77 followed by using agency Form PB-2 or Confirming agency order invoice Form PB-82 direct to the contractor.

Although the specifications for the jewelry require that it be lacquered to resist tarnish, particular care should be taken if it is to be stored for any length of time. It should be kept in its original container and not stored with large quantities of paper or other items containing sulphur.

SUPERSEDED

22-1.101f (cont'd)

If any items of jewelry are found to be defective or are excessively tarnished, this condition should be reported to the Secretary immediately for referral to the Testing Section of the Purchase Bureau.

SUPERSEDED

APPENDIX I

GUIDE FOR EVALUATION OF INTANGIBLE BENEFITS OF A SUGGESTION

Supplementing Subpart 22-1.101

Where the value of a suggestion cannot be measured entirely or precisely in actual savings the following Guide will be used to set a full or complementary dollar amount. Cognizance will be taken of cost of implementation with relation to values derived, especially where there is little or no savings.

1.	APPLICABILITY	Limited operation or application---	to	\$8
		Several operations or divisions----	to	\$15
		Entire department or Statewide-----	to	\$25
2.	IMPORTANCE	Minor-----	to	\$8
		Considerable-----	to	\$15
		Very important-----	to	\$25
3.	INGENUITY	Exceptional-----	to	\$5
4.	PRESENTATION	Exceptional-----	to	\$5

One or more of the above categories may be used by the recommending departmental committee. Ordinarily, however, the last two categories will not be involved but are intended only to provide for suggestions which are exceptional in these areas. Amounts used should total at least \$10. Where more than \$50 is recommended the departmental report must justify the exception, providing sufficient information for the Committee to verify the total. See 22-1.101c;2.g. for other information.

Form CS-75 will be used for intangible evaluations.

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APPENDIX II

SUGGESTER OF THE YEAR

Supplementing Subpart 22-1.101

1. State "Suggester of the Year"

Every year the Committee shall select the outstanding "Suggester of the Year" from among all the award recipients. Criteria shall include:

- a. Importance of idea to the State
- b. Savings and/or other benefits
- c. Public relations aspects and general compatibility of the selection with character and goals of the Program
- d. A combination of any of the above

The nomination shall be forwarded by the Secretary to the President for appropriate recognition.

2. Departmental "Suggester of the Year"

Upon invitation of the Committee each executive department and the Judiciary Branch may name its departmental "Suggester of the Year". The respective committees will forward their nominations to their department heads for confirmation.

Final selections will be transmitted to the Secretary by the date specified.

The Committee will designate a uniform award and arrange for its procurement and presentation. All costs will be paid by the participating departments on a debit and credit basis.

The departments will observe the following standards:

- a. The suggester must have received a suggestion award during the previous calendar year.
- b. Consideration will be given to the actual award, as it reflects savings and other values, or significance to the department.
- c. The suggester must be an employee of the department as of the date named.

SUPERSEDED

APPENDIX III

SERVICE AWARDS

Supplementing Subpart 22-1.101

The following emblems and jewelry shall be of uniform design,
as approved by the Committee, for all eligible employees of the State:

<u>Years of Service</u>	<u>Awards (plus certificate)</u>
5 Year Award	Without Jewels
10 Year Award	One Ruby*
15 Year Award	Two Rubies*
20 Year Award	Three Rubies*
25 Year Award	One 3-point Diamond, Two Rubies*
30 Year Award	One 3-point Diamond, Two Blue Sapphires*
35 Year Award	One 6-point Diamond, Two Emeralds*
40 Year Award	Two 6-point Diamonds, One Emerald*
45 Year Award	Three 6-point Diamonds
50 Year Award	One 12-point, Two 6-point Diamonds

* and one of the following items of personal jewelry

- | | | | |
|----------|----------|----------|----------|
| Brooch | Bracelet | Tie Bar | Tie Tack |
| Necklace | Lighter | Key Ring | Pin |

Or other appropriate items as may be added.

SUPERSEDED

APPENDIX IV

RETIREMENT RECOGNITION AWARDS

Supplementing Subpart 22-1.101

The following Retirement Recognition Mementos shall be of uniform design, as approved by the Committee, for all eligible employees of the State:

The retirees may select one of the following as their retirement Recognition Memento.

Weather Station

Clock

Desk Set

Coffee Service

The Brochures describing the Retirement Recognition items are available from the Department of Civil Service.

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FART 22-1 PROGRAM ESTABLISHED

Subpart 22-1.101 New Jersey State Employees' Awards Program

22-1.101a Subject:

This subpart describes the organization, operation and regulations of the awards programs established pursuant to N.J.S.A. 11:2C-1 et seq. by the Department of Civil Service and the Awards Committee.

The purpose of the Awards Program is to promote efficiency and economy in State Government and to reward individual employees for meritorious performances and suggestions. To accomplish this purpose the following awards are hereby established:

1. Awards for Suggestions
2. Awards for Heroism
3. Awards for Professional Accomplishment
4. Awards for Service

22-1.101b Organization:

The Awards Program is established in the Department of Civil Service and is administered by an employee committee known as the New Jersey State Employees' Awards Committee (hereinafter "Committee"). Departmental awards committees (hereinafter "departmental committees") are established in each Executive Department, and in the Judiciary Branch. Others may be established in any permanent department, board or commission in the Legislative branch of State Government. Divisional and institutional awards committees may be established with the approval of the Committee and the President of the Civil Service Commission (hereinafter "President").

1. New Jersey State Employees' Awards Committee

- a. The Committee consists of five State officers or employees. No two members of this Committee shall be employed by the same department. The members of the Committee are appointed by the Governor upon the nomination of the President for a term of three years or until their successor shall have been appointed and qualified. If a vacancy on the Committee occurs by reason other than expiration of term, the vacancy shall be filled for the unexpired term.
- b. Members of the Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performing their duties as members of the Committee.
- c. The Committee shall meet and organize as soon as practicable after the annual appointment of new members and select a Chairman from among its members. The Committee shall hold regular meetings at least once each month during the year, except during July and August, and special meetings may be held at the call of the Chairman or the President.

22-1.101b (cont'd)

d. The Committee is responsible for the formulation of awards programs and for the supervision and direction of departmental level committees. It has the authority to adopt and promulgate rules and regulations for the conduct and operation of awards programs under the supervision and direction of the President. The Committee shall submit an annual report, through the President to the Governor concerning the operations of the Awards Program.

e. The administrative work of the Committee shall be performed by an Executive Secretary (hereinafter "Secretary") and other necessary staff assigned by the President. It shall be the duty of the Secretary to attend the regular and special meetings of the Committee, act as its secretary, record its official actions and maintain minutes of its official proceedings. He shall establish and maintain necessary records; establish and maintain an adequate employee and public relations program; investigate and make recommendations concerning the effect of the Awards Program and report his findings to the Chairman; perform such other related work as may be required.

f. It shall be the responsibility of the Committee to make changes in these regulations as may be required. Departmental committees are encouraged to make recommendations for changes which will improve the Program.

2. Departmental Awards Committees

a. Each principal department of the Executive Branch of State Government shall establish an awards committee to be known as the "Awards Committee of the Department of _____". Departmental committees shall consist of at least three employees of the department who shall be appointed by the head of the department for a term of one year, effective each May 18. An awards committee of not less than three members shall be appointed by the Chief Justice from among the employees of the Judicial Branch of the State Government and an awards committee of not less than three members may be appointed by the head of any other permanent department, board or commission in the Legislative branch of the State Government.

b. The departmental committees and the awards committees for the Judicial and Legislative branches of government shall be responsible for the conduct and operation of the Awards Program within their respective departments or branches. Departmental and branch committees shall meet regularly and operate under the supervision and direction of, and in accordance with rules and regulations promulgated by, the Committee. They shall establish rules and regulations for the processing of awards and suggestions within their departments with the approval of the Committee.

SUPERSEDED

22-1.101b (cont'd)

c. The departmental committees shall be responsible for suitable ceremonies for the presentation of awards to employees of their department and shall use all available means, as the Committee may propose, to promote participation in the Awards Program by employees of their department.

d. Any employee or group of employees of the State of New Jersey shall be eligible to receive an award for a suggestion or meritorious accomplishment approved by the Committee.

22-1.101c Awards for Suggestions:

An award for a suggestion shall be made to any eligible employee whose constructive proposal has been implemented or ordered implemented by competent authority, in accordance with regulations established by the Committee and approved by the President.

1. How to submit a suggestion

The suggestion shall be in writing. Special forms are available although they are not required. A suggestion must be a constructive proposal which will produce notable economy or improvement in any operation of the State government. It also may concern service, safety or employee welfare. It must be original, or propose a new application of an old idea. It must be related to the change or improvement. The suggestion shall include:

a. A brief statement describing the present condition, method or practice, and where it exists.

b. A specific statement of what is suggested and how it can be accomplished. Sketches, charts and additional data may be attached.

c. A concise statement of the benefits which will accrue.

The suggestion shall also include the suggester's name and signature, social security number, title of position, department and division, and home mailing address.

2. Awards

a. Awards for suggestion shall be in cash. No award shall be for less than \$10.00 or more than \$5000.

b. An employee normally shall receive the full amount of his award when his suggestion is implemented and approved. Where implementation is not complete but specific steps have been taken, a token or full award may be paid at the Committee's discretion. It shall be the responsibility of the departmental committee to

SUPERSEDED

22-1.101c (cont'd)

inform the Secretary when a suggestion has been placed into operation. Where there is a question regarding date of implementation the Committee's determination shall prevail.

c. A cash award shall be in addition to the regular compensation of the recipient, and the acceptance of such cash award shall constitute an agreement that the use by the State of New Jersey of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the State of New Jersey by the employee, his heirs, or assigns.

d. When a suggestion is determined to be meritorious and is adopted solely or primarily because it will result or has resulted in the saving of money, the amount of the award shall be based on 10% of the estimated net annual savings in the first year of operation. Under exceptional conditions the Committee may select a typical year, or may average several years to determine a fair award.

e. When a suggestion is adopted primarily upon the basis of improvement in such areas as safety, health, welfare, morale, etc., the Committee, after consideration of the departmental committee's recommendations, shall determine the amount of the award, commensurate with the benefits anticipated from the suggestion. The chart in Appendix I will be used by the Committee to determine award for intangible suggestions. An award may be made, when justified, on the basis of both monetary savings and intangible benefits.

f. In case of receipt of identical or similar suggestions by the Committee, the suggestion received first shall normally receive any award.

g. Persons who leave the State service after having submitted a suggestion are still eligible for an award. In case of death, the award will be paid to the next of kin or estate.

3. Procedure for processing suggestions

a. When a suggestion is received by the Committee it will be reviewed by the Secretary, and a letter of acknowledgement sent to the suggester. The name of the suggester shall be removed from the suggestion and a serial number substituted to insure its impartial consideration on an anonymous basis. Copies of the suggestion shall then be forwarded to the appropriate departmental committee or committees for investigation and recommendation.

SUPERSEDED

22-1.101c (cont'd)

b. The Departmental committee shall make a through and objective investigation of the suggestion. Following investigation, the departmental committee shall meet and by majority vote, recommend approval or disapproval of the suggestion on a prescribed form. If the recommendation is for disapproval, a full report with supporting documents shall be made to the Secretary. If the recommendation is for adoption, the report shall be forwarded to the department head for his/her approval and implementation, or disapproval. The report shall then be returned to the Secretary. The identity of suggesters and evaluators of suggestions shall remain anonymous until the evaluation has been completed and shall be revealed to no source except Department Heads, Departmental Committees, the State Awards Committee, or the staff of the State Awards Committee. The identity of the suggester can be revealed after the evaluation has been completed, but the identity of the evaluator should remain anonymous except to the above sources.

c. The Committee shall review the departmental committee's report and recommendation, and decide by majority vote whether or not an award is merited and the amount of the award.

d. When the departmental committee recommends an award greater than 10% of the maximum award, the full report will be forwarded to the Budget Bureau for review and then returned along with their findings to the Secretary.

e. After an award is approved by the Committee, the suggester's eligibility must be certified by his/her department. Then the award must be approved by the President. The Secretary is authorized to approve for the Committee all awards of \$50.00 or less.

f. When a suggestion is held beyond six months by a departmental committee, the Secretary will then advise the chairperson of the departmental committee concerned that this suggestion will be referred to his/her department unless a report on form (CS-75) or reasonable explanation for the delay is returned within two weeks.

g. Any suggestion not processed or explained satisfactorily within that period will be referred to the department head. If no corrective action is taken by that office within two weeks, these suggestions will be reported to the President for appropriate action.

4. Exceptions - No award shall be paid:

a. To any employee for any suggestions which represent a part of the normal duties of his/her position and which he/she has the authority to change. Accordingly, a supervisor could not receive an award for a suggestion to make a change in his/her section where he/she has the responsibility and authority to do so in accordance with his/her regular duties.

SUPERSEDED

22-1.101c (cont'd)

- b. To an employee, whose primary duty is research and planning for any suggestion concerning his department or division (unless it is clearly outside his responsibility).
- c. To any member of the Committee, departmental committees or their staffs. Under very special circumstances the Committee may authorize exceptions.
- d. For a disapproved suggestion. However, if the idea appears to be implemented within two (2) years from the date it was received, originally, by the Committee, the suggestion may be re-evaluated for an award. In all other cases it shall be the responsibility of the suggester to resubmit his disapproved suggestion by the end of the two-year period if he wishes to protect his interest in the idea.
- e. For a suggestion which is received by the committee more than six months (excluding any necessary trial period) after it has been placed into use.
- f. For a suggestion concerning routine maintenance of buildings, equipment, or grounds, which should be normally reported through regularly established channels. Where sustained complaints have not resulted in correction the Committee may consider such a suggestion for an award.
- g. For suggestions involving new structures, equipment, materials, and procedures under trial, experiment or development during an initial period considered reasonable by the Committee.

5. Procedure for making awards

When an award is approved a check will be authorized by the State Treasurer and Budget Director to be drawn upon a State appropriation and prepared to the order of the suggester for the gross amount of the award. The check will then be forwarded to the departmental committee for presentation (except when the Committee elects to arrange a special ceremony). At the end of the year every award recipient will be given a Form 1099 indicating total earnings for tax purposes.

6. Records

- a. The committee shall maintain the following records:
 - (1). Official copies of the minutes of all meetings and official actions.
 - (2). All suggestions received, with supporting documents and recommendations from departmental committees. Records will be retained for a three year period after final action.

~~SUPPLEMENT~~
SUPERSEDED

22-1.101c (cont'd)

b. Each departmental committee shall maintain the following records:

(1). Official copies of the minutes of all meetings and official actions.

(2). One copy of each suggestion referred by the Committee and a copy of its report to the Committee. Records will be kept on file for three years after final action.

7. Suggester of the Year (See Appendix II)

8. Appeals Procedure

a. A suggester dissatisfied with the disapproval or other decisions concerning his suggestion may inform the Secretary, stating his objections in writing.

b. The Secretary will acknowledge the exception and request the departmental committee involved to review its initial recommendation, considering the new information. He will then notify the suggester of the departmental committee's subsequent findings.

c. Should the suggester remain dissatisfied he may request in writing a review by the Committee and/or an opportunity to appear in person.

Where there is a question of interpretation of Program regulations or a ruling in special cases, the Secretary may omit formal referral (b, above) to the departmental committee and transmit the appeal directly to the Committee.

d. The Committee shall render a final judgment, subject to the suggester's inherent legal rights. In every case the suggester shall be notified of the results of his appeals. (The Civil Service Commission does not exercise jurisdiction in these appeals).

Eligibility will be continued throughout the appeal process if:

(1). The appeal is received within the two-year eligibility period or

(2). An appeal is received within 30 days after the suggester is notified of the final decision.

Otherwise, the Committee may, at its discretion, entertain an appeal to insure equitable treatment for a suggester.

SUPERSEDED

22-1.101d Awards for Heroism:

Awards in this category shall be made to be any state employee or group of state employees who performs an act of bravery or heroism which is above and beyond the duties or responsibilities of his position and which reflects credit upon the State Service.

1. Procedure for processing awards for heroism

- a. A nomination for an award for heroism or professional accomplishment may be initiated by an employee or by any resident of New Jersey. The nomination shall be submitted in writing to the Committee and shall include data substantiating the proposal. When the nomination is received by the Committee it will be reviewed by the Secretary and a letter of acknowledgement sent to the nominator. Copies of the nomination shall then be forwarded to the appropriate departmental committee(s) for investigation and recommendation.
- b. The departmental committee shall make a thorough investigation of the nomination. Following investigation, the departmental committee shall meet and by majority vote, recommend approval or disapproval. If the recommendation is for disapproval, the original nomination shall be forwarded to the Secretary with an explanation of the reasons for disapproval, with supporting documents. If the recommendation is for approval, the original nomination with recommendations and supporting documents shall be forwarded to the department head for his information. The original nomination with recommendations and supporting documents shall then be forwarded to the Secretary for action by the Committee.
- c. The Committee shall consider the nomination and the departmental committee's recommendations and decide by majority vote whether or not an award is merited and the type of award. When an award is approved by the Committee the nomination with all supporting documents shall be forwarded to the President for final approval and authorization to present the award. When an award is not authorized, it shall be the responsibility of the Committee to advise the nominator in writing, of the action of the Committee.

2. Awards for heroism

Awards for heroism or professional accomplishment shall be letters of commendation, certificates, citations, plaques or other devices. Recommendations concerning the appropriate award to be presented shall be submitted by the departmental committees with each proposal investigated. The Committee shall make the final determination of the type of award in each case and shall be responsible for the design of awards, which shall be uniform for all State employees.

SUPERSEDED

22-1.101e Awards for Professional Accomplishment

Awards in this category may be made to any state employee or group of state employees in recognition of meritorious or distinguished accomplishments. The accomplishments need not fall entirely within the scope of normal duties, but shall be in the nature of a major contribution in a definite field, vocation or profession, or personal outstanding act or conduct reflecting credit on the individual and the State service. Awards may be made to those persons who:

1. Through fruitful study and investigation have initiated and successfully established new and outstanding methods, practices, plans or designs having fundamental values. (Such as - pioneering or research and development work in administration, engineering, law, medicine, natural resources, the social sciences, etc.)
2. Through unselfish devotion to duty, far and above normal requirements, have contributed significantly to the advancement of the State service on a professional or sub-professional level. (Such as - organization, employee relations, humanities, vocations, etc.)
3. Have achieved honors from professional societies, institutions of learning or recognized groups for outstanding performance encompassed in the fields of work of State departments.
4. Have established an outstanding record of suggestions over a period of years, in which total estimated net savings to the State aggregated \$100,000 or more.
5. Have assisted and who have been intimately associated with the recipient of an award: such award shall be a letter of commendation or a citation, presented at the time of the award for distinguished accomplishment.

See 22-1.101d for procedure for processing awards for professional accomplishments and awards to be given.

22-1.101f Awards for Service

Awards for service shall be given to all employees who have completed the required number of years of employment with the State of New Jersey listed in Appendix III or at time of retirement. Such service shall include employment in the classified or unclassified service in either a regular or temporary capacity. In determining years of employment, full credit shall be given for leave of absence with or without pay. Service does not have to be continuous. A fraction of a month shall be considered as a full month of service. Any dispute or question regarding eligible service shall be referred to the Committee for resolution.

SUPERSEDED

22-1.101f (cont'd)

1. Procedure for Processing Awards for Service

a. It shall be the responsibility of each department to annually determine the employees who will be eligible for Service Awards during the fiscal year.

b. The presentation of Awards for Service to eligible employees at suitable ceremonies shall be the responsibility of departmental committees.

2. Awards

Awards for Service shall be certificates, citations, emblems, and jewelry and are subject to change by the Committee with the approval of the President.
(See Appendix III).

3. Awards for retiring employees

a. Each employee, at retirement, shall be presented with a "Certificate of Appreciation" for service to the State. Certificates, signed by the Governor, will be supplied by the Awards Program upon request of the department's personnel officer. The certificate will be presented with suitable ceremony by the employee's department head or the latter's representative.

b. Each employee who, at retirement (exclusive of vested retirement), shall be presented with a Retirement Recognition Award for Service to the State as determined by the Committee with approval by the President. The department will be responsible for any personalized markings it desires.

4. Procedure for Obtaining Awards for Service

The following is the procedure to be used by operating agencies to obtain Service Awards:

a. Prior to July 1, review personnel records to determine the employees of the unit who will be eligible for service awards during the next fiscal year.

b. Prior to July 1, distribute copies of the colored brochure of Service Award Jewelry (to be supplied by the Secretary) to those employees who will be eligible for 10, 15, 20, 25, 30, 35, 40, 45 and 50 year awards.

~~SUPERSEDED~~
SUPERSEDED

22-1.101e Awards for Professional Accomplishment

Awards in this category may be made to any state employee or group of state employees in recognition of meritorious or distinguished accomplishments. The accomplishments need not fall entirely within the scope of normal duties, but shall be in the nature of a major contribution in a definite field, vocation or profession, or personal outstanding act or conduct reflecting credit on the individual and the State service. Awards may be made to those persons who:

1. Through fruitful study and investigation have initiated and successfully established new and outstanding methods, practices, plans or designs having fundamental values. (Such as - pioneering or research and development work in administration, engineering, law, medicine, natural resources, the social sciences, etc.)
2. Through unselfish devotion to duty, far and above normal requirements, have contributed significantly to the advancement of the State service on a professional or sub-professional level. (Such as - organization, employee relations, humanities, vocations, etc.)
3. Have achieved honors from professional societies, institutions of learning or recognized groups for outstanding performance encompassed in the fields of work of State departments.
4. Have established an outstanding record of suggestions over a period of years, in which total estimated net savings to the State aggregated \$100,000 or more.
5. Have assisted and who have been intimately associated with the recipient of an award: such award shall be a letter of commendation or a citation, presented at the time of the award for distinguished accomplishment.

See 22-1.101d for procedure for processing awards for professional accomplishments and awards to be given.

22-1.101f Awards for Service

Awards for service shall be given to all employees who have completed the required number of years of employment with the State of New Jersey listed in Appendix III or at time of retirement. Such service shall include employment in the classified or unclassified service in either a regular or temporary capacity. In determining years of employment, full credit shall be given for leave of absence with or without pay. Service does not have to be continuous. A fraction of a month shall be considered as a full month of service. Any dispute or question regarding eligible service shall be referred to the Committee for resolution.

SUPERSEDED

22-1.101f (cont'd)

1. Procedure for Processing Awards for Service

a. It shall be the responsibility of each department to annually determine the employees who will be eligible for Service Awards during the fiscal year.

b. The presentation of Awards for Service to eligible employees at suitable ceremonies shall be the responsibility of departmental committees.

2. Awards

Awards for Service shall be certificates, citations, emblems, and jewelry and are subject to change by the Committee with the approval of the President, (See Appendix III)

3. Awards for retiring employees

a. Each employee, at retirement, shall be presented with a "Certification of Appreciation" for service to the State. Certificates, signed by the Governor, will be supplied by the Awards Program upon request of the department's personnel officer. The certificate will be presented with suitable ceremony by the employee's department head or the latter's representative.

b. Each employee who, at retirement (exclusive of vested retirement), shall have completed 20 or more years of service shall be presented with a Special Award for Service to the State as determined by the Committee with approval by the President. The department will be responsible for any personalized markings it desires.

4. Procedure for Obtaining Awards for Service

The following is the procedure to be used by operating agencies to obtain Service Awards:

a. Prior to July 1, review personnel records to determine the employees of the unit who will be eligible for service awards during the next fiscal year.

b. Prior to July 1, distribute copies of the colored brochure of Service Award Jewelry (to be supplied by the Secretary) to those employee who will be eligible for 15, 20, 25, 30, 35, 40, 45 and 50 year awards.

22-1.101f (cont'd)

- c. By July 1, have eligible employees indicate their choice of jewelry items to the personnel office.
- d. By July 15, summarize all departmental requests for various certificates, and report to the Secretary.
- e. Place order directly with the contract vendor at least 30 days prior to anticipated date of presentation. Set up funds on Form PB-77 followed by using agency Form PB-2 or Confirming agency order invoice Form PB-82 direct to the contractor.

Although the specifications for the jewelry require that it be lacquered to resist tarnish, particular care should be taken if it is to be stored for any length of time. It should be kept in its original container and not stored with large quantities of paper or other items containing sulphur.

If any items of jewelry are found to be defective or are excessively tarnished, this condition should be reported to the Secretary immediately for referral to the Testing Section of the Purchase Bureau.

SUPERSEDED

APPENDIX I

GUIDE FOR EVALUATION OF INTANGIBLE BENEFITS OF A SUGGESTION

Supplementing Subpart 22-1.101

Where the value of a suggestion cannot be measured entirely or precisely in actual savings the following Guide will be used to set a full or complementary dollar amount. Cognizance will be taken of cost of implementation with relation to values derived, especially where there is little or no savings.

1. APPLICABILITY	Limited operation or application-----to	\$8
	Several operations or divisions-----to	\$15
	Entire department or Statewide-----to	\$25
2. IMPORTANCE	Minor-----to	\$8
	Considerable-----to	\$15
	Very important-----to	\$25
3. INGENUITY	Exceptional-----to	\$5
4. PRESENTATION	Exceptional-----to	\$5

One or more of the above categories may be used by the recommending departmental committee. Ordinarily, however, the last two categories will not be involved but are intended only to provide for suggestions which are exceptional in these areas. Amounts used should total at least \$10. Where more than \$50 is recommended the departmental report must justify the exception, providing sufficient information for the Committee to verify the total. See 22-1.101c;2.e. for other information.

Form CS 75 will be used for intangible evaluations.

APPENDIX II

SUGGESTER OF THE YEAR

Supplementing Subpart 22-1.101

1. State "Suggester of the Year"

Every year the Committee shall select the outstanding "Suggester of the Year" from among all the award recipients. Criteria shall include:

- a. Importance of idea to the State
- b. Savings and/or other benefits
- c. Public relations aspects and general compatibility of the selection with character and goals of the Program
- d. A combination of any of the above

The nomination shall be forwarded by the Secretary to the President for appropriate recognition.

2. Departmental "Suggester of the Year"

Upon invitation of the Committee each executive department and the Judiciary Branch may name its departmental "Suggester of the Year". The respective committees will forward their nominations to their department heads for confirmation.

Final selections will be transmitted to the Secretary by the date specified.

The Committee will designate a uniform award and arrange for its procurement and presentation. All costs will be paid by the participating departments on a debit and credit basis.

The departments will observe the following standards:

- a. The suggester must have received a suggestion award during the previous calendar year.
- b. Consideration will be given to the actual award, as it reflects savings and other values, or significance to the department.
- c. The suggester must be an employee of the department as of the date named.

APPENDIX III

SERVICE AWARDS

Supplementing Subpart 22-1.101

The following emblems and jewelry shall be of uniform design, as approved by the Committee, for all eligible employees of the State:

<u>Years of Service</u>	<u>Awards (plus certificate)</u>
5 Year Award	Without Jewels
10 Year Award	One Ruby*
15 Year Award	Two Rubies*
20 Year Award	Three Rubies*
25 Year Award	One 3-point Diamond, Two Rubies*
30 Year Award	One 3-point Diamond, Two Blue Sapphires*
35 Year Award	One 6-point Diamond, Two Emeralds*
40 Year Award	Two 6-point Diamonds, One Emerald*
45 Year Award	Three 6-point Diamonds
50 Year Award	One 12-point, Two 6-point Diamonds

* and one of the following items of personal jewelry

Brooch	Bracelet	Tie Bar	Tie Tack
Necklace	Lighter	Key Ring	Pin

Or other appropriate items as may be added.

SUPERSEDED

APPENDIX III

SERVICE AWARDS

Supplementing Subpart 22-1.101

The following emblems and jewelry shall be of uniform design,
as approved by the Committee, for all eligible employees of the State:

<u>Years of Service</u>	<u>Awards (plus certificate)</u>
5 Year Award	Without Jewels
10 Year Award	One Ruby
15 Year Award	Two Rubies*
20 Year Award	Three Rubies*
25 Year Award	One 3-point Diamond, Two Rubies*
30 Year Award	One 3-point Diamond, Two Blue Sapphires*
35 Year Award	One 6-point Diamond, Two Emeralds*
40 Year Award	Two 6-point Diamonds, One Emerald*
45 Year Award	Three 6-point Diamonds
50 Year Award	One 12-point, Two 6-point Diamonds

* and one of the following items of personal jewelry

- | | | | |
|----------|----------|----------|----------|
| Brooch | Bracelet | Tie Bar | Tie Tack |
| Necklace | Lighter | Key Ring | Pin |

Or other appropriate items as may be added.

APPENDIX III

SERVICE AWARDS

Supplementing Subpart 22-1.101

The following emblems and jewelry shall be of uniform design,
as approved by the Committee, for all eligible employees of the State:

<u>Years of Service</u>	<u>Awards (plus certificate)</u>
5 - 10	Gold emblem
15 - 20 - 25	Gold emblem*
30	Gold emblem-Pearl*
35	Gold emblem-Sapphire*
40	Gold emblem-Ruby*
45	Gold emblem with 3 Pt. Diamond
50	Gold emblem with 7 Pt. Diamond

* or one of the following items of personal jewelry

Brooch Bracelet Tie Bar Tie Tack
Necklace Lighter Tie Chain Pin

Or other appropriate items as may be added.

SUPERSEDED

APPENDIX IV

RETIREMENT RECOGNITION AWARDS

Supplementing Subpart 22-1.101

The following Retirement Recognition Mementos shall be of uniform design, as approved by the Committee, for all eligible employees of the State:

The retirees may select one of the following as their retirement Recognition Memento.

Weather Station

Clock

Desk Set

Coffee Service

The Brochures describing the Retirement Recognition items are available from the Department of Civil Service.

Subpart 22-1.102 Administration and Organization of the Awards Programs

22-1.102a Subject:

The Awards Programs are administered by an employee committee known as the New Jersey State Employees' Awards Committee (hereinafter "Committee"). Individual awards committees (hereinafter "departmental committees") are established in each department, office, commission, branch or authority listed previously. Divisional and institutional awards subcommittees may be established within departments to assist departmental committees in the administration of the Awards Programs within the department but the responsibility for the departments' activities will remain with the departmental committee.

22-1.102b New Jersey State Employees' Awards Committee:

1. The Committee consists of five State officers or employees, no two of whom shall be employed by the same department or organization, appointed by the Governor upon nomination by the President of the Civil Service Commission (hereinafter "President") for a term of three years or until their successors shall have been appointed and qualified. If a vacancy on the Committee occurs by reason other than expiration of term, the vacancy shall be filled for the unexpired term.

2. Members of the Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performing their duties as members of the Committee.

3. The Committee shall meet and organize as soon as practicable after the annual appointment of new members and select a Chairperson from among its members. The Committee shall hold regular meetings at least once each month during the year and special meetings at the call of the Chairperson. All meetings will be open to the public and conducted in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6.

4. The Committee is responsible for the formulation of awards programs and for the supervision and direction of departmental level committees. It has the authority to adopt and promulgate rules and regulations for the conduct and operation of Awards Programs under the supervision and direction of the President. The Committee shall submit monthly reports to the President concerning operations of the Awards Programs which shall include data on the activity level, processing timeframes and the amount of benefits to the State resulting from these programs. This data will also be furnished to each department's chief executive officer. The Committee shall submit an annual report, to the Governor through the department's chief executive officer.

22-1.102b (cont'd)

5. The administrative work of the Committee shall be performed by an Executive Secretary (hereinafter "Secretary") and other necessary staff assigned by the President. It shall be the duty of the Secretary to attend the regular and special meetings of the Committee, act as its secretary, record its official actions and maintain minutes of its official proceedings. The Secretary shall establish and maintain necessary records; implement the decisions of the Committee; establish and maintain an adequate employee and public relations program; investigate and make recommendations concerning the effect of the Awards Programs and report the findings to the Chairperson; and shall perform such other related work as may be required.

6. The Committee shall be responsible for reviewing the evaluations from departmental committees where the recommendation is for approval and shall determine whether or not a proposal will be approved and the award which will be granted. For those awards involving \$100 or less of value, the Secretary of the Committee may authorize the award.

7. The Secretary shall make the initial review of all proposed award recommendations from the departmental committees. When the recommendation from the departmental committees are for disapproval the Secretary shall, from the evidence presented, determine if the disapproval shall be upheld.

8. Appeals from determinations made by the Secretary to uphold or reverse a departmental committee recommendation shall be reviewed by the Committee and a final determination will be made by them.

9. It shall be the responsibility of the Committee to make changes in these regulations as may be required. Departmental committees are encouraged to make recommendations for changes which will improve the programs.

10. The Committee is authorized to request, and shall receive, such assistance as it may require from any State department or agency.

22-1.102c Departmental Awards Committees:

1. Each department, office, commission, branch or authority operating under the Awards Programs shall establish an awards committee, which shall include at least three members, and which shall be known as the "Awards Committee of the department, office, commission, branch, or authority."

Subpart 22-1.102 Administration and Organization of the Awards Program

22-1.102a Subject:

The Awards Program is administered by an employee committee known as the New Jersey State Employees' Awards Committee (hereinafter "Committee"). Individual awards committees (hereinafter "departmental committees") are established in each department, office, commission, branch or authority listed previously. Divisional and institutional awards sub-committees may be established within departments to assist departmental committees in the administration of the Awards Program within the Department but the responsibility for the departments' activities will remain with the departmental committee.

22-1.102b New Jersey State Employees' Awards Committee:

1. The Committee consists of five State officers or employees, no two of whom shall be employed by the same department or organization, appointed by the Governor upon nomination by the President of the Civil Service Commission (hereinafter "President") for a term of three years or until their successor shall have been appointed and qualified. If a vacancy on the Committee occurs by reason other than expiration of term, the vacancy shall be filled for the unexpired term.

2. Members of the Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performing their duties as members of the Committee.

3. The Committee shall meet and organize as soon as practicable after the annual appointment of new members and select a Chairperson from among its members. The Committee shall hold regular meetings at least once each month during the year and special meetings at the call of the Chairperson. All meetings will be open to the public and conducted in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6.

4. The Committee is responsible for the formulation of awards programs and for the supervision and direction of departmental level committees. It has the authority to adopt and promulgate rules and regulations for the conduct and operation of Awards Programs under the supervision and direction of the President. The Committee shall submit monthly reports to the President concerning operations of the Awards Program which shall include data on the number of suggestions approved and disapproved, processing timeframes and the amount of savings to the State resulting from these suggestions. This data will also be furnished to each department head. The Committee shall submit an annual report, through the President, to the Governor concerning the operations of the Awards Program and the results obtained from each department.

22-1.102b (cont'd)

5. The administrative work of the Committee shall be performed by an Executive Secretary (hereinafter "Secretary") and other necessary staff assigned by the President. It shall be the duty of the Secretary to attend the regular and special meetings of the Committee, act as its secretary, record its official actions and maintain minutes of its official proceedings. The minutes shall include a record of suggesters and their representatives present at the meeting and a transcript of their comments concerning any suggestions. The Secretary shall establish and maintain necessary records; implement the decisions of the Committee; establish and maintain an adequate employee and public relations program; investigate and make recommendations concerning the effect of the Awards Program and report the findings to the Chairperson; and shall perform such other related work as may be required.

6. The Committee shall be responsible for reviewing suggestions and the evaluations from departmental committees where the recommendation is for approval and determining whether or not a suggestion will be approved and the award which will be granted. For those suggestions involving an award of \$100 or less, the Executive Secretary of the Committee may authorize the award.

7. The Executive Secretary shall make the initial review of all suggestions where the recommendation from the departmental committee is for disapproval and shall, from the evidence presented, determine if the disapproval shall be upheld.

8. Appeals from determinations made by the Executive Secretary to uphold or reverse a departmental committee recommendation concerning a suggestion shall be reviewed by the Committee and a final determination will be made by them.

9. It shall be the responsibility of the Committee to make changes in these regulations as may be required. Departmental committees are encouraged to make recommendations for changes which will improve the Program.

10. The Committee is authorized to request, and shall receive, such assistance as it may require from any State department or agency.

22-1.102c Departmental Awards Committees:

1. Each department, office, commission, branch or authority operating under the Awards Program shall establish an awards committee, which shall include at least three members, and which shall be known as the "Awards Committee of the (department, office, commission, branch, or authority).

2. These committees shall be appointed by the chief executive officer of the organization for a term of one year, effective each May 18; and the committee will assume responsibility for the conduct and operation of the Awards Program within their organization.

22-1.102c (cont'd)

2. These committees shall be appointed by the chief executive officer of the organization for a term of one year, effective each May 18; and the committee will assume responsibility for the conduct and operation of the Awards Programs within their organization.

3. Each department's chief executive officer will appoint as departmental committee members, program analysts or, in those departments which do not have analysts, employees who are responsible for evaluation and analysis of the agency's programs.

4. The chairperson of the departmental committee will be an individual who reports directly to the chief executive officer.

5. These committees will meet at least monthly and operate under the supervision and direction of, and in accordance with the rules and regulations promulgated by, the Committee. They shall establish rules and regulations for the processing of awards within their departments with the approval of the Committee.

6. These committees will be responsible for objectively and impartially investigating and evaluating each proposed award furnished to them by the Committee and returning a recommendation to the program staff of the Committee within the program timeframes. Documentation to support their conclusions should accompany their recommendation.

7. These committees shall be responsible for suitable ceremonies for the presentation of awards to their employees and shall use all available means, as the Committee may propose, to promote employee participation in the programs.

8. The committees will report their activities to the Committee through the chairperson of the respective organization. Each department's chief executive officer will ensure that a suitable committee is maintained. The Chairperson of the departmental committee will act as liaison between the Committee and the departmental committee to ensure that proposed awards are evaluated expeditiously and implementation is effected.

22-1.102c (cont'd)

3. These committees will meet at least monthly and operate under the supervision and direction of, and in accordance with the rules and regulations promulgated by, the Committee. They shall establish rules and regulations for the processing of awards and suggestions within their departments with the approval of the Committee.

4. These committees will be responsible for objectively and impartially investigating and evaluating each suggestion furnished to them by the State Committee and returning a recommendation to the program staff of the Committee within the program timeframes. Documentation to support their conclusions should accompany their recommendation.

5. These committees shall be responsible for suitable ceremonies for the presentation of awards to their employees and shall use all available means, as the Committee may propose, to promote employee participation in the program.

6. The committees will report their activities to the Committee through the personnel officer of the respective organization. The personnel officer will ensure that a suitable committee is maintained and will act as liaison between the two committees to ensure that suggestions are evaluated expeditiously and implementation is effected.

7. Departmental committees may request that notable problems in connection with the activities of their organization be published in order to seek employee advice in the form of suggestions for solution of the problems. The Committee, if it is determined to be in the best interests of the State, will cause these "problems" to be circularized in suitable publications.

SUPERSEDED

Subpart 22-1.102 Administration and Organization of the Awards Program

22-1.102a Subject:

The Awards Program is administered by an employee committee known as the New Jersey State Employees' Awards Committee (hereinafter "Committee"). Individual awards committees (hereinafter "departmental committees") are established in each department, office, commission, branch or authority listed above. Divisional and institutional awards sub-committees may be established within departments to assist departmental committees in the administration of the Awards Program within the Department but the responsibility for the departments' activities will remain with the departmental committee.

22-1.102b New Jersey State Employees' Awards Committee:

1. The Committee consists of five State officers or employees, no two of whom shall be employed by the same department or organization, appointed by the Governor upon the nomination by the President of the Civil Service Commission (hereinafter "President") for a term of three years or until their successor shall have been appointed and qualified. If a vacancy on the Committee occurs by reason other than expiration of term, the vacancy shall be filled for the unexpired term.

2. Members of the Committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performing their duties as members of the Committee.

3. The Committee shall meet and organize as soon as practicable after the annual appointment of new members and select a Chairperson from among its members. The Committee shall hold regular meetings at least once each month during the year and special meetings at the call of the Chairperson. All meetings will be open to the public and conducted in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6.

4. The Committee is responsible for the formulation of awards programs and for the supervision and direction of departmental level committees. It has the authority to adopt and promulgate rules and regulations for the conduct and operation of Awards Programs under the supervision and direction of the President. The Committee shall submit monthly reports to the President concerning operations of the Awards Program which shall include data on the number of suggestions approved and disapproved, processing timeframes and the amount of savings to the State resulting from these suggestions. This data will be furnished to each department head. The Committee shall submit an annual report, through the President, to the Governor concerning the operations of the Awards Program and the results obtained from each department.

SUPERSEDED

22-1.102b (cont'd)

5. The administrative work of the Committee shall be performed by an Executive Secretary (hereinafter "Secretary") and other necessary staff assigned by the President. It shall be the duty of the Secretary to attend the regular and special meetings of the Committee, act as its secretary, record its official actions and maintain minutes of its official proceedings. The Secretary shall establish and maintain necessary records; implement the decisions of the Committee; establish and maintain an adequate employee and public relations program; investigate and make recommendations concerning the effect of the Awards Program and report the findings to the Chairperson; and shall perform such other related work as may be required.

6. It shall be the responsibility of the Committee to make changes in these regulations as may be required. Departmental committees are encouraged to make recommendations for changes which will improve the Program.

7. The Committee shall be responsible for reviewing suggestions and the evaluations and recommendations from departmental committees and determining whether or not a suggestion will be approved and the award which will be granted. For those suggestions involving an award of \$50 or less, the Executive Secretary of the Committee may authorize the award.

8. The Committee is authorized to request, and shall receive, such assistance as it may require from any State department or agency.

22-1.102c Departmental Awards Committees:

1. Each department, office, commission, branch or authority operating under the Awards Program shall establish an awards committee, which shall include at least three members, and which shall be known as the "Awards Committee of the (department, office, commission, branch, or authority).

2. These committees shall be appointed by the chief executive officer of the organization for a term of one year, effective each May 18; and the committee will assume responsibility for the conduct and operation of the Awards Program within their organization.

3. These committees will meet at least monthly and operate under the supervision and direction of, and in accordance with the rules and regulations promulgated by, the Committee. They shall establish rules and regulations for the processing of awards and suggestions within their departments with the approval of the Committee.

4. These committees will be responsible for objectively and impartially investigating and evaluating each suggestion furnished to them by the State Committee and returning a recommendation to the program staff of the Committee within the program timeframes. Supporting documentation containing full and convincing proof to support the conclusion should accompany the recommendation.

SUPERSEDED

22-1.102c (cont'd)

5. These committees shall be responsible for suitable ceremonies for the presentation of awards to their employees and shall use all available means, as the Committee may propose, to promote employee participation in the program.

6. The committees will report their activities to the Committee through the personnel officer of the respective organization. The personnel officer will ensure that a suitable committee is maintained and will act as liaison between the two committees to ensure that suggestions are evaluated expeditiously and implementation is effected.

7. Departmental committees may request that notable problems in connection with the activities of their organization be published in order to seek employee advice in the form of suggestions for solution of the problems. The Committee, if it is determined to be in the best interests of the State, will cause these "problems" to be circularized in suitable publications.

Subpart 22-1.103 Awards for Suggestions

22-1.103a Program:

An award for a suggestion shall be made to any eligible employee whose constructive proposal has been implemented or ordered implemented by competent authority, in accordance with regulations established by the Committee and approved by the President.

22-1.103b Definition of a Suggestion:

A suggestion is a written proposal which will produce notable economy or improvement in an operation of State government or one which will improve service to the public, employee safety, public safety or employee welfare. It must be original, or propose a new application of an old idea. There must be a casual relationship between the suggestion and the implementation of the improvement. (If an organization maintains that there is no casual relationship between the suggestion and implementation, it is incumbent on the organization involved in the evaluation to substantiate the absence of a relationship.) A suggestion shall include:

1. A brief statement describing the present condition, method or practice, and where it exists.

2. A specific statement of what is suggested and how it can be accomplished. Sketches, charts, samples and additional data may be attached or included with the suggestion.

3. A concise statement of the benefits which will accrue and the name of the organization or organizations which will benefit.

4. The name, home mailing address, social security number, title of present position, salary range, and department and division of the suggester.

22-1.103c Eligibility:

Most employees are eligible to participate in the program and nearly all suggestions which improve State government operations can be considered for an award except:

1. No award shall be paid to any employee for any suggestion which represents a part of the duties of his/her position and which he/she has the authority to change or the responsibility for bringing the existing state or improvement to the attention of his/her supervisor.

2. No award for any suggestion shall be made to any employee whose primary duty is research and planning unless the suggestion concerns a matter which is clearly unrelated to the employee's assignment or primary duty.

3. No award shall be made to any member of the Committee, departmental committee, Secretary, or the staff of the Awards Program. Under special circumstances, the Committee may authorize exceptions.

4. No award shall be made for a disapproved suggestion unless the idea appears to be implemented within two years from the date of notice of disapproval and is subsequently approved by the Committee.

5. No award shall be made for a suggestion which is received by the Committee more than six months (excluding necessary trial period) after it has been placed into use.

6. No award shall be made for any suggestion concerning routine maintenance of buildings, equipment, or grounds, which should be normally reported through regularly established channels. Where sustained complaints have not resulted in correction, the Committee may consider such a suggestion for an award.

7. No award shall be made for suggestions involving new structures, equipment, materials, and procedures during the initial period of trial, experiment or development, the length of which is considered reasonable by the Committee.

8. No award shall be paid to an employee for any suggestion which simply involves instituting or raising fees or taxes levied by the State.

9. No award shall be paid to an employee for any suggestion to transfer programs or activities from one level of government to another unless the transfer of the program or activity effectuates a savings or improvement of services, in which case the award would be based only on the saving or value of the improvement in having one level of government, as opposed to another, perform the program or activity.

10. No award shall be paid to an employee for any suggestion to recoup owed funds from another agency or political sub-division of the State.

11. No award shall be paid to anyone not employed in one of the departments, offices, commissions, branches, or authorities listed in these regulations or for any idea or improvement in an operation other than one performed or eligible to be performed by one of the listed participating agencies.

12. To continue the eligibility of a disapproved suggestion it shall be the responsibility of the suggester to resubmit the suggestion within two years of the date of notice of final disapproval.

NOTE: The above does not necessarily represent an exclusive or complete list concerning eligible employees or eligible suggestions. (For additional eligibility requirements see 22-1.103j)

22-1.103d Procedure for Submitting Suggestions:

1. Option No. 1 suggestions require completion of a Suggestion Form CS-73 (or plain paper with same content) which is sent directly to the New Jersey State Employees' Awards Program for processing and evaluation. Within 5

Subpart 22-1.103 Awards for Suggestions

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1. A brief statement describing the present condition, method or practice, and where it exists.
2. A specific statement of what is suggested and how it can be accomplished. Sketches, charts, samples and additional data may be attached or included with the suggestion.
3. A concise statement of the benefits which will accrue and the name of the organization or organizations which will benefit.
4. The name, home mailing address, social security number, title of present position, salary range, and department and division of the suggester.

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Most employees are eligible to participate in the program and nearly all suggestions which improve State government operations can be considered for an award except:

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2. No award for any suggestion shall be made to any employee whose primary duty is research and planning unless the suggestion concerns a matter which is clearly unrelated to the employee's assignment or primary duty.
3. No award shall be made to any member of the Committee, departmental committee, Secretary, or the staff of the Awards Program. Under special circumstances, the Committee may authorize exceptions.

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5. No award shall be made for a suggestion which is received by the Committee more than six months (excluding necessary trial period) after it has been placed into use.

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10. No award shall be paid to an employee for any suggestion to recoup owed funds from another agency or political sub-division of the State.

11. No award shall be paid to anyone not employed in one of the departments, offices, commissions, branches, or authorities listed in these regulations or for any idea or improvement in an operation other than one performed or eligible to be performed by one of the listed participating agencies.

12. To continue the eligibility of a disapproved suggestion it shall be the responsibility of the suggester to resubmit the suggestion within two years of the date of notice of final disapproval.

NOTE: The above does not necessarily represent an exclusive or complete list concerning eligible employees or eligible suggestions. (For additional eligibility requirements see 22-1.103j)

22-1.103d Procedure for Submitting Suggestions:

1. Option No. 1 suggestions require completion of a Suggestion Form CS-73 (or plain paper with same content) which is sent directly to the New Jersey State Employees' Awards Program for processing and evaluation. Within 5

days of receipt, the suggestion is acknowledged and, within 60 days of receipt, if the departmental evaluation and recommendation is received and the Committee has acted upon it, the suggester is advised of the results.

2. Option No. 2 suggestions involve ideas relating to the suggester's own area of work where the suggester elects to "stay with" the suggestion almost all the way through the process. As in Option No. 1, a Suggestion Form is completed and a copy is submitted to the New Jersey State Employees' Awards Program to ensure that the suggestion is recorded as the property of the suggester. The suggester then contacts the departmental awards committee chairperson for arrangements to work directly with departmental supervisors and the committee on development and refinement of the suggestion. Upon completion, the departmental committee makes its recommendation to the Committee for their determination. The suggester is advised of the results within 30 days of submission of the recommendation to the Committee.

22-1.103e Processing of Suggestions:

1. There are two distinct methods of processing a suggestion depending on the option chosen by the suggester (designated Option No. 1 and Option No. 2).

2. Option No. 1 suggestions received by the Committee will be reviewed by the Secretary and acknowledged.

3. These Option No. 1 suggestions which appear to have an incorrect scope of applicability as shown on the Suggestion Form, will be corrected by the Secretary so that the proper agency(s) are shown which will benefit from the suggestion and the suggester is notified of the change. In these cases recommendations and evaluations will be sought from the departments included in the revised scope, after which the Committee will then decide on whether or not to adopt the suggestion and make an award. The award would be based on the value of the idea as affected by the number of departments covered, importance, ingenuity, and presentation.

4. Copies of the Option No. 1 suggestion and attachments are then forwarded to the appropriate departmental committee(s) for an evaluation and recommendation.

5. Following investigation, the departmental committee shall meet and, by majority vote, recommend approval or disapproval of a suggestion on Form CS-75.

6. Under ordinary circumstances, departmental committees will return suggestions with their recommendations and all supportive evidence and documentation and, for those which are approved, the chief executive officer's endorsement and implementation date as well as an eligibility certification (if the suggester is from the department making the recommendation to approve the suggestion) within 45 days after receipt from the program staff. Upon receipt,

the Secretary will ensure that approved suggestions are on the agenda of the next Committee meeting. NOTE: If the suggester is not an employee of the organization making the recommendation to approve the suggestion, a copy of the suggestion and an eligibility certification will be submitted to the suggester's department for this determination.

7. If the recommended award is for \$750 or more, the full report will be forwarded to the Director of the Division of Budget and Accounting for review and recommendation before final action by the Committee. If, however, the recommendation is not received within 20 calendar days from the Budget Bureau, the Committee will process the suggestion.

8. Disapproved suggestions will be reviewed by the Secretary who, if the disapproval is upheld, will notify the suggester and advise him/her of the right to appeal.

9. Suggesters will be notified whether or not their Option No. 1 suggestion is approved within 60 days of the submission date unless there are complications, such as the need for a trial period or unavoidable delays in implementation or evaluation. In these cases, however, the suggester, upon request, will be given a periodic status report on the progress of the suggestion. Extensions of processing time to departmental committees will be granted by the Secretary only for valid reasons.

10. Any Option No. 1 suggestion, for which an extension has not been granted, which is not processed within the stated timeframes by the departmental committee will be identified and a "delinquent notice" will be forwarded to the departmental committee chairperson. If this notice is ignored, the Secretary will refer the matter to the department's chief executive officer with a request that the matter be resolved.

11. The Committee shall review the departmental committee's report and recommendation, and decide by majority vote whether or not an award is merited and the amount of the award.

12. Awards approved by the Committee will be processed for payment by the Secretary.

13. The Secretary is authorized to approve for the Committee all awards of \$100 or less (or the equivalent in time off).

14. If it is determined by the Committee that it is necessary to use outside consultants in either the development or evaluation of a suggestion, the costs involved, if any, may be added to the implementation costs and the award reduced accordingly.

15. Option No. 2 suggestions, which must ordinarily concern only the general area of work to which the suggester is regularly assigned, are those where the suggester elects to work directly with the departmental committee and supervisory staff of his/her agency. A copy of the suggestion is sent to the New Jersey State Employees' Awards Program to protect the employee's rights, and the employee then participates directly in the development and refinement of the

suggestion. When completed, the departmental committee submits to the Committee a copy of the suggestion, their recommendation and evaluation, and, in the cases where adoption of the suggestion is recommended, the endorsement of the chief executive officer and an eligibility certification. All other pertinent provisions of the regulations apply equally to these suggestions.

16. Suggestions (Option No. 1 or No. 2) which are disapproved by the departmental committee may, for cause, be referred back for reconsideration and in the event of an impasse, referred directly to the chief executive officer by the Committee. If referred to the chief executive officer, the Committee will include justification as to why the suggestion should be reconsidered.

22-1.103f Records Maintained by the State Committee:

1. Official copies of the minutes of all meetings and all other official actions which shall be public information.
2. Copies of all suggestions received, with supporting documents and recommendations from departmental committees.
3. Records will be retained after final action in accordance with the Bureau of Archives' Record Retention Schedules.

22-1.103g Records Maintained by Departmental Committees:

1. Official copies of the minutes of all meetings and all other official actions.
2. Copies of each suggestion referred by the Committee and a copy of its report with supportive documentation to the Committee.
3. Records of all transactions and supportive documentation for Option No. 2 suggestions.
4. Records will be retained after final action by the Committee in accordance with the Bureau of Archives' Records Retention Schedules.

22-1.103h Appeals Procedure:

1. In cases of disapproval, the suggester will be notified of his/her right to appeal the action in writing to the Secretary within 20 calendar days of the notice of disapproval.
2. Any determinations concerning a suggestion which are objected to by the suggester, can be appealed in writing to the Secretary and shall contain any new or expanded information to support such an appeal.

3. The Secretary will acknowledge the appeal and request the departmental committee involved to review its initial recommendation, considering the new information. The departmental committee will then furnish the suggestion to the Committee along with their recommendation and all supportive data. The suggestion will be reviewed by the Committee, a determination made and the suggester will be notified of the subsequent findings.

4. In reviewing appealed disapprovals, the Committee will notify suggesters of the time and place of the meeting and afford them an opportunity to appear in person.

5. If a suggestion is being appealed, the suggester and, when appropriate, the departmental committee, will have the right to review and copy any part of the file concerning the suggestion and will be given the opportunity to submit argument concerning the appeal.

6. Internal staff communications, not considered as material in making a decision on a suggestion, are not available to the suggester.

7. If a suggestion is disapproved, and within the two year period from notice of disapproval the suggestion appears to be implemented and the suggester appeals the determination, eligibility will be maintained throughout the appeal procedure.

8. Eligibility will likewise be maintained through out the appeal process if an appeal is made to reopen a case within 20 calendar days after the suggester is notified of the final decision by the Committee on a previously appealed action.

9. An appeal involving a question of interpretation of program regulations or a ruling in special cases may, at the discretion of the Secretary, be referred directly to the Committee without referral to the departmental committee.

10. The Committee shall render a final administrative determination; any further appeal should be pursued in a judicial forum.

11. The Committee may order a hearing concerning a suggestion where the suggestion raises disputed material, factual issues unsolved by the usual suggestion review procedures. The hearing may be presided over by a hearing officer or the Committee.

12. The Committee will reopen a decision if new evidence and/or new argument is presented which, if accepted, would change the outcome. Before reopening is considered, the suggester must satisfy the Committee that it was impossible to present these matters during the original appeal.

13. The Civil Service Commission does not exercise jurisdiction in these appeals.

22-1.103i Evaluation of Intangible Benefits of a Suggestion:

Where the value of a suggestion cannot be measured entirely or precisely in actual dollar savings, the following guide may be used to set a full or complementary dollar amount. Cognizance will be taken of cost of implementation with relation to values derived, especially where there is little or no savings.

1. EFFECTIVENESS OF SOLUTION OFFERED BY SUGGESTER	a. complete solution to problem	\$18 - \$25
	b. solves problem in most cases	\$10 - \$17
	c. solves problem in some cases	\$ 2 - \$ 9
2. SERIOUSNESS OF PRESENT PROBLEM IN TERMS OF MONEY OR OTHER FACTORS	a. critical or very serious problem	\$18 - \$25
	b. significant problem	\$10 - \$17
	c. minor problem	\$ 2 - \$ 9
3. EXTENT OF THE PROBLEM	a. affects all of the general public or at least several hundred employees	\$18 - \$25
	b. affects many employees or members of the general public	\$10 - \$17
	c. affects few individuals	\$ 2 - \$ 9
4. PROBABILITY OF PROBLEM ACTUALLY HAPPENING	a. is happening or will happen	\$12 - \$15
	b. good chance of happening	\$ 7 - \$11
	c. remote possibility of happening	\$ 2 - \$ 6
5. INGENUITY OF THE SOLUTION	a. required extensive research and/or very complex solution	\$ 8 - \$10
	b. required some basic research and/or somewhat complex solution	\$ 5 - \$ 7
	c. simple and obvious solution	\$ 2 - \$ 4

Awards for suggestions with an intangible value may exceed the guide shown above in exceptional situations providing sufficient justification is supplied. (It is possible that an intangible award would be of such import that it would warrant an award of up to the maximum award limit.)

22-1.103j Awards:

(a) The following regulations will apply to awards for those employees in salary range A-29 and below at the time of submission:

1. Awards for suggestions shall be in cash or additional paid vacation time off in lieu of the cash under certain circumstances.

2. Cash awards will be no less than \$25 or more than \$10,000 for each approved suggestion.

3. The "time off option" in lieu of a cash award will be calculated as follows:

- one day of additional time off in lieu of an award from \$25 - \$49.
- two days of additional time off in lieu of an award from \$50 - \$100.

4. When a suggestion is determined to be meritorious and is adopted solely or primarily because it will result or has resulted in the saving of money, the amount of the award shall be 10% of the estimated net annual savings in the first year of operation. Under exceptional conditions the Committee may select a typical year, or may average several years, to determine a fair award.

5. In those cases where the program award limit changes between the time the suggestion is received and the payment date, the limit in effect at time of submission will govern the award.

6. When a suggestion is adopted primarily upon the basis of improvements in such areas of safety, health, welfare, morale, etc. or if it is otherwise impossible to determine a dollar savings, the Committee, after consideration of the departmental committee's recommendations, shall determine the amount of the award, commensurate with the benefits anticipated from the suggestion. The guide shown in part 22-1.103i will be used by the Committee to determine the award for intangible suggestions. In certain exceptional cases, the Committee may authorize an award which exceeds the guidelines. An award may be made, when justified, on the basis of both monetary savings and intangible benefits.

(b) The following regulations will apply to awards for those employees in salary ranges A-30 and above at the time of submission:

1. For those suggestions involving first year savings to the State of \$10,000 to \$100,000, the award will be \$500.

2. For those suggestions involving first year savings to the State of over \$100,000, the award will be \$1,000.

NOTE: For those employees at range A-30 and above at the time of submission, there will be no cash award for suggestions covering savings of less than \$10,000 for the first year of implementation. In those cases, the Committee may authorize some other form of recognition.

(c) The following regulations apply to employees in all salary ranges:

1. A suggester shall receive the full amount of the award, after deductions for taxes, when the suggestion is implemented. Where implementation is not complete but specific steps have been taken, a token, partial, or full award may be paid at the Committee's discretion. It shall be the responsibility of the departmental committee to inform the Secretary when a suggestion has been placed into operation. When there is a question regarding date of implementation, the Committee shall make the final determination.

2. A cash or other award shall be in addition to the regular compensation of the recipient. The acceptance of such award shall constitute an agreement that the use of the suggestion by the State or any other public jurisdiction with which New Jersey has a reciprocal relationship shall not form the basis of a further claim of any nature upon the State of New Jersey by the employee, heirs, or assigns.

3. Persons who leave the State service after having submitted a suggestion are still eligible for an award. In the case of death, the award will be paid to the next of kin or estate.

4. Departmental awards consisting of plaques will be presented to the department, office, commission, branch, or authority with the best record of employee participation during the fiscal year for the:

- highest number of suggestions approved per one hundred employees.
- highest dollar savings to the State realized through implementation of suggestions from their employees.

5. Special awards consisting of plaques will be presented to suggesters whose accumulated awards total \$10,000 or result in savings to the State of \$100,000. In addition, they become members of an Advisory Board to the Committee. The Advisory Board may be called upon to comment and make recommendations on policy and program promotion.

6. State "Suggester of the Year" will be selected by the Committee from among the successful submissions of the previous calendar year and will be suitably recognized as determined by the Committee. The selection from nominations submitted by the Secretary will be based on:

- importance of the suggestion on a State and national level.
- savings and/or other benefits.
- public relations aspects and compatibility of the selection with the character and goals of the program.

7. Departmental "Suggester of the Year" may be nominated by each department, office, commission, branch, or authority listed in these regulations. The nomination of one individual from each participating agency will be made by the departmental committee with confirmation of the chief executive officer. The nomination must be approved by the Committee which will designate a uniform award and arrange for its procurement and presentation. Standards in selecting the nomination will be:

- the suggestion(s) must have been from the previous calendar year.
- importance or value of the suggestion to the department.
- the suggester must be an employee of the department as of the date nominated.

22-1.103k Procedure for Making Awards:

1. After approval by the Committee or Secretary, a check will be authorized by the State Treasurer and Budget Director to be drawn upon the fund appropriated to the Department of Civil Service for the payment of awards and prepared to the order of the suggester for the net amount of the award.

2. The check will then be forwarded to the departmental committee for presentation except when the Committee elects to arrange a special ceremony.

3. Awards involving "vacation options" will be arranged between the employees' Personnel Officer and the Secretary on a case by case basis.

4. Appropriate payroll deductions for taxes will be made before payment of checks to suggesters.

Subpart 22-1.103 Awards for Suggestions

22-1.103a Program:

An award for a suggestion shall be made to any eligible employee whose constructive proposal has been implemented or ordered implemented by competent authority, in accordance with regulations established by the Committee and approved by the President.

22-1.103b Definition of a Suggestion:

A suggestion is a written proposal which will produce notable economy or improvement in an operation of State government or one which will improve service to the public, employee safety, public safety or employee welfare. It must be original, or propose a new application of an old idea. There must be a causal relationship between the suggestion and the implementation of the improvement. (If an organization maintains that there is no causal relationship between the suggestion and implementation, it is incumbent on the organization involved in the evaluation to substantiate the absence of a relationship.) A suggestion shall include:

1. A brief statement describing the present condition, method or practice, and where it exists.
2. A specific statement of what is suggested and how it can be accomplished. Sketches, charts, samples and additional data may be attached or included with the suggestion.
3. A concise statement of the benefits which will accrue and the name of the organization or organizations which will benefit.
4. The name, home mailing address, social security number, title of present position, and department and division of the suggester.

22-1.103c Procedure for Submitting Suggestions:

1. Option No. 1 suggestions require completion of a Suggestion Form CS-73 (or plain paper with same content) which is sent directly to the New Jersey State Employees' Awards Program for processing and evaluation. Upon receipt, the suggestion is acknowledged and within 60 days of receipt - if the departmental evaluation and recommendation is received and the State Committee has acted upon it - the suggester is advised of the results.

SUPERSEDED

22-1.103c (cont'd)

2. Option No. 2 suggestions involve ideas relating to the suggester's own area of work where the suggester elects to "stay with" the suggestion almost all the way through the process. As in Option No. 1, a Suggestion Form is completed and a copy is submitted to the New Jersey State Employees' Awards Program to insure that the suggestion is recorded as the property of the suggester. The suggester then contacts the departmental awards committee chairperson for arrangements to work directly with departmental supervisors and the committee on development and refinement of the suggestion. Upon completion, the departmental committee makes its recommendation to the State Committee for their determination. The suggester is advised of the results within 30 days of submission of the recommendation to the State Committee.

22-1.103d Awards:

1. Awards for suggestions shall be in cash or additional paid vacation time off in lieu of the cash under certain circumstances.

2. Cash awards will be no less than \$25 or more than \$5,000 for each approved suggestion.

3. The "time off option" in lieu of a cash award will be calculated as follows:

- one day of additional time off in lieu of an award from \$25 - \$49.
- two days of additional time off in lieu of an award from \$50 - \$100.

4. When a suggestion is determined to be meritorious and is adopted solely or primarily because it will result or has resulted in the saving of money, the amount of the award shall be 10% of the estimated net annual savings in the first year of operation. Under exceptional conditions the Committee may select a typical year, or may average several years, to determine a fair award.

5. In those cases where the program award limit changes between the time the suggestion is received and the payment date, the limit in effect on the actual implementation date will be used in determining the award amount.

22-1.103d (cont'd)

6. When a suggestion is adopted primarily upon the basis of improvement in such areas of safety, health, welfare, morale, etc. or if it is otherwise impossible to determine a dollar savings, the Committee, after consideration of the departmental committee's recommendations, shall determine the amount of the award, commensurate with the benefits anticipated from the suggestion. The guide shown in part 22-1.103k will be used by the Committee to determine the award for intangible suggestions. In certain exceptional cases, the Committee may authorize an award which exceeds the guidelines. An award may be made, when justified, on the basis of both monetary savings and intangible benefits.

7. A suggester shall receive the full amount of the award, after deductions for taxes, when the suggestion is implemented. Where implementation is not complete but specific steps have been taken, a token, partial, or full award may be paid at the Committee's discretion. It shall be the responsibility of the departmental committee to inform the Secretary when a suggestion has been placed into operation. Where there is a question regarding date of implementation, the Committee shall make the final determination.

8. A cash or other award shall be in addition to the regular compensation of the recipient, and the acceptance of such award shall constitute an agreement that the use by the State of New Jersey of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the State of New Jersey by the employee, heirs, or assigns.

9. Persons who leave the State service after having submitted a suggestion are still eligible for an award. In the case of death, the award will be paid to the next of kin or estate.

10. Departmental awards consisting of plaques will be presented to the department, office, commission, branch, or authority with the best record of employee participation during the fiscal year for the:

- highest number of suggestions approved per one hundred employees.
- highest dollar savings to the State realized through implementation of suggestions from their employees.

11. Special awards consisting of plaques will be presented to suggesters whose accumulated awards total \$5,000 or result in savings to the State of \$50,000. In addition, they become members of an Advisory Board to the Committee. The Advisory will be called upon to comment and make recommendations on policy and program promotion.

22-1.103d (cont'd)

12. State "Suggester of the Year" will be selected by the Committee from among the previous calendar years' successful submissions and will be suitably recognized as determined by the Committee. The selection from nominations submitted by the Secretary will be based on:

- importance of the suggestion on a State and National level.
- savings and/or other benefits.
- public relations aspects and compatibility of the selection with the character and goals of the program.

13. Departmental "Suggester of the Year" may be nominated by each department, office, commission, branch, or authority listed in these regulations. The nomination of one individual from each participating agency will be made by the departmental committee with confirmation of the department head to the Secretary. The nomination must be approved by the Committee which will designate a uniform award and arrange for its procurement and presentation. Standards in selecting the nomination will be:

- the suggestion(s) must have been from the previous calendar year.
- importance or value of the suggestion to the department.
- the suggester must be an employee of the department as of the date nominated.

22-1.103e Processing of Suggestions:

1. There are two distinct methods of processing a suggestion depending on the option chosen by the suggester (designated Option No. 1 and Option No. 2).

2. Option No. 1 suggestions received by the Committee will be reviewed by the Secretary and acknowledged.

22-1.103e (cont'd)

3. These Option No. 1 suggestions which appear to have an incorrect scope of applicability as shown on the Suggestion Form, will be corrected by the Secretary so that the proper agency(s) are shown which will benefit from the suggestion and the suggester is notified of the change. In these cases recommendations and evaluations will be sought from the departments included in the revised scope, after which the Committee will then decide on whether or not to adopt the suggestion and make an award. The award would be based on the value of the idea as affected by the number of departments covered, importance, ingenuity, and presentation, and payment of the award would be from each of these departments on a shared basis.

4. Copies of the Option No. 1 suggestion and attachments are then forwarded to the appropriate departmental committee(s) for an evaluation and recommendation.

5. Following investigation, the departmental committee shall meet and, by majority vote, recommend approval or disapproval of a suggestion on a prescribed form.

6. Under ordinary circumstances, departmental committees will return suggestions with their recommendations and all supportive evidence and documentation and, for those which are approved, the department head's endorsement and implementation date as well as an eligibility certification (if the suggester is from the department making the recommendation to approve the suggestion) within 45 days after receipt from the program staff. Upon receipt, the Secretary will ensure that approved suggestions are on the agenda of the next State Committee meeting. NOTE: If the suggester is not an employee of the organization making the recommendation to approve the suggestion, a copy of the suggestion and an eligibility certification will be submitted to the suggester's department for this determination.

7. If the recommended award is for \$500 or more, the full report will be forwarded to the Director of the Division of Budget and Accounting for review and recommendation before final action by the Committee.

8. Disapproved suggestions will be reviewed by the Secretary who, if the disapproval is upheld, will notify the suggester and advise him/her of the right to appeal.

9. Suggesters will ordinarily be notified of whether or not their Option No. 1 suggestion is approved within 60 days of the submission date unless there are complications, such as the need for a trial period or unavoidable delays in implementation or evaluation. In these cases, however, the suggester, upon request, will be given a periodic status report on the progress of the suggestion. Extensions of processing time to departmental committees will be granted by the Secretary only for valid reasons.

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Civil Service Personnel Manual
(State Service)

Series 22
Part 22-1

22-1.103e (cont'd)

10. Any Option No. 1 suggestion, for which an extension has not been granted, which is not processed within the stated timeframes by the departmental committee will be identified and a "delinquent notice" will be forwarded to the departmental committee chairperson. If this notice is ignored, the Executive Secretary will refer the matter to the department head with a request that the suggestion be resolved.

11. The Committee shall review the departmental committee's report and recommendation, and decide by majority vote whether or not an award is merited and the amount of the award.

12. Awards approved by the Committee will be processed for payment by the Executive Secretary.

13. The Secretary is authorized to approve for the Committee all awards of \$100 or less (or the equivalent in time off).

14. If it is determined by the Committee that it is necessary to use outside consultants in either the development or evaluation of a suggestion, the costs involved, if any, may be added to the implementation costs and the award reduced accordingly.

15. Option No. 2 suggestions, which must ordinarily concern only the general area of work to which the suggester is regularly assigned, are those where the suggester elects to work directly with the departmental committee and supervisory staff of his/her agency. A copy of the suggestion is sent to the New Jersey State Employees' Awards Program to protect the employee's rights, and the employee then participates directly in the development and refinement of the suggestion. When completed, the departmental committee submits to the State Employees' Awards Committee a copy of the suggestion, their recommendation and evaluation, and, in the cases where adoption of the suggestion is recommended, the endorsement of the department head and an eligibility certification. All other pertinent provisions of the regulations apply equally to these suggestions.

16. Suggestions (Option No. 1 or No. 2) which are disapproved by the departmental committee may, for cause, be referred back for reconsideration and in the event of an impasse, referred directly to the department head by the Committee. If referred to the department head, the Committee will include justification as to why the suggestion should be reconsidered.

22-1.103f Eligibility:

Most employees are eligible to participate in the program and nearly all suggestions which improve State government operations can be considered for an award except:

1. No award shall be paid to any employee for any suggestion which represents a part of the duties of his/her position and which he/she has the authority to change or the responsibility for bringing the existing state or improvement to the attention of his/her supervisor.
2. No award for any suggestion shall be made to any employee whose primary duty is research and planning unless the suggestion concerns a matter which is clearly unrelated to the employee's assignment or primary duty.
3. No award shall be made to any member of the Committee, departmental committee, Executive Secretary, or the staff of the Awards Program. Under special circumstances, the Committee may authorize exceptions.
4. No award shall be made for a disapproved suggestion unless the idea appears to be implemented within two years from the date of notice of disapproval and is subsequently approved by the Committee.
5. No award shall be made for a suggestion which is received by the Committee more than six months (excluding necessary trial period) after it has been placed into use.
6. No award shall be made for any suggestion concerning routine maintenance of buildings, equipment, or grounds, which should be normally reported through regularly established channels. Where sustained complaints have not resulted in correction, the Committee may consider such a suggestion for an award.
7. No award shall be made for suggestions involving new structures, equipment, materials, and procedures during the initial period of trial, experiment or development, the length of which is considered reasonable by the Committee.
8. No award shall be paid to an employee for any suggestion which simply involves instituting or raising fees or taxes levied by the State.
9. No award shall be paid to an employee for any suggestion to transfer programs or activities from one level of government to another unless the transfer of the program or activity effectuates a savings or improvement of services, in which case the award would be based only on the saving or value of the improvement in having one level of government, as opposed to another, perform the program or activity.
10. No award shall be paid to an employee for any suggestion to recoup owed funds from another agency or political sub-division of the State.

22-1.103f (cont'd)

11. No award shall be paid to anyone not employed in one of the departments, offices, commissions, branches, or authorities listed in these regulations or for any idea or improvement in an operation other than one performed or eligible to be performed by one of the listed participating agencies.

12. To continue the eligibility of a disapproved suggestion it shall be the responsibility of the suggester to resubmit the suggestion within two years of the date of notice of final disapproval.

NOTE: The above does not necessarily represent an exclusive or complete list concerning eligible employees or eligible suggestions.

22-1.103g Records Maintained by the State Committee:

1. Official copies of the minutes of all meetings and all other official actions which shall be public information.

2. Copies of all suggestions received, with supporting documents and recommendations from departmental committees.

3. Records will be retained for a three year period after final action.

22-1.103h Records Maintained by Departmental Committees:

1. Official copies of the minutes of all meetings and all other official actions.

2. Copies of each suggestion referred by the Committee and a copy of its report with supportive documentation to the Committee.

3. Records of all transactions and supportive documentation for Option No. 2 suggestions.

4. Records will be retained for a three year period after final action by the State Committee.

22-1.103i Procedure for Making Awards:

1. After approval by the Committee or Executive Secretary, a check will be authorized by the State Treasurer and Budget Director to be drawn upon the proper State appropriation and prepared to the order of the suggester for the gross amount of the award.

2. The check will then be forwarded to the departmental committee for presentation except when the Committee elects to arrange a special ceremony.

22-1.103i (cont'd)

3. Awards involving "vacation options" will be arranged between the employees' Personnel Officer and the Secretary on a case by case basis.

4. Appropriate payroll deductions for taxes will be made before payment of checks to suggesters.

22-1.103j Appeals Procedure:

1. In cases of disapproval, the suggester will be notified of his/her right to appeal the action in writing to the Secretary within 20 calendar days of the notice of disapproval.

2. Any determinations concerning a suggestion which are objected to by the suggester, can be appealed in writing to the Secretary and shall contain any new or expanded information to support such an appeal.

3. The Secretary will acknowledge the appeal and request the departmental committee involved to review its initial recommendation, considering the new information. The departmental committee will then furnish the suggestion to the State Committee along with their recommendation and all supportive data. The suggestion will be reviewed by the Committee, a determination made and the suggester will be notified of the subsequent findings.

4. In reviewing appealed rejections, the State Committee will notify suggesters of the time and place of the meeting and afford them an opportunity to appear in person.

5. If a suggestion is being appealed, the suggester and when appropriate, the departmental committee, will have the right to review and copy any part of the file concerning the suggestion and will be given the opportunity to submit argument concerning the appeal.

6. If a suggestion is disapproved, and within the two year period from notice of disapproval the suggestion appears to be implemented and the suggester appeals the determination, eligibility will be maintained throughout the appeal procedure.

7. Eligibility will likewise be maintained throughout the appeal process if an appeal is made to re-open a case within 20 calendar days after the suggester is notified of the final decision by the Committee on a previously appealed action.

8. An appeal involving a question of interpretation of program regulations or a ruling in special cases may, at the discretion of the Secretary, be referred directly to the State Committee without referral to the departmental committee.

9. The State Committee shall render a final administrative determination, any further appeal should be pursued in a judicial forum.

22-1.103j (cont'd)

10. The State Committee may order a hearing concerning a suggestion where the suggestion raises disputed material factual issues unsolved by the usual suggestion review procedures. The hearing may be presided over by a hearing officer or the Committee itself.

11. The State Committee will reopen a decision if new evidence and/or new argument is presented which, if accepted, would change the outcome. Before reopening is considered, the proponent must satisfy the Committee that it was impossible to present these matters during the original appeal.

12. The Civil Service Commission does not exercise jurisdiction in these appeals.

13. Internal staff communications not considered as material in making a decision on a suggestion, are not available to the suggester.

22-1.103k Evaluation of Intangible Benefits of a Suggestion:

Where the value of a suggestion cannot be measured entirely or precisely in actual savings, the following guide will be used to set a full or complementary dollar amount. Cognizance will be taken of cost of implementation with relation to values derived, especially where there is little or no savings.

1. EFFECTIVENESS OF SOLUTION OFFERED BY SUGGESTER	a. complete solution to problem	\$18 - \$25
	b. solves problem in most cases	\$10 - \$17
	c. solves problem in some cases	\$ 2 - \$ 9
2. SERIOUSNESS OF PRESENT PROBLEM IN TERMS OF MONEY OR OTHER FACTORS	a. critical or very serious problem	\$18 - \$25
	b. significant problem	\$10 - \$17
	c. minor problem	\$ 2 - \$ 9
3. EXTENT OF THE PROBLEM	a. affects all of the general public or at least several hundred employees	\$18 - \$25
	b. affects many employees or members of the general public	\$10 - \$17
	c. affects few individuals	\$ 2 - \$ 9
4. PROBABILITY OF PROBLEM ACTUALLY HAPPENING	a. is happening or will happen	\$12 - \$15
	b. good chance of happening	\$ 7 - \$11
	c. remote possibility of happening	\$ 2 - \$ 6

22-1.103k (cont'd)

5. INGENUITY OF THE SOLUTION

- a. required extensive research
and/or very complex solution \$ 8 - \$10
- b. required some basic research
and/or somewhat complex
solution \$ 5 - \$ 7
- c. simple and obvious
solution \$ 2 - \$ 4

Awards for suggestions with an intangible value may exceed the guide shown above in exceptional situations providing sufficient justification is supplied. Ordinarily, however, the amount calculated should be between \$25 - \$100. Where more than \$100 is recommended the departmental report must justify the exception, providing sufficient information for the Committee to support the action.

Form CS-75 will be used for intangible evaluations.

SUPERSEDED

Subpart 22-1.103 Awards for Suggestions

22-1.103a Program:

An award for a suggestion shall be made to any eligible employee whose constructive proposal has been implemented or ordered implemented by competent authority, in accordance with regulations established by the Committee and approved by the President.

22-1.103b Definition of a Suggestion:

A suggestion is a written proposal which will produce notable economy or improvement in an operation of State government or one which will improve service to the public, employee safety, public safety or employee welfare. It must be original, or propose a new application of an old idea. There must be a causal relationship between the suggestion and the implementation of the improvement. (If an organization maintains that there is no causal relationship between the suggestion and implementation, it is incumbent on the agency involved in the evaluation to provide documented proof demonstrating the absence of a relationship.) The suggestion shall include:

1. A brief statement describing the present condition, method or practice, and where it exists.
2. A specific statement of what is suggested and how it can be accomplished. Sketches, charts, samples and additional data may be attached or included with the suggestion.
3. A concise statement of the benefits which will accrue and the name of the organization or organizations which will benefit.
4. The name, home mailing address, social security number, title of present position, and department and division of the suggester.

22-1.103c Procedure for Submitting Suggestions:

1. Option No. 1 suggestions require completion of a Suggestion Form CS-73 (or plain paper with same content) which is sent directly to the New Jersey State Employees' Awards Program for processing and evaluation. Upon receipt, the suggestion is immediately acknowledged and within 60 days of receipt - if the departmental evaluation and recommendation are received and the State Committee has acted upon it - the suggester is advised of the results.

SUPERSEDED

22-1.103c (cont'd)

2. Option No. 2 suggestions involve ideas relating to the suggester's own area of work where the suggester elects to "stay with" the suggestion almost all the way through the process. As in Option No. 1, a Suggestion Form is completed and a copy is submitted to the New Jersey State Employees' Awards Program to insure that the suggestion is recorded as the property of the suggester. The suggester then contacts the departmental awards committee chairperson for arrangements to work directly with departmental supervisors and the committee on development and refinement of the suggestion. Upon completion, the departmental committee makes its recommendation to the State Committee for their determination. The suggester is advised of the results within 30 days of submission to the State Committee.

22-1.103d Awards:

1. Awards for suggestions shall be in cash or additional paid vacation time off in lieu of the cash under certain circumstances.

2. Cash awards will be no less than \$10 or more than \$5,000 for each approved suggestion.

3. The "time off option" in lieu of a cash award will be calculated as follows:

- one day of additional time off in lieu of an award from \$25 - \$49.
- two days of additional time off in lieu of an award from \$50 - \$100.

4. When a suggestion is determined to be meritorious and is adopted solely or primarily because it will result or has resulted in the saving of money, the amount of the award shall be 10% of the estimated net annual savings in the first year of operation. Under exceptional conditions the Committee may select a typical year, or may average several years, to determine a fair award.

5. In those cases where the program award limit changes between the time the suggestion is received and the payment date, the limit in effect on the actual implementation date will be used in determining the award amount.

SUPERSEDED

22-1.103d (cont'd)

6. When a suggestion is adopted primarily upon the basis of improvement in such areas of safety, health, welfare, morale, etc. or if it is otherwise impossible to determine a dollar savings, the Committee, after consideration of the departmental committee's recommendations, shall determine the amount of the award, commensurate with the benefits anticipated from the suggestion. The chart in Appendix I will be used by the Committee to determine the award for intangible suggestions. In certain exceptional cases, the Committee may authorize an award which exceeds the guidelines in Appendix I. An award may be made, when justified, on the basis of both monetary savings and intangible benefits.

7. A suggester shall receive the full amount of the award when the suggestion is implemented. Where implementation is not complete but specific steps have been taken, a token, partial, or full award may be paid at the Committee's discretion. It shall be the responsibility of the departmental committee to inform the Secretary when a suggestion has been placed into operation. Where there is a question regarding date of implementation, the Committee's determination shall prevail.

8. A cash or other award shall be in addition to the regular compensation of the recipient, and the acceptance of such award shall constitute an agreement that the use by the State of New Jersey of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the State of New Jersey by the employee, heirs, or assigns.

9. Persons who leave the State service after having submitted a suggestion are still eligible for an award. In the case of death, the award will be paid to the next of kin or estate.

10. Departmental awards consisting of plaques will be presented to the department, office, commission, branch, or authority with the best record of employee participation during the fiscal year for the:

- highest number of suggestions approved per one hundred employees.
- highest dollar savings to the State realized through implementation of suggestions from their employees.

11. Special awards consisting of plaques will be presented to suggesters whose accumulated awards total \$5,000 or result in savings to the State of \$50,000. In addition, they become lifetime members of an Advisory Board to the Committee. However, to preserve their eligibility to continue submitting suggestions, they will neither evaluate nor pass judgment on suggestions being considered for an award.

SUPERSEDED

22-1.103d (cont'd)

12. State "Suggester of the Year" will be selected by the Committee from among the previous calendar years' successful submissions and will be suitably recognized as determined by the Committee. The selection from nominations submitted by the Secretary will be based on:

- importance of the suggestion on a State and National level.
- savings and/or other benefits.
- public relations aspects and compatibility of the selection with the character and goals of the program.

13. Departmental "Suggester of the Year" may be nominated by each department, office, commission, branch, or authority listed in these regulations. The nomination of one individual from each participating agency will be made by the departmental committee with confirmation of the department head to the Secretary. The nomination must be approved by the Committee which will designate a uniform award and arrange for its procurement and presentation. Standards in selecting the nomination will be:

- the suggestion(s) must have been from the previous calendar year.
- importance or value of the suggestion to the department.
- the suggester must be an employee of the department as of the date nominated.

22-1.103e Processing of Suggestions:

1. There are two distinct methods of processing a suggestion depending on the option chosen by the suggester (designated Option No. 1 and Option No. 2).

2. Option No. 1 suggestions received by the Committee will be reviewed by the Secretary and acknowledged.

SUPERSEDED

22-1.103e (cont'd)

3. These Option No. 1 suggestions which appear to have an incorrect scope of applicability as shown on the Suggestion Form, will be corrected by the Secretary so that the proper agency(s) are shown which will benefit from the suggestion and the suggester is notified of the change. In these cases recommendation and evaluations will be sought from the departments included in the revised scope, after which the Committee will then decide on whether or not to adopt the suggestion and make an award. In deciding, the Committee may, or may not, extend the applicability of the suggestion to all or a specified number of the departments included in the scope of the suggestion, departmental rejection recommendations notwithstanding. The award would be based on the value of the idea as affected by the number of departments covered, importance, ingenuity, and presentation, whether the department recommended approval or not, and payment of the award would be from each of these departments on a shared basis.

4. Copies of the Option No. 1 suggestion and attachments are then forwarded to the appropriate departmental committee(s) for an evaluation and recommendation.

5. Following investigation, the departmental committee shall meet and, by majority vote, recommend approval or disapproval of a suggestion on a prescribed form.

6. Under ordinary circumstances, departmental committees will return suggestions with their recommendations and all supportive evidence and documentation and, for those which are approved, the department head's endorsement and implementation date as well as an eligibility certification (if the suggester is from the department making the recommendation to approve the suggestion) within 45 days after receipt from the program staff. Upon receipt, the Secretary will ensure that approved suggestions are on the agenda of the next State Committee meeting. NOTE: If the suggester is not an employee of the organization making the recommendation to approve the suggestion, a copy of the suggestion and an eligibility certification will be submitted to the suggester's department for this determination as soon as the suggestion determination is received by the awards staff.

7. If the recommended award is for \$500 or more, the full report will be forwarded to the Director of the Division of Budget and Accounting for review and recommendation before final action by the Committee.

8. Disapproved suggestions will be reviewed by the Secretary who, if the disapproval is upheld, will notify the suggester and advise him/her of the right to appeal.

9. Suggesters will ordinarily be notified of whether or not their Option No. 1 suggestion is approved within 60 days of the submission date unless there are complications, such as the need for a trial period or unavoidable delays in implementation. In these cases, however, the suggester, upon request, will be given a periodic status report on the progress of the suggestion. Extensions of processing time to departmental committees will be granted by the Secretary only for valid reasons.

SUPERSEDED

22-1.103e (cont'd)

10. Any Option No. 1 suggestion, for which an extension has not been granted, which is not processed within the stated timeframes by the department will be referred to the Personnel Officer of the department for appropriate action. If the issue remains unresolved beyond two additional weeks, it may be referred to the department head and the President for appropriate action.

11. The Committee shall review the departmental committee's report and recommendation, and decide by majority vote whether or not an award is merited and the amount of the award.

12. Awards approved by the Committee will be processed for payment by the Executive Secretary.

13. The Secretary is authorized to approve for the Committee all awards of \$50 or less (or the equivalent in time off).

14. If it is determined by the Committee that it is necessary to use State personnel or outside consultants in either the development or evaluation of a suggestion, the costs involved, if any, may be added to the implementation costs and the award reduced accordingly.

15. Option No. 2 suggestions, which must ordinarily concern only the general area of work to which the suggester is regularly assigned, are those where the suggester elects to work directly with the departmental committee and supervisory staff of his/her agency. A copy of the suggestion is sent to the New Jersey State Employees' Awards Program to protect the employee's rights, and the employee then participates directly in the development and refinement of the suggestion. When completed, the departmental committee submits to the State Employees' Awards Committee a copy of the suggestion, their recommendation and evaluation, and, in the cases where adoption of the suggestion is recommended, the endorsement of the department head and an eligibility certification. All other pertinent provisions of the regulations apply equally to Option No. 2 suggestions.

16. Suggestions (Option No. 1 or No. 2) which are disapproved by the departmental committee may, for cause, be referred back for reconsideration and in the event of an impasse, referred directly to the department head by the Committee. If referred to the department head, the Committee will include justification as to why the suggestion should be reconsidered. If the impasse continues after referral to the department head, the Committee may refer the suggestion with supportive data and recommendation to the President for appropriate action.

SUPERSEDED

22-1.103f Eligibility:

Most employees are eligible to participate in the program and nearly all ideas which improve State government operations can be considered for an award except:

1. No award shall be paid to any employee for any suggestion which represents a part of the duties of his/her position and which he/she has the authority to change or the responsibility for bringing the existing state or improvement to the attention of his/her supervisor.

2. No award for any suggestion shall be made to any employee whose primary duty is research and planning unless the suggestion concerns a matter which is clearly unrelated to the employee's assignment or primary duty.

3. No award shall be made to any member of the Committee, departmental committee, Executive Secretary, or the staff of the Awards Program. Under special circumstances, the Committee may authorize exceptions.

4. No award shall be made for a disapproved suggestion unless the idea appears to be implemented within two years from the date of notice of disapproval and is subsequently approved by the Committee.

5. No award shall be made for a suggestion which is received by the Committee more than six months (excluding necessary trial period) after it has been placed into use.

6. To continue the eligibility of a disapproved suggestion it shall be the responsibility of the suggester to resubmit the suggestion within two years of the date of notice of final disapproval.

7. No award shall be made for any suggestion concerning routine maintenance of buildings, equipment, or grounds, which should be normally reported through regularly established channels. Where sustained complaints have not resulted in correction, the Committee may consider such a suggestion for an award.

8. No award shall be made for suggestions involving new structures, equipment, materials, and procedures during the initial period of trial, experiment or development, the length of which is considered reasonable by the Committee.

9. No award shall be paid to an employee for any suggestion which simply involves instituting or raising fees or taxes levied by the State.

10. No award shall be paid to anyone not employed in one of the departments, offices, commissions, branches, or authorities listed in these regulations or for any idea or improvement in an operation other than one performed or eligible to be performed by one of the listed participating agencies.

SUPERSEDED

22-1.103g Records to be Maintained by the Committee:

1. Official copies of the minutes of all meetings and all other official actions which shall be public information.

2. Copies of all suggestions received, with supporting documents and recommendations from departmental committees.

3. Records will be retained for a three year period after final action.

22-1.103h Records to be Maintained by Departmental Committees:

1. Official copies of the minutes of all meetings and all other official actions.

2. Copies of each suggestion referred by the Committee and a copy of its report with supportive documentation to the Committee.

3. Records of all transactions and supportive documentation for Option No. 2 suggestions.

4. Records will be retained for a three year period after final action by the Committee.

22-1.103i Procedure for Making Awards:

1. After approval by the Committee or Executive Secretary, a check will be authorized by the State Treasurer and Budget Director to be drawn upon the proper State appropriation and prepared to the order of the suggester for the gross amount of the award.

2. The check will then be forwarded to the departmental committee for presentation except when the Committee elects to arrange a special ceremony.

3. Awards involving "vacation options" will be arranged between the employees' Personnel Officer and the Secretary on a case by case basis.

4. At the end of each calendar year every award recipient will be given a Form 1099 indicating total earnings for Federal and State tax purposes.

22-1.103j Appeals Procedure:

1. In cases of disapproval, the suggester will be notified of his/her right to appeal the action in writing to the Secretary.

2. Any determinations concerning a suggestion which are objected to by the suggester, can be appealed in writing to the Secretary and shall contain any new or expanded information to support such an appeal.

SUPERSEDED

22-1.103j (cont'd)

3. The Secretary will acknowledge the appeal and request the departmental committee involved to review its initial recommendation, considering the new information. The departmental committee will then furnish the suggestion to the State Committee along with their recommendation and all supportive data. The suggestion will be reviewed by the Committee, a determination made and the suggester will be notified of the subsequent findings.

4. In reviewing appealed rejections, the State Committee will notify suggesters of the time and place of the meeting and afford them an opportunity to appear in person.

5. If a suggestion is being appealed, the suggester and when appropriate, the departmental committee, will have the right to review and copy any part of the file concerning the suggestion.

6. If a suggestion is disapproved, and within the two year period from notice of disapproval, the suggester appeals the determination, eligibility will be maintained throughout the appeal procedure.

7. Eligibility will likewise be maintained throughout the appeal process if an appeal is made to re-open a case within 45 days after the suggester is notified of the final decision by the Committee on a previously appealed action.

8. An appeal involving a question of interpretation of program regulations or a ruling in special cases, may at the discretion of the Secretary be referred directly to the State Committee without referral to the departmental committee.

9. The State Committee shall render a final judgment on appeals, subject to the suggesters' inherent legal right to appeal to the Superior Court, Appellate Division. In every case the suggester shall be notified of the results of the appeal.

10. The State Committee may, if it deems necessary, order a hearing to be held in order to determine the facts concerning a suggestion. The hearing may be presided over by a hearing officer or the Committee itself.

11. The State Committee will reopen a decision if new evidence and/or new argument is presented which, if accepted, would change the outcome. Before reopening is considered, the proponent must satisfy the Committee that it was impossible to present these matters during the original appeal.

12. The Civil Service Commission does not exercise jurisdiction in these appeals.

SUPERSEDED

22-1.103k Evaluation of Intangible Benefits of a Suggestion:

Where the value of a suggestion cannot be measured entirely or precisely in actual savings, the following guide will be used to set a full or complementary dollar amount. Cognizance will be taken of cost of implementation with relation to values derived, especially where there is little or no savings.

1. APPLICABILITY	Limited operation or application ---to	\$ 8
	Several operations or divisions-----to	\$15
	Entire department or Statewide-----to	\$25
2. IMPORTANCE	Minor-----to	\$ 8
	Considerable-----to	\$15
	Very important-----to	\$25
3. INGENUITY	Exceptional-----to	\$ 5
4. PRESENTATION	Exceptional-----to	\$ 5

One or more of the above categories may be used by the recommending departmental committee. Ordinarily, however, the last two categories will not be involved but are intended only to provide for suggestions which are exceptional in these areas. Amounts used should total at least \$10. Where more than \$60 is recommended the departmental report must justify the exception, providing sufficient information for the Committee to verify the total.

Form CS-75 will be used for intangible evaluations.

Subpart 22-1.104 Awards for Heroism

22-1.104a Program:

Awards for heroism may be made to an employee who performs an act of bravery or heroism which is above and beyond the duties or responsibility of the awardee's position and which reflects credit upon the State service.

22-1.104b Eligibility:

Any State employee, or group of State employees, are eligible for this award whether or not the act was performed during or after work hours.

22-1.104c Procedure for Processing:

1. A nomination for an award of heroism may be initiated by an employee or by any resident of New Jersey. The nomination shall be submitted in writing to the Committee and shall include data substantiating the proposal. When the nomination is received by the Committee it will be reviewed by the Secretary and a letter of acknowledgement sent to the nominator. Copies of the nomination shall then be forwarded to the appropriate departmental committee(s) for investigation and recommendation.

2. The departmental committee shall make a thorough investigation of the nomination. Following investigation, the departmental committee shall meet and, by majority vote, recommend approval or disapproval. If the recommendation is for disapproval, the original nomination shall be forwarded to the Secretary with an explanation of the reasons for disapproval, with supporting documents. If the recommendation is for approval, the original nomination with recommendations and supporting documents shall be forwarded to the department's chief executive officer for his/her information. The original nomination with recommendations and supporting documents shall then be forwarded to the Secretary for action by the Committee.

3. The Committee shall consider the nomination and the departmental committee's recommendations and decide by majority vote whether or not an award should be made and the type of award. When an award is not authorized by the Committee, it shall be the responsibility of the Secretary to advise the nominator, in writing, of the action of the Committee.

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22-1.104d Awards:

1. Awards for heroism shall be letters of commendation, certificates, citations, plaques, medals, or such other awards as the Committee may from time to time determine.

2. The Committee shall determine the type of awards in each case and shall be responsible for the design and procurement of the awards.

3. Presentation ceremonies shall be arranged by the Secretary.

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SUPERSEDED

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2. The Committee shall determine the type of awards in each case and shall be responsible for the design and procurement of the awards.

3. Presentation ceremonies shall be arranged by the Executive Secretary.

Subpart 22-1.105 Awards for Professional Accomplishment

22-1.105a Program:

Awards for professional accomplishment may be made to an employee in recognition of meritorious or distinguished accomplishments. The accomplishments need not fall entirely within the scope of normal duties, but shall be in the nature of a major contribution in a specific field, vocation, or profession, or personal outstanding act as conduct reflecting credit on the individual and the State service.

22-1.105b Eligibility:

Any State employee, or group of State employees, are eligible for this award if one or more of the following conditions are met:

1. Through study and investigation have initiated and successfully established new and outstanding methods, practices, plans or designs having fundamental values. (Such as pioneering or research and development work in administration, engineering, law, medicine, natural resources, the social sciences, etc.)

2. Through unselfish devotion to duty, far and above normal requirements, have contributed significantly to the advancement of the State service on a professional or sub-professional level. (Such as organization, employee relations, humanities, vocation, etc.)

3. Have achieved honors from professional societies, institutions of learning, or recognized groups for outstanding performance encompassed in the fields of work of State departments.

4. Have assisted and who have been intimately associated with the recipient of an award. Such award shall be a letter of commendation or a citation, presented at the time of the award for distinguished accomplishment.

22-1.105c Procedure for Processing:

1. A nomination for an award for professional accomplishment may be initiated by an employee or by any resident of New Jersey. The nomination shall be submitted in writing to the Committee and shall include data substantiating the proposal. When the nomination is received by the Committee it will be reviewed by the Secretary and a letter of acknowledgement sent to the nominator. Copies of the nomination shall then be forwarded to the appropriate departmental committee(s) for investigation and recommendation.

22-1.105c (cont'd)

2. The departmental committee shall make a thorough investigation of the nomination. Following investigation, the departmental committee shall meet and, by majority vote, recommend approval or disapproval. If the recommendation is for disapproval, the original nomination shall be forwarded to the Secretary with an explanation of the reasons for disapproval, with supporting documents. If the recommendation is for approval, the original nomination with recommendations and supporting documents shall be forwarded to the chief executive officer for his/her information. Then the original nomination with recommendation and supporting documents shall be forwarded to the Secretary for action by the Committee.

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22-1.105b Eligibility:

Any State employee or group of State employees are eligible for this award if one or more of the following conditions are met:

1. Through fruitful study and investigation have initiated and successfully established new and outstanding methods, practices, plans or designs having fundamental values. (Such as - pioneering or research and development work in administration, engineering, law, medicine, natural resources, the social sciences, etc.)

2. Through unselfish devotion to duty, far and above normal requirements, have contributed significantly to the advancement of the State service on a professional or sub-professional level. (Such as - organization, employee relations, humanities, vocation, etc.)

3. Have achieved honors from professional societies, institutions of learning, or recognized groups for outstanding performance encompassed in the fields of work of State departments.

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SUPERSEDED

22-1.105c (cont'd)

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2. The Committee shall determine the type of awards in each case and shall be responsible for the design and procurement of the awards.

3. Presentation ceremonies shall be arranged by the Executive Secretary.

SUPERSEDED

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2. Through unselfish devotion to duty, far and above normal requirements, have contributed significantly to the advancement of the State service on a professional or sub-professional level. (Such as - organization, employee relations, humanities, vocation, etc.)
3. Have achieved honors from professional societies, institutions of learning, or recognized groups for outstanding performance encompassed in the fields of work of State departments.
4. Have assisted and who have been intimately associated with the recipient of an award. Such award shall be a letter of commendation or a citation, presented at the time of the award for distinguished accomplishment.

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SUPERSEDED

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3. The Committee shall consider the nomination and the departmental committee's recommendations and decide by majority vote whether or not an award should be made and the type of award. When an award is not authorized, it shall be the responsibility of the Committee to advise the nominator in writing, of the action of the Committee.

22-1.105d Awards:

1. Awards for professional accomplishment shall be letters of commendation, certificates, citations, plaques or such other awards as the Committee may from time to time determine.

2. The Committee shall determine the type of awards in each case and shall be responsible for the design and procurement of the awards.

3. Presentation ceremonies shall be arranged by the Executive Secretary.

Subpart 22-1.106 Awards for Service

22-1.106a Program:

Awards for service shall be given to all employees who have completed the required number of years of employment with the State of New Jersey.

22-1.106b Eligibility:

1. Service shall include employment in the classified or unclassified service in either a regular, provisional, or temporary capacity.

2. In determining years of employment, the same basis will be used as is used for computing annual vacation leave (N.J.A.C. 4:1-17.10). Any dispute or question regarding eligible service shall be referred to the Committee for resolution.

22-1.106c Procedure for Processing:

1. Review personnel records prior to fiscal year to determine employees who will be eligible in the coming fiscal year.

2. By July 15, request of Secretary service awards cards and 5 year certificates.

22-1.106d Awards:

1. Awards for service shall be letters of commendation, certificates, citations, plaques, medals or such other awards as the Committee may from time to time determine.

2. The Committee shall determine the type of awards in each case and shall be responsible for the design and procurement of the awards.

3. Awards will be made in 5 year service increments beginning at 5 years of service and ending with 50 years of service.

4. Presentation ceremonies shall be the responsibility of the departmental committees and shall be conducted on a yearly basis.

Subpart 22-1.106 Awards for Service

22-1.106a Longevity of Service:

1. Awards for service shall be given to all employees who have completed the required number of years of employment with the State of New Jersey.

2. Service shall include employment in the classified or unclassified service in either a regular or temporary capacity.

3. In determining years of employment the same basis will be used as is used for computing annual vacation leave (N.J.A.C. 4:1-17.10). Any dispute or question regarding eligible service shall be referred to the Committee for resolution.

4. The awards shall be emblems and jewelry of uniform design which is approved by the Committee as follows:

<u>Years of Service</u>	<u>Awards (plus certificate)</u>
5 Year Award	Emblem only
10 Year Award	Jewelry with one ruby
15 Year Award	Jewelry with two rubies
20 Year Award	Jewelry with three rubies
25 Year Award	Jewelry with one 3-point diamond, two rubies
30 Year Award	Jewelry with one 3-point diamond, two blue sapphires
35 Year Award	Jewelry with one 6-point diamond, two emeralds
40 Year Award	Jewelry with two 6-point diamonds, one emerald
45 Year Award	Jewelry with three 6-point diamonds
50 Year Award	Jewelry with one 12-point diamond, two 6-point diamonds

22-1.106b Retiring Employees:

1. Awards for retiring State employees shall be given at the time of retirement, exclusive of vested retirement, to all those who have retired with pension from the State.



SUPERSEDED

22-1.106b (cont'd)

2. Service shall include employment in the classified or unclassified service in either a regular or temporary capacity. Any dispute or question regarding eligibility shall be referred to the Committee for resolution.

3. The awards shall consist of a "Certificate of Appreciation" for service to the State and a Retirement Recognition Award.

4. The "Certificate of Appreciation", signed by the Governor, will be supplied by the Awards Program staff upon request by the departmental Personnel Officer.

5. Only one Retirement Recognition Award will be presented to any employee.

6. The Retirement Recognition Awards will be mementos of uniform design which are approved by the Committee.

22-1.106c Awards Presentation:

1. It shall be the responsibility of each department to determine the employees who will be eligible for awards.

2. The presentation of awards to eligible employees at suitable ceremonies shall be the responsibility of departmental committees. The presentations will be made by the department head or his/her representative.

3. Departments will be responsible for any personalized markings desired on awards or certificates.

Procedure for Operating Agencies in Obtaining Awards:

1. For service awards - review personnel records prior to July 1 to determine employees who will be eligible in the coming fiscal year.

2. For service awards - distribute awards brochure (supplied by Secretary) to eligible employees for 10 to 50 year awards.

3. For service awards - by July 1, have eligible employees indicate choice of items to personnel office.

4. For service awards - summarize all departmental requests for awards and certificates, and report to the Secretary by July 15.

5. For retiring employees - distribute brochure illustrating mementos to prospective retiree, have him/her make selection and report to the Secretary as soon as possible.

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22-1.106c (cont'd)

6. Place order directly with the contract vendor at least 30 days prior to anticipated date of presentation. Set up funds on Form PB-77 followed by using agency Form PB-2 or confirming agency order invoice Form PB-82 direct to the contractor.

SUPERSEDED

Subpart 22-1.106 Awards for Service

22-1.106a Longevity of Service:

1. Awards for service shall be given to all employees who have completed the required number of years of employment with the State of New Jersey.
2. Service shall include employment in the classified or unclassified service in either a regular or temporary capacity.
3. In determining years of employment the same basis will be used as is used for computing annual vacation leave (N.J.A.C. 4:1-17.10). Any dispute or question regarding eligible service shall be referred to the Committee for resolution.
4. The awards shall be emblems and jewelry of uniform design which is approved by the Committee as follows:

<u>Years of Service</u>	<u>Awards (plus certificate)</u>
5 Year Award	Emblem only
10 Year Award	Jewelry with one ruby
15 Year Award	Jewelry with two rubies
20 Year Award	Jewelry with three rubies
25 Year Award	Jewelry with one 3-point diamond, two rubies
30 Year Award	Jewelry with one 3-point diamond, two blue sapphires
35 Year Award	Jewelry with one 6-point diamond, two emeralds
40 Year Award	Jewelry with two 6-point diamonds, one emerald
45 Year Award	Jewelry with three 6-point diamonds
50 Year Award	Jewelry with one 12-point diamond, two 6-point diamonds

22-1.106b Retiring Employees:

1. Awards for retiring State employees shall be given at the time of retirement, exclusive of vested retirement, to all those who have completed the required number of years of employment with the State of New Jersey.

SUPERSEDED

22-1.106b (cont'd)

2. Service shall include employment in the classified or unclassified service in either a regular or temporary capacity. Any dispute or question regarding eligibility shall be referred to the Committee for resolution.

3. The awards shall consist of a "Certificate of Appreciation" for service to the State and a Retirement Recognition Award.

4. The "Certificate of Appreciation", signed by the Governor, will be supplied by the Awards Program staff upon request by the departmental Personnel Officer.

5. Only one Retirement Recognition Award will be presented to any employee.

6. The Retirement Recognition Awards will be mementos of uniform design which are approved by the Committee.

22-1.106c Awards Presentation:

1. It shall be the responsibility of each department to determine the employees who will be eligible for awards.

2. The presentation of awards to eligible employees at suitable ceremonies shall be the responsibility of departmental committees. The presentations will be made by the department head or his/her representative.

3. Departments will be responsible for any personalized markings desired on awards or certificates.

Procedure for Operating Agencies in Obtaining Awards:

1. For service awards - review personnel records prior to July 1 to determine employees who will be eligible in the coming fiscal year.

2. For service awards - distribute awards brochure (supplied by Secretary) to eligible employees for 10 to 50 year awards.

3. For service awards - by July 1, have eligible employees indicate choice of items to personnel office.

4. For service awards - summarize all departmental requests for awards and certificates, and report to the Secretary by July 15.

5. For retiring employees - distribute brochure illustrating mementos to prospective retiree, have him/her make selection and report to the Secretary as soon as possible.

SUPERSEDED

22-1.106c (cont'd)

6. Place order directly with the contract vendor at least 30 days prior to anticipated date of presentation. Set up funds on Form PB-77 followed by using agency Form PB-2 or confirming agency order invoice Form PB-82 direct to the contractor.

Subpart 22-1.107 Retirement Recognition Awards

22-1.107a Program:

Awards for retiring State employees shall be given at the time of retirement, exclusive of vested retirement, to all those who have retired with pension from the State regardless of the amount of service time.

Only one Retirement Recognition Award will be presented to any employee.

22-1.107b Eligibility:

1. Service shall include employment in the classified or unclassified service in either a regular, provisional, or temporary capacity. Any dispute or question regarding eligibility shall be referred to the Committee for resolution.

2. It shall be the responsibility of each department to determine the employees who will be eligible for awards.

22-1.107c Procedure for Processing:

1. Distribute brochure illustrating mementos to prospective retirees. Have them make selections and report to the Secretary as soon as possible.

22-1.107d Awards:

1. The awards shall consist of a "Certificate of Appreciation" for service to the State and a Retirement Recognition Award.

2. The "Certification of Appreciation," signed by the Governor, will be supplied by the Awards Program staff upon request from the department.

3. The Retirement Recognition Awards will be of uniform design which are approved by the Committee.

4. Departments will be responsible for any personalized markings desired on awards or certificates.

5. The presentation of awards to eligible employees at suitable ceremonies shall be the responsibility of departmental committees. The presentations will be made by the chief executive officer or his/her representative.

6. Place order directly with the contract vendor in accordance with contract terms regarding delivery dates.

Series 23

Employer-Employee Relations (State Service)

PART 23-2 GRIEVANCE PROCEDURE ESTABLISHED

Subpart 23-2.101 Implementation Of Departmental Grievance Procedure

23-2.101a Subject:

This subpart will prescribe a procedure which shall be established within each department so that grievances of employees in the classified division of state service will be resolved on an equitable basis.

These regulations are revisions of regulations established by the Civil Service Commission on January 1, 1958 and are subject to such amendment as shall appear to be desirable depending upon experience gained from their operation. It is suggested that they serve as a guide in considering grievances which may be received from employees who are in the unclassified division.

23-2.101b Responsibilities Of The Civil Service Commission:

R.S. 11:5-1 requires that the Commission, in addition to the other duties imposed upon it by law, shall, as a body, establish procedures for maintaining adequate employer-employee relations, and for the orderly consideration of disputes, grievances, complaints and proposals relating to the employer-employee relationship in the classified service of the state; make investigations, conduct hearings, and make rulings with respect thereto.

23-2.101c Purpose Of Regulations; Limitations Of Grievance Area; Departmental Program:

The purposes of these regulations shall be as follows:

1. They shall create a more harmonious and cooperative relationship between the state government and its classified employees by providing for the settlement of differences through an orderly grievance procedure.

2. They shall also provide a framework within which each operating department shall create a program geared to its own personnel structure.

3. It shall be the responsibility of each department head to implement the grievance procedure outlined in this subpart.

4. The departmental grievance procedure shall not serve as an avenue of litigation from which appeals as of right lie to the Civil Service Commission or to the courts.

23-2.101c (cont'd)

5. The grievance procedure is designated to terminate at the 4th step which shall be the head of the operating department or agency, however;

The Commission reserves the right, based on its statutory powers of investigation, hearing and ruling, to certify, on its own motion, and solely within its discretion, cases which the Commission deems to be of such major importance as to warrant hearing by it or designated members. In such instances the Civil Service Commission's decision shall be final.

23-2.101d Definition Of Grievance:

A grievance is any combination of circumstances because of which an employee is dissatisfied with working conditions which are beyond his control, but which may be subject to remedy by his superior.

23-2.101e Causes For Employee Complaints:

A grievance may result from: alleged safety or health hazards; unsatisfactory physical facilities, surroundings, materials or equipment; unfair or discriminatory supervisory and disciplinary practices; unjust treatment by fellow employees, unreasonable assignment of working hours or personal time allowances; unfair or unreasonable work quotas; and other situations relating to conditions of employment.

23-2.101f Employees' Rights And Responsibilities:

1. An aggrieved employee will not be required to have counsel or an employee representative, however, he may be represented if he so wishes.

2. The term "employee representative" shall mean the agent selected by the employee, or by a group of employees in the case of a group grievance, to act in his or their behalf in the processing of a grievance.

3. The aggrieved employee shall identify by name and title his representative, if any, on the CS-251.

4. The representative, if he is a state employee shall notify his immediate supervisor of his designation, stating the name of the aggrieved, and the time and place of the grievance hearing or discussion.

23-2.101h Time Off For Processing Of Grievances:

1. An employee and his designated representative shall be allowed such time off from their regular duties, or compensatory time off for time spent in excess of their normal working hours, and such travel time as may be necessary and reasonable for processing of a grievance without loss of pay, vacation, or any other time credits.

PART 23-1 EMPLOYEE ORGANIZATION RECOMMENDATIONS

Subpart 23-1.101 The New Jersey Employer-Employee Relations Act

23-1.101a Subject:

This subpart will describe the purpose of the New Jersey Employer-Employee Relations Act: Chapter 303 of the Laws of 1968 (34:13A-1 et seq.).

23-1.101b Purpose:

The purpose of the Employer-Employee Relations Act is to carry out the public policy of the State of New Jersey that the best interests of the people of the state are served by the prevention or prompt settlement of labor disputes in the public sector; and that the voluntary mediation of public employer-employee disputes under the guidance and supervision of a governmental agency will tend to promote permanent employer-employee peace as well as the health, comfort and safety of the people of the State of New Jersey.

23-1.101c Limitations:

This law expressly states that nothing therein shall be construed to deny any individual his rights under Civil Service Law and Regulations. Therefore, no agreement shall be consummated which shall in any way alter or contravene the provisions of Title 11 (the Civil Service Statute) or the Civil Service Rules.

23-2.101h (cont'd)

2. The above allowance however, shall not include time off for preparation for the presentation of a grievance.

3. The agency shall schedule at a convenient place and time all discussions and hearings between an employee and his supervisors which shall as far as practicable, be conducted during regular working hours, within the agency.

4. Group grievances shall be presented to the appropriate supervisor by a representative chosen by the group.

23-2.101i Procedures - Disposition - Limitations:

Informal Procedure

1. Any employee may at his or her discretion present a complaint to his immediate supervisor on an informal basis.

2. Each department shall implement the following formal procedure:

Step One

(a) In the event an employee feels he has a legitimate grievance he should submit his grievance in writing to his immediate supervisor using the CS-251 form.

(1) The employee shall file the grievance within 15 calendar days from the date on which the alleged act which is the subject of the grievance occurred.

(2) The employee shall be notified in writing of the disposition of his grievance within five days from the date of submittal. As used in this subpart "days" means working days unless otherwise indicated.

Step Two

(a) If the grievant is not satisfied with the decision rendered at step one, he may then submit his grievance to the next in line supervisor within five days from receipt of the decision at step one, again using the CS-251 form.

(1) The supervisor shall hear the grievance and notify the grievant of the disposition of it in writing within five days of the receipt of the appeal from step one.

23-2.101i (cont'd)

Step Three

(a) If the grievant is not satisfied with the decision at step two, he may within five days submit his grievance to the Division Director in writing using the CS-251 form.

(1) The Division Director will hear the grievance and notify the grievant in writing of the disposition of the grievance within ten days of the receipt of the appeal from step two.

Step Four

(a) If the grievant is not satisfied with the decision of step three, he may within five days appeal to the department head or his designated representative in writing using the CS-251 form.

(1) The department head or his representative will consider the grievance and if it is within his authority resolve the problems and advise the employee of his decision and the reasons therefor within 15 days, by completing the appropriate CS-251 form.

a. The time limit for responding may be extended up to a limit of 30 days provided their is mutual consent of the parties.

3. If the finding or resolution of a grievance at any step in the grievance procedure is not appealed within the prescribed time, said grievance will be considered settled on the basis of the last answer provided, and there shall be no further appeal or review.

4. If a grievance is not satisfactorily resolved or should no decision be forthcoming in the prescribed time at step one, two or three, the grievant may, within five working days submit his grievance to the next step.

23-2.101j Departmental Records:

Each department shall keep complete and accurate records of grievance cases for a two year period, but they shall not become a part of the permanent records of the appellant.

23-2.101k Departmental Records:

Each department shall submit to the President of the Civil Service Commission monthly reports of grievance activities within 15 calendar days of the end of each month. These reports shall include the number of grievances received from either employees or employer organizations, the nature of subject grieved, and the step at which each grievance was resolved. The report shall also include grievances that as of the last monthly report were not resolved.

23-2.101l Negotiated Grievance Procedures:

This subpart shall stand separate and apart from any grievance procedure that may be negotiated between the state and any union or association; however, no negotiated grievance procedure shall serve as an avenue of appeal for matters which must by law or Civil Service Rule be decided by Civil Service through its exclusive appeal procedures which shall include but not be limited to:

- (1) Removals (4:1-16.9)
- (2) Suspension, Fine, Demotion (4:1-16.7)
- (3) Resignation Not In Good Standing (4:1-16.14)
- (4) Layoffs And Demotions (4:1-16.4)
- (5) Removal At End Or During Working Test Period (4:1-13.7)
- (6) Classification Review (4:1-6.5)
- (7) Review Of Determinations By Chief Examiner And Secretary (4:1-8.15)
- (8) Removal Of Names From Eligible Lists (4:1-12.12)

Subpart 23-2.102 Use Of Grievance Procedure Form CS-251

23-2.102a Subject:

This subpart will describe the use of Civil Service Form CS-251 for grievances processed thru (1) the departmental grievance procedure as outlined in Subpart 23-2.101 or (2) a contractual grievance procedure in any agreement negotiated between the state and an employee association or union.

23-2.102b Use Of Form:

(1) This form will be used by all employees to present grievances.

(2) A grievance will be (a) under the departmental grievance procedure any combination of circumstances because of which an employee is dissatisfied with working conditions which are beyond his control, but which may be subject to remedy by his superior, or (b) under a contractual grievance procedure, the definition outlined in the contract shall prevail.

23-2.102c Use Of The CS-251:

(1) Employee completes all four forms, giving the preliminary information concerning the nature of the grievance.

(2) The grievance form is then brought to the supervisor who is to handle the grievance at the first step. This supervisor will keep management's copy, the employee's copy, and the employee representative's copy, if applicable, while forwarding Personnel's copy to the proper authority designated by the Department or Agency. The supervisor will then make arrangements for responding to the grievance.

(3) (a) The supervisor shall record his decision on all three forms. (Management's, employee's, employee representative's).

(b) The supervisor shall forward this decision to the grievant, and if applicable, the employee representative, in the most expedient manner possible.

(c) If the grievance is resolved, the employee signs the CS-251 forms and the employee and employee representative keep their respective copies. The supervisor will forward management's copy to the proper authority designated by the Department or Agency.

(4) If the grievance is not resolved, the employee may appeal the decision by checking off the appropriate block and informing the supervisor within the specified time limits. The supervisor will then forward management's copy of the CS-251 and pertinent records to the next level of management designated by the Agency or Department to conduct the next step hearing.

23-2.102c (cont'd)

(5) If management fails to respond to the employee's grievance on the CS-251 form within the time allotted for a decision, the employee may proceed to the next step, by informing the management representative who has failed to hear the grievance within the specified time limits. It will then be the responsibility of the management representative to forward management's CS-251 and records to the management representative who will hear the grievance at the next step.

(6) It is the responsibility of the proper authority designated by the Department or Agency to keep accurate records as to the final disposition of each grievance formally submitted.

23-2.102d Taking A Grievance Beyond Step 4:

(1) (a) A departmental or non-contractual grievance processed through step 4 of a grievance procedure shall terminate with the head of the operating Department or Agency. However, the Civil Service Commission under its statutory power, may review, at its discretion, grievances which the Commission considers of such importance as to warrant hearing by it or designated members.

(b) If an employee feels his grievance falls within this category, it may be presented for review by the Department of Civil Service by forwarding the grievance form to:

Department of Civil Service
Division of Personnel Management and
Employee Development
State House
Trenton, New Jersey 08625

1. The employee will notify the management representative at the fourth step of his intention to have a review by checking the appropriate block on the CS-251; the management representative will then forward a copy of the CS-251 to the above address.

2. The employee shall request this review within five days from receipt of the decision at step 4.

3. The Department of Civil Service shall notify the employee of the disposition of his review within 30 days from receipt of the request from step 4.

(2) A grievance processed through step 4 of a contractual grievance may be appealed to step 5 under the contract by so noting in the appropriate box of form CS-251. The fifth step procedure will be in accord with the Employee Policy Guide No. 3 which states generally that after step 4 the union may appeal to fact-finding where they give notice to the Department

23-2.102d (cont'd)

Head with three copies to the Director, Office of Employee Relations. The Department Head will be responsible for immediately forwarding a copy of the appeal to the Department of Civil Service. The Office of Employee Relations will coordinate, with the Department Head.

23-2.102e Civil Service Jurisdiction:

When a grievance is brought through step 4 of a contractual grievance procedure, there may be no appeal to a fact-finder of matters which must by law or Civil Service Rule be decided by Civil Service through its exclusive appeal procedures. (See Subpart 23-2.1011).

23-2.102f Information To All Employees:

The above information must be made available to all employees by appointing authorities, preferably by excerpting pertinent portions of this subpart.