

SUPERSEDED

PART 16-1 INFORMATION SUBPART

Subpart 16-1.101 Unemployment Compensation For State, County, And
Municipal Employees (Special Unemployment Assistance
Program (Title II))

16-1.101a Subject:

Under the "Emergency Jobs and Unemployment Assistance Act of 1974" Title II establishes a temporary Federal program of special unemployment assistance for individuals who become unemployed during this period of aggravated unemployment and who would not otherwise be eligible for unemployment allowance under any other law or program. This program is to be administered, for this state, by the New Jersey Department of Labor and Industry and is subject to State unemployment compensation law.

Unemployment Assistance, for qualified individuals, will be benefits of up to \$90 per week for a maximum of 26 weeks.

16-1.101b Procedure:

(1) In order to receive benefits a public employee must:

- a. File a claim for Special Unemployment Assistance at a local Unemployment Insurance Claims Office,
- b. Be totally or partially unemployed,
- c. Be able and available for work and seeking work and not subject to disqualifications under the Law,
- d. Have received earnings of at least \$30 in each of 20 weeks or have earned a minimum of \$2200 or more during the 52 weeks immediately preceding the date of filing a claim,
- e. Register for employment with the New Jersey State Employment Service.

(2) If a public employee becomes unemployed he/she should immediately report to the nearest Unemployment Insurance Claims Office between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

SUPERSEDED

16-1.101c Distribution of Information:

A copy of this subpart must be forwarded to every employee separated from public service along with the employees copy of the CS-22 Report of Separation Form.

16-1.101d State Unemployment Law Applicable:

The terms and conditions of State unemployment compensation law apply to all claims for assistance under the Special Unemployment Assistance Program.

16-1.101e Termination Date Of Program:

Notwithstanding any other provisions of Title II, no payment of assistance shall be made to any individual for any week of unemployment ending after June 30, 1978; and no individual shall be entitled to any compensation with respect to any initial claim for assistance or waiting period credit made after December 31, 1977.

NOTE: This subpart is solely for the purpose of providing the above information. The Department of Civil Service has no jurisdiction over administration of the program.

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The terms and conditions of State unemployment compensation law apply to all claims for assistance under the Special Unemployment Assistance Program.

16-1.101e Termination Date Of Program:

Notwithstanding any other provisions of Title II, no payment of assistance shall be made to any individual for any week of unemployment ending after March 1, 1977; and no individual shall be entitled to any compensation with respect to any initial claim for assistance or waiting period credit made after December 31, 1976.

NOTE: This subpart is solely for the purpose of providing the above information. The Department of Civil Service has no jurisdiction over administration of the program.

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Notwithstanding any other provisions of Title II, no payment of assistance shall be made to any individual for any week of unemployment ending after March 31, 1976; and no individual shall be entitled to any compensation with respect to any initial claim for assistance or waiting period credit made after December 31, 1975.

NOTE: This subpart is solely for the purpose of providing the above information. The Department of Civil Service has no jurisdiction over administration of the program.

CIVIL SERVICE PERSONNEL MANUAL
(STATE SERVICE)

Please be advised that the following subpart has been rescinded:

<u>Subpart</u>	<u>Issue Date</u>	<u>Recission Date</u>
16-2.101	10/6/70	4/6/76

CONFIDENTIAL

PART 16-2 PREREQUISITE TO LAYOFF

Subpart 16-2.101 Obligations of Appointing Authorities to Employees Who Are to be Laid Off

16-2.101a Subject:

This subpart will describe the obligations of appointing authorities planning to give notice of layoffs to employees.

16-2.101b Preliminary Determinations:

An appointing authority which is contemplating layoff of employees for economy reasons or because of elimination of functions should make every effort to determine what employment opportunities are available to its employees. This review of employment possibilities should take place prior to notice of layoffs to the employee.

Layoffs should not be made until the department or agency has exhausted every possibility for transfer, reassignment or demotion of its employees. The employees involved should be offered any other employment in the department or agency for which they may be qualified based on their accumulated background and qualifications. The Department of Civil Service will provide assistance to any department or agency requiring information during any employment reviews made prior to layoff, and in any event the Department of Civil Service will review all final actions taken.

If a department or agency is unsuccessful in relocating their employees, layoff procedures will be followed. The Civil Service Department will thereafter make formal determinations of demotional and reemployment rights.

PART 16-4 NOTICE IN LAYOFF OR DEMOTIONS

Subpart 16-4.101 Notice of Layoff to Employees Who Are Serving Their
Working Test Period

16-4.101a Subject:

This subpart stipulates normal layoff notice for employees who have not completed their working test period.

16-4.101b Notice:

Appointing authorities laying off regularly appointed employees during a working test period must also give the same 45 day notice of layoff provided permanent employees under N.J.A.C. 4:1-16.4.

However, if an employee fails a working test period which ends prior to a projected layoff he may be removed at the end of the working test period, although the 45 day period has not ended. Moreover, an appointing authority may still remove employees during the working test period for those valid causes enumerated under N.J.A.C. 4:1-16.9, subject to the normal appeal procedures to the Civil Service Commission.

PART 16-5 LATERAL DISPLACEMENT, DEMOTIONAL AND REEMPLOYMENT RIGHTS

Subpart 16-5.101 Determination of Lateral Displacement, Demotional and Reemployment Rights by the Department of Civil Service

16-5.101a Subject:

This subpart will describe the procedure that will be followed by the Department of Civil Service upon receipt of a 45 day notice of layoff from an appointing authority and reflects the practice in effect since May 1, 1974. It will apply to all permanent employees in the competitive, non-competitive, and labor divisions of the classified service.

16-5.101b Definitions:

1. class level - a group of class titles with the same or similar duties, responsibilities, qualifications, and the same rank, salary range and evaluated job content that converts to that salary range.
2. lateral displacement rights - the right of a permanent employee to displace another employee in the same organizational unit holding a title on the same class level who has either less seniority, an unsatisfactory performance rating, or does not have permanent status on that class level. For layoff and demotion purposes, seniority is defined as the amount of time which an employee has served continuously in a permanent capacity in a title or titles on the same class level or a title or titles on higher class levels that are related, as defined in .101d1, to the class title from which he/she is laid off or demoted, regardless of organizational unit where served. In accordance with N.J.A.C. 4:1-16.3, an employee whose most recent performance rating is unsatisfactory shall be the first laid off and therefore loses lateral seniority displacement rights. His/her lateral rights will be limited to vacant positions or against provisional employees.
3. demotional rights - the right of a permanent employee to displace another employee in the same organizational unit who holds a title on a lower class level, which is among the class titles determined as layoff demotional rights for the title from which the employee is being displaced (.101d3). This is the only displacement which may be made regardless of the seniority held by the employee in the lower class level.

16-5.101b

(cont'd)

(a) demotional rights may extend beyond those titles authorized above to include any class title previously held on a permanent basis but in such cases displacement may be made only on the basis of greater permanent continuous service in the State Government.

(b) the demotional rights of an unsatisfactory employee shall not be impaired.

4. special reemployment rights - the rights of a permanent employee to be certified to a vacancy that is to be filled by an appointing authority or against another employee who is serving temporarily or provisionally pending open competitive examination in a title on the same or lower class level in any of the organizational units of the State and those pending promotional examination in the same organizational unit. The name of the employee laid off or demoted will be placed on a special reemployment list for the same or lower class level titles appropriate for certification, with the provision that the certification and appointment to any position having a class title below the class level of the one from which the employee was laid off or demoted in lieu of layoff will in no way affect retention on lists for higher class level titles nor will appointment to a title on the same class level affect retention on the list for the specific title from which the employee was laid off or demoted in lieu of layoff.

(a) If the reduction in force results in the employee being displaced to a position on the same class level in another location, (region, institution, district, etc.) the employee shall have special reemployment rights to that location from which he/she was displaced.

(b) Section (a) above does not apply to an employee who has been demoted and displaced to a position within a lower class level in the same or another location, or been laid off; in such cases, the employee shall have special reemployment rights to all locations.

(c) An employee's refusal to exercise lateral displacement rights at this time by not accepting a reasonable offer of a position on the same class level and chooses to separate is considered to be a resignation in good standing. Regular reemployment rights only will prevail.

16-5.101b (cont'd)

(d) Employees who elect to retire shall not be eligible for Special Reemployment Rights.

5. employee's organizational unit - for layoff and demotion purposes, the organizational unit is considered to be the lawfully established Department or autonomous authority.

6. blanket 45 day notice - a 45 day notice of layoff or demotion in lieu of layoff which is posted and given general distribution in the organizational unit of layoff to notify all employees of a reduction in force and the possible application of seniority and demotional rights by those employees directly affected by the layoff. The general notice must be personally served as well as posted.

(a) All 45 day notices, whether blanket or personal or other written notifications, to permanent employees affected by a layoff situation shall specify the employee's appeal rights regarding such actions. In cases where a blanket 45 day notice of layoff is issued, the 20 day appeal period to the Commission and/or the Chief Examiner and Secretary shall toll from the date the employee received individual written final notification of layoff or demotion in lieu of layoff.

7. permanent status - permanent status means the attainment of tenure and rights resulting from regular appointment and successful completion of the working test period. Those having permanent status in a lower title will be considered to be serving in the lower title. Those with no status in a lower title will have their name returned to the open competitive list from which they were appointed, if it still exists. Those employees serving provisionally pending open competitive examinations or those on approved leave of absence from a classified title serving in an unclassified title will have no layoff rights unless they have previous permanent service.

16-5.101c Order of Layoff:

1. Emergency appointments; appointments to temporary (extra) positions; provisional appointments to permanent positions including provisional appointment pending promotional examination.

16-5.101c (cont'd)

2. All probationers who are serving their working test period including probationers serving their working test period following promotional examination.
3. Permanent employees whose most recent performance rating is unsatisfactory.
4. All other permanent employees whose most recent performance rating is satisfactory or better. However, seniority on the class level will be used to determine the order of layoff.

16-5.101d Procedure for Positions in the Competitive Division:

Upon receipt of a 45 day layoff notice, the Director of Classification and Compensation, shall act for the Chief Examiner and Secretary in determining the lateral displacement seniority, special reemployment and demotional rights for permanent employees in classified positions. The layoff rights of all permanent employees on the class level shall be reviewed to determine if the 45 day notice was in order; if not, the notice will be returned to the appointing authority for correction.

The Director of Classification and Compensation shall determine:

1. Lateral Displacement Rights - those class titles in the same organizational unit which are on the same class level as the class titles affected by abolition or layoffs to which seniority rights apply.

a. The criteria for making this determination are:

(1) General: the general consideration is that the title have the same or similar duties, responsibilities, qualifications, the same rank, salary range and evaluated job content that converts to that salary range, and that a permanent incumbent of the affected title could perform the duties of the selected titles by virtue of having qualified for the State affected title.

(2) Specific Considerations:

(a) The functions are similar to the affected title.

(b) The salary job content evaluation is the same regardless of workweek hours.

16-5.101d (cont'd)

(c) The educational requirements are the same and the mandatory educational requirements do not exceed those of the affected title.

(d) The experience requirements are the same and do not exceed those of the affected title.

(e) There are no special skills, licenses or certifications required that are not mandatory for the affected title.

2. Seniority -

The criteria for establishing the length of service in those class titles are:

a. The amount of time which an employee has served continuously in a permanent capacity in a title or titles on the same class level or a title or titles on higher class levels that are related to the class title in accordance with the criteria contained herein from which he/she is laid off or demoted, regardless of organizational unit where served.

b. If there has been a title change with no qualifying examination, employee receives credit for that period at same or higher class level prior to the title change.

c. An employee while serving provisionally or in his working test period in a higher title shall be considered to be continuing in lower permanent title and accruing seniority in that lower title.

d. Seniority of person returning to permanent status at the class level via Regular Reemployment List begins as of the date of the permanent appointment from the Regular Reemployment List; however, prior service shall be considered when breaking ties.(see g below.)

e. Seniority of persons returning to permanent status on the same class level via Special Reemployment List begins as of date of original permanent appointment to that class level but is subject to deduction of the time while laid off or demoted.

16-5.101d (cont'd)

f. The following periods shall be deducted from an employee's class level seniority:

1. Leaves without pay, except those leaves without pay enumerated below:

- (a) sick leave (including maternity)
- (b) Military Leave
- (c) educational leave

2. Suspensions

g. In cases where two employees with satisfactory or better performance ratings have the same seniority, the tie shall be broken by considering the following order:

- 1. veteran's status-in such cases the disabled veteran shall be retained in preference to the veteran and the employee with veteran's status in preference to the non-veteran;
- 2. performance ratings-the employee rated outstanding shall be retained in preference to the employee rated satisfactory for the twelve month period immediately preceeding the date of the layoff only if both were evaluated by the same Rater;
- 3. permanent service prior to a break in service in a title on the same or higher class level (see N.J.A.C. 4:1-16.13);
- 4. the total length of continuous permanent service with the State;
- 5. total length of non-continuous permanent service with the State;
- 6. standing on employment list;
- 7. time as provisional in that title.

16-5.101d (cont'd)

h. Banking seniority - an employee who has been laid off or is demoted in lieu of layoff is considered to have banked any seniority he may have in the title from which he was laid off. Should he be reemployed from the Special Reemployment List in that title he will be regain the seniority he has "blanked" or accrued.

3. Demotional Rights -

a. Those class titles in the same organizational unit below the class level from which employees are being laid off as a result of abolition of positions or through displacement in a layoff situation.

The criteria for making this determination are:

(1) General: the general consideration is that the titles have similar duties, responsibilities, qualifications, (equal or to a lesser degree) and that a permanent incumbent of the affected title could perform the duties of the selected titles by virtue of having qualified for the affected title.

(2) Specific Considerations:

(a) The functions are similar to the affected title.

(b) The salary job content evaluation results in a lower salary range or single rate than that of the affected title.

(c) The educational requirements are the same and the mandatory educational requirements do not exceed those of the affected title.

(d) The experience requirements do not exceed those of the affected title.

(e) There are no specific skills, licenses or certifications required that are not mandatory for the affected title.

16-5.101d (cont'd)

b. Absolute seniority - this is the seniority one obtains as a result of having been demoted in lieu of layoff. The employee's seniority in the title to which he/she has been demoted is considered greater than that of all employees currently serving in that title. If more than one employee has absolute seniority, seniority between or among them must be determined based on the seniority they held in the title from which they were demoted.

4. Special Reemployment Rights -

Those class titles in the same or any of the organizational units of the State to which Special Reemployment Rights apply and for which Special Reemployment Lists are established.

The criteria for making this determination are substantially the same as those for determining Lateral Displacement and Demotional Rights except that, in addition:

(a) Where the functions, duties and responsibilities of a title have a basic similarity, no minimum education requirements and have the same or less job related experience requirements than the affected title, it is included.

(b) For affected professional class titles, professional Trainees titles which require the same bacalaureate degree as the affected titles but no experience, are included.

For the above determinations, lists of titles are recommended by the Classification Staff, approved and issued by the Director of Classification and Compensation and furnished the Department to which the layoff occurs and to the Civil Service Department Personnel Administrative Services Section. Special Reemployment Lists for competitive classes are furnished to the Division of Examinations, Department of Civil Service.

The Director of Classification and Compensation shall act for the Chief Examiner and Secretary in notifying the appointing authority and involved employees of the determinations regarding lateral displacement, seniority demotional and special reemployment rights of the employees. Such determination shall be made prior to expiration of the 45 day period whenever possible.

16-5.101e Procedure For Positions In The Non-Competitive And Labor Divisions:

The same procedure outlined above will be followed in effecting layoffs for employees holding permanent status in titles allocated to the Non-Competitive and Labor Divisions of the classified service. In addition:

1. An employee having permanent status in a competitive title shall have bumping and demotion rights against non-competitive or labor titles only if the employee has previously held on a permanent basis that particular title in the non-competitive or labor division and has greater permanent continuous service in the State Government than the permanent employee being displaced.
2. An employee having permanent status in a higher non-competitive or labor title can displace another employee in a lower title in the non-competitive or labor division provided that the employee being displaced has less seniority than the employee in the higher title. Seniority shall include all permanent continuous service in State Government.
3. At the discretion of the appointing authority, displaced competitive employees may be placed in vacant non-competitive or labor positions after notifying the Department of Civil Service of such intent.
4. Absolute seniority will not apply to title associated to the non-competitive and labor divisions.

16-5.101f Special Conditions:

A permanent employee affected by a layoff shall be permitted to exercise his/her lateral displacement rights to displace any employee in the organization unit in a title on the same class level with less seniority. If there are no permanent employees with less seniority on the same class level or if the employee declines to exercise lateral displacement rights, he or she shall be permitted to exercise demotional rights against any employee in a class title (s) to which such rights apply. In either case the special reemployment rights of the employee remain the same and may be exercised at the employee's discretion.

Employees serving in a working test period who are displaced will be returned to the employment list, if active, either open competitive or promotional as the case may be.

Absolute seniority will not apply to employees appointed from the Special Reemployment List.

16-5.101f (cont'd)

Appointments from the Special Reemployment List take precedence over the transfer of a permanent or temporary employee from one organization unit to another.

16-5.101g Limitation on Reassignment and Transfer:

No reassignments or intradepartmental transfers from assignments made as a result of reduction in force procedure will be permitted for a period of one year from the effective date of the reduction in force unless specifically requested by the department and approved by the Chief Examiner and Secretary as an administrative necessity. However, in accordance with N.J.A.C. 4:1-15.3, temporary intradepartmental transfers will be permitted to satisfy temporary redistribution of workload requirements. Assignees continuing to serve in these positions beyond the six month period will be subject to certification from the Special Reemployment List.

16-5.101h Appeals:

All permanent employees and those in their working test period have the right to appeal within 20 calendar days of receipt of final notice of lateral displacement, demotion or layoff. The employee appealing must specify the grounds on which the appeal is based -- the burden of proof is on the appellant. Appeals must be based on one or both of the following grounds:

1. Issue A - Good Faith

a. This appeal will be subject to a hearing by the Civil Service Commission. The sole issue at such a hearing will be whether the appointing authority acted in "good faith" when it imposed a reduction in force.

b. Such appeals should be addressed to the:

Civil Service Commission
Hearings and Regulations Section
Hearings and Appeals Unit
215 East State Street
Trenton, New Jersey 08625

16-5.101h (cont'd)

2. Issue B - Improper application of lateral displacement, seniority, demotional and/or special reemployment rights

a. This appeal will be subject to a review of the written record by the Chief Examiner and Secretary. The Chief Examiner and Secretary will consider only whether the Department of Civil Service properly applied its standards when determining the lateral displacement, seniority, demotional and/or special reemployment rights.

b. The person appealing must present written argument and/or documentation to substantiate the claim of administrative error and justify the relief sought.

c. Such appeals should be addressed to the:

Department of Civil Service
Rules and Regulations Unit
Hearings and Regulations Section
215 East State Street
Trenton, New Jersey 08625

SUPERSEDED

PART 16-5 DEMOTIONAL AND REEMPLOYMENT RIGHTS

Subpart 16-5.101 Determination Of Demotional And Reemployment Rights By The Department Of Civil Service

16-5.101a Subject:

This subpart will describe the procedure that will be followed by the Department of Civil Service upon receipt of a 45 day notice of layoff from an appointing authority, effective May 1, 1974.

16-5.101b Definitions:

1. class level - a group of class titles with the same or similar duties, responsibilities, qualifications, and the same rank, range and evaluated job content.
2. seniority right - the right of a permanent employee to displace another employee in the same organizational unit holding a title on the same class level who has either less seniority, an unsatisfactory performance rating, or does not have permanent status on that class level. For layoff and demotion purposes, seniority is defined as the amount of time which an employee has served continuously in a permanent capacity in a title or titles on the same or higher class level from which he/she is being laid off or demoted, regardless of organizational unit where served.
3. special reemployment right - the right of a permanent employee to be certified against another employee who is serving temporarily, or provisionally pending open competitive examination in a title on the same, comparable or lower class level in any of the organizational units of the State and those pending promotional examination in the same organizational unit. If there are no incumbents against whom special reemployment rights can be exercised, the name of the employee so laid off or demoted will be placed on a special reemployment list for the same, comparable or lower class level titles for appropriate certification, with the provision that certification and appointment to any position having a class title below the class level of the one from which the employee was laid off or demoted in lieu of layoff will in no way affect retention on lists for higher class level titles nor will appointment to a title on the same class level affect retention on the list for the specific title from which the employee was laid off or demoted in lieu of layoff.

SUPERSEDED

16-5.101b (cont'd)

4. demotional right - the right of a permanent employee to displace another employee in the same organizational unit who holds a title on a lower class level, regardless of the seniority held by the employee in the lower class level; however, demotional rights of professional employees shall not extend to non-professional titles nor shall the rights of para-professional employees extend to clerical titles except if the employee previously held such title on a permanent basis.

5. employee's organizational unit - for layoff and demotion purposes, the organizational unit is considered to be the lawfully established Department or autonomous agency.

6. blanket 45 day notice - a 45 day notice of layoff or demotion in lieu of layoff which is posted and/or given general distribution in the organizational unit of layoff to notify all employees of a reduction in force and the possible application of seniority or demotional rights by those employees directly affected by the layoff.

16-5.101c Procedure: Positions In The Competitive Division:

Upon receipt of a 45 day layoff notice, the Director of Classification and Compensation, shall act for the Chief Examiner and Secretary in determining the seniority, special reemployment and demotional rights of the employees.

1. The Director of Classification and Compensation shall make a determination regarding:

(a) What class titles in the same organizational unit are on the same class level as the class titles affected by abolition of positions or layoffs to which seniority rights apply.

(1) The seniority rights of all permanent employees on the class level shall be reviewed to determine if the 45 day notice was in order; if not, the notice will be returned to the appointing authority for correction.

16-5.101c (cont'd)

(2) Performance ratings will be used as directed in N.J.A.C. 4:1-16.3 for the establishment of the order of layoff or demotion when all employees involved were evaluated by the same Rater. In cases of different raters, seniority on the class level will be used to determine the order. In cases where two employees with satisfactory or better performance ratings have the same seniority, the tie shall be broken by considering: (1) veteran's status - in such cases, the disabled veteran shall be retained in preference to the veteran and the employee with veteran's status in preference to the non-veteran; (2) performance ratings - the employee rated outstanding shall be retained in preference to the employee rated satisfactory for the twelve months period immediately preceding the date of the layoff only if both were evaluated by the same Rater; (3) permanent service prior to a break in service in a title on the same or higher class level (see N.J.A.C. 4:1-16.13); or (4) the total length of continuous permanent service with the State.

(b) What class titles in the same organizational unit below the class level from which employees are being laid off will fall within the class levels to which demotional rights apply. These rights shall include demotional rights to any class title previously held on a permanent basis by an employee.

(c) When necessary, what class titles in any of the organizational units of the State will fall within the area to which special reemployment rights apply.

2. The Director of Classification and Compensation shall act for the Chief Examiner and Secretary in notifying the appointing authority and involved employees of the determinations regarding seniority, special reemployment, and demotional rights of the employees. Such determination shall be made prior to expiration of the 45 day period.

3. All administrative appeals concerning the determination of an individual's seniority, special reemployment or demotional rights shall be forwarded within 10 calendar days of receipt of notification by the employee to:

SUPERSEDED

16-5.101c (cont'd)

Chief Examiner and Secretary
Department of Civil Service
Arnold Constable Building
Trenton, New Jersey 08625

4. All probationers and permanent employees who are laid off or demoted in lieu of layoff shall have the right of appeal to the Civil Service Commission regarding such layoff or demotion provided such appeal is received by the Commission within 20 calendar days after the date of receipt of notice of such layoff or demotion in lieu of layoff. The sole issue in such Commission hearings shall be whether the reduction in force was a "good faith" action by the appointing authority.

16-5.101d Procedure: Positions In The Non-Competitive And Labor Divisions:

1. The same procedure outlined above will be followed in effecting layoffs for employees holding permanent status in titles allocated to the Non-Competitive or Labor Divisions of the classified service.

2. An employee having permanent status in a competitive title shall have bumping rights against non-competitive or labor titles if he/she has more seniority than those being displaced. Seniority shall include all relevant permanent continuous service in State Government.

3. An employee having permanent status in a higher non-competitive or labor title can displace another employee in a lower title provided that the employee being displaced has less seniority than the employee in the higher title. Seniority shall include all relevant permanent continuous service in State government.

4. At the discretion of the appointing authority, displaced competitive employees may be placed in vacant non-competitive or labor positions after notifying the Department of Civil Service of such intent.

16-5.101e

Application:

1. A permanent employee affected by a layoff shall be permitted to exercise his/her seniority right to displace any employee in the organizational unit in a title on the same class level with less seniority. If the employee declines to exercise the seniority right, he or she shall be permitted to exercise demotional rights against any employee in a class title to which such rights apply. In either case, the special reemployment rights of the employee remain the same and may be exercised at the employee's discretion.

2. All 45 day notices, blanket 45 day notices, or other written notifications to permanent employees affected by a layoff situation shall stipulate the employee's appeal rights regarding such actions. In cases where a blanket 45 day notice of layoff is issued, the 20 day appeal period to the Commission shall toll from the date the employee received individual written notification of layoff or demotion in lieu of layoff.

Subpart 16-5.102 Displaced Manpower Placement

16-5.102a Purpose:

The purpose of this program is to afford permanent State employees who have been laid off and are still without State employment, an opportunity to return to State employment based on their qualifications.

This subpart will describe the procedure that will be followed by the Department of Civil Service in administering the Displaced Manpower (Job Bank). It will apply to all classified position vacancies whether budgeted, authorized or temporary and to all permanent employees and employees who have begun but not completed their working test period, who have been laid off from competitive, non-competitive and labor division positions and are without state employment. It differs from and is in addition to the Special Reemployment Lists in that the displaced manpower eligibles will not be referred to positions to which he/she has rights according to the titles on those lists; he/she will be referred to positions in other class titles for which he/she is qualified.

16-5.102b Procedure:

1. Prior to a commitment of employment, the prescribed personnel requisition form must be submitted by the appointing authority to the Certification Section, Division of Examinations, for all classified position vacancies whether budgeted, authorized or temporary. This requisition form will be used to clear all statutory Civil Service eligible lists that take precedence over the Displaced Manpower (Job Bank) lists.

2. Priority of eligible lists.

Should an employee be laid off, as a result of a Reduction in Force, the order of priorities is as follows:

A. To the same department within which a layoff occurred.

1. Special Reemployment List
2. Promotion List
3. Regular Reemployment List
4. Open-Competitive List
5. Approved Appropriate Open-Competitive List
6. Displaced Manpower (Job Bank) List
7. Affirmative Action Job Bank List

16-5.102b (cont'd)

B. To another department

1. Promotion List
2. Special Reemployment List
3. Regular Reemployment List
4. Open-Competitive List
5. Approved Appropriate Open-Competitive List
6. Displaced Manpower (Job Bank) List
7. Affirmative Action Job Bank List

3. It will be mandatory for appointing authorities to consider eligibles from the Displaced Manpower (Job Bank) List before hiring an individual with no status. An interview or an attempt to interview the Job Bank eligibles must be made.

4. Appointing authorities shall certify on CS-21 forms that they have requisitioned referrals and all interested, qualified employees who have been laid off have been considered for the position. The status of appointees selected from the Displaced Manpower List shall be designated on the CS-21 form as "PA pending qualifying examination." The Division of Examinations will then schedule and conduct the appropriate qualifying examination to enable the employee to obtain permanent status.

5. The Division of Classification and Compensation will establish a complete roster of permanent employees and employees who began but did not complete their working test period who were laid off and without State employment. The roster will be divided into two categories: permanent employees and employees who began but did not complete their working test period.

6. After a layoff has occurred, the roster of those permanent employees who have been laid off will be reviewed. Prior to the layoff interview a detailed description of the Displaced Manpower (Job Bank) program will be given to all affected employees. Accompanying that description will be the assertion that all affected employees will be required to declare their interest or disinterest in the program at the time of the layoff interview.

7. All interested employees will be given a resume form at the layoff interview for completion and return no later than two weeks subsequent to the layoff effective date. The resume will be completed to establish the employee's education and experience qualifications, occupational and geographic areas of interest or disinterest and minimum salary level that the laid-off employee will consider for future employment possibilities.

8. A resume file will then be established and will form the basis for subsequent referrals to vacant positions.

16-5.102c Conditions:

1. The Displaced Manpower eligibility list will be compiled on the basis of seniority and placements will be made according to seniority regardless of the number of names on the list. Seniority for purposes of the Displaced Manpower Programs is defined and determined in the same manner as it is for layoffs.

Note: Only employees who have expressed an interest in being included, will have their names placed on the Displaced Manpower List.

2. Displaced Manpower rights will be limited to titles at the same or lower salary range level as the class title from which the employee was laid off.

3. All appointments will be made on a provisional basis pending qualifying examination.

4. Displaced Manpower Lists will be referred against all classified position vacancies, when requisitioned.

5. Should an appointing authority plan to appoint a CETA employee who has not attained permanent status, to a classified position (whether budgeted, authorized, or temporary), full clearance will be required.

6. The Displaced Manpower List is available for and its use is encouraged for Special Services and Seasonal appointments especially within departments where layoffs occurred.

7. An employee laid off from a non-competitive position may be appointed from the Displaced Manpower List to a competitive position. The status of such an employee will be PA pending open-competitive examination.

8. The Displaced Manpower List will not be referred against a temporary position that exists for six months or less. Should the position not terminate within six months, it shall be considered as though it were a permanent position and the Department of Civil Service shall act to fill the position from the Displaced Manpower List.

9. A name will be removed from the Displaced Manpower List against a specific title whenever the eligible fails to respond to an official notification of availability of a vacant position.

10. Displaced Manpower Lists, as are Special Reemployment Lists, are processed on a State-wide basis and not restricted to a particular department.

11. All permanent employees and all employees who have begun but not completed their working test period who are laid off and without State employment and who express interest, will automatically be placed on all Displaced Manpower Lists for titles for which there are not requirements and for those titles that possess the same, equivalent to or lesser requirements than the title from which the eligible was laid off.

12. If clearance requests as described herein are not received from the appointing authority, the unauthorized employment will be disapproved when the CS-21 form is submitted.

13. If an employee receives an appointment, his/her name will automatically be removed from the Displaced Manpower (Job Bank).

PART 16-7 SUSPENSION, FINE AND DEMOTION FOR DISCIPLINARY PURPOSES

Subpart 16-7.101 Notice of Reasons for Suspension When There is No Entitlement to
Hearing Under N.J.A.C. 4:1-5.15

16-7.101a Purpose:

This subpart will emphasize the requirement of notice set forth in N.J.A.C. 4:1-16.7(a)2 when a suspension does not entitle the disciplined employee to a departmental hearing under N.J.A.C. 4:1-5.15.

16-7.101b Requirements:

When a suspension is for fewer days than would entitle an employee to a departmental hearing or a hearing before the Civil Service Commission, the employee who is to be penalized must nevertheless be given a written statement of the reasons for this action by the appointing authority.

PART 16-13 REQUEST FOR REEMPLOYMENT

Subpart 16-13.101 Reemployment From Reemployment List Not Permitted When
Employee Seeks To Return After Retirement

16-13.101a Subject:

This subpart will govern treatment of retired employees who apply for reemployment through placement on a regular reemployment list within two years pursuant to N.J.A.C. 4:1-16.13.

16-13.101b Prohibition:

N.J.A.C. 4:1-16.13 cannot be interpreted to permit placement on a regular reemployment list or permit subsequent certification if the employee has retired for any reason, including disability retirement. Placement on a regular reemployment list is only possible for former employees who have resigned in good standing.

16-13.101c Exception:

The term "retirement" shall not include vesting of pension (also known as "deferred retirement") permitted under pension law.

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PART 16-14 RESIGNATION RESULTING FROM UNAUTHORIZED ABSENCE

Subpart 16-14.101 Notification and Report of Resignation Resulting From Unauthorized Absence

16-14.101a Subject:

This subpart will describe the procedure for notification and report of resignation resulting from unauthorized absence.

16-14.101b Procedure:

When a permanent employee is resigned not in good standing for being absent from duty for five consecutive business days without notice and approval, such employee shall be notified by the appointing authority on form CS31-A of his involuntary resignation and the precise reasons therefor. The employee will be simultaneously notified of his entitlement to a departmental hearing if he so desires in accordance with N.J.A.C. 4:1-5.15.

It shall be the responsibility of the employee to notify the appointing authority, within 10 days of the receipt of the CS31-A, of his desire for a departmental hearing. Failure to respond within the allotted time will result in forfeiture of the entitlement to a departmental hearing.

Following the departmental hearing or the 10 day period for response, the employee will be sent a CS31-B indicating the final action in his case. The employee will have 20 days from receipt of the CS31-B to appeal the actions of the appointing authority to the Civil Service Commission.

Both the CS31-A and CS31-B shall be sent to the employee by certified mail return receipt requested. Copies of these forms shall be forwarded to the Administrative Services Section, Division of Personnel Management, Department of Civil Service.

PART 16-15 FORMS

Subpart 16-15.101 Report of Separation or Transfer

16-15.101a Subject:

This subpart will describe the preparation and use of the Report of Separation or Transfer (CS-22).

16-15.101b Purpose:

This form shall be notification of the termination of a person's employment with a State appointing authority. It shall constitute authority for vacating a particular position.

16-15.101c Preparation:

This form is to be prepared in the agency personnel office for any of the following:

- (1). Resignation
- (2). Retirement
- (3). Death
- (4). Abolition or Layoff
- (5). Termination of Temporary Appointment
- (6). Expiration of Term
- (7). Cancellation of Appointment
- (8). Release at the end of working test period
- (9). Resignation not in good standing (NGS) under N.J.A.C. 4:1-16.12 or 4:1-16.14
- (10). Removal

Entries shall be made in all spaces on this form as indicated in the instructions appearing at the top of the form.

The appointing authority shall give Copy No. 6 to the employee or send such copy to the employee at his last known address. In case of separation, the copy should include a statement that an appeal may be taken within 20 days of its receipt, except that in instances of removal appeal must be taken within 20 days of date of removal. In all separations for which there may be a right to a Civil Service hearing, it is mandatory that Copy No. 6 be served on the employee personally or sent to him registered mail or certified mail, return receipt requested. Those separations for which there may be the right to a hearing are:

- (4). Abolition or Layoff;
- (8). Release at the end of working test period;
- (9). Resignation NGS, N.J.A.C. 4:1-16.12 or 4:1-16.14; and
- (10). Removal.

16-15.101c (cont'd)

In all the above separations, the CS-22 will be retained by the Department of Civil Service until the time for appeal has expired. The Department of Civil Service will return only those CS-22's which fall within the above mentioned four categories. No other CS-22's will be returned unless the form is incorrectly filled out or insufficient on its fact.

16-15.101d Supplemental Information:

Your attention is called to the need for a 45 day notice to the employee in the abolition of one's position or layoff.

Although this form is to be used to inform the Department of Civil Service of a transfer, it does not take the place of a CS-21 from the new agency to which the employee has transferred.

PART 16-16 RETIREMENT

Subpart 16-16.101 Retirement Planning

16-16.101a Subject:

This subpart will deal with the efforts of the Department of Civil Service and the department and agency personnel units to assist employees in the State Service to plan positively and effectively for their retirement.

16-16.101b Purpose:

The primary objective of this effort is to assist employees in making constructive plans for retirement and to prepare a smooth transition into retirement.

16-16.101c Procedure:

1. The Department of Civil Service will train individuals from each department in conducting a series of meetings for employees who are within one year of retirement. The person assigned the responsibility of conducting the Retirement Planning Sessions and working with employees who are contemplating retirement may be selected from the department staff; however, this individual will report to the personnel officer regarding all retirement planning activities.
2. Each training session for department representatives will cover a specific aspect of retirement. The sessions will enable the representatives of each department to acquire a thorough understanding of the problems, conditions, and factors which affect individual retirement situations.
3. After completion of these training sessions, the department representatives will conduct similar sessions for retiring employees in their department.
4. Brochures, pamphlets and other materials related to retirement as well as continuous advisory service will be furnished to the departments by the Department of Civil Service on a debit and credit basis. New approaches for retirement preparation and any changes in Social Security regulations or pertinent statutes will be communicated to the departments by memos, additional training sessions or other means. The services of professional personnel, such as psychologists, lawyers, or physicians, from the various State departments will be provided for participation in the retirement planning training sessions.
5. The Retirement Planning Program and related activities in each department will be periodically audited by the Department of Civil Service. Constructive suggestions for improvement will be forwarded to the personnel officer.

Subpart 16-15.102 Procedure At Time Of Death Of A State Employee

16-15.102a Subject:

This subpart will describe the procedure to be utilized when a Department is informed of the death of a state employee.

16-15.102b Definitions:

1. "Letter of Condolence" means a letter signed by the department head which will express sympathy to the next of kin of a deceased state employee.

2. "Representative of the Departmental Personnel Office" means the Personnel Officer, the Assistant Personnel Officer or the individual responsible for personnel matters in a department or his specifically designated representative. The designated representative should be a professional employee.

16-15.102c Procedure:

1. A department head upon being informed of the death of a departmental employee will send to the next of kin a letter of condolence.

2. A representative of the personnel office shall personally visit the next of kin to provide any necessary assistance and advice concerning matters related to the employment and employment benefits of the deceased.

3. The representative of the personnel office will make the call within seven days of having been notified.

4. Before calling on the next of kin the representative of the personnel office will prepare for the call by checking the following items concerning the deceased employee:

- a. Accrued vacation at time of death.
- b. Salary during last year at time of death.
- c. Credit Union membership of deceased if any.
- d. Union benefits if any for the deceased.
- e. Social Security Benefits.

5. The representative of the personnel office will endeavor to provide advisory information to the next of kin on all employment-related benefits. If the representative cannot supply the information, he will refer the kin to those state offices which can provide the information. It should be noted that information regarding the amount in the pension system and the amount of insurance can be obtained from the Division of Pensions only by the beneficiary who was designated as such by the employee.

16-15.102c (cont'd)

6. The representative of the personnel office will file a memorandum of what information and advice was given to the next of kin. This memorandum will be held in the Personnel Office and kept in the files for one year after the death of the employee.

7. Copies of any correspondence with the next of kin will also be kept on file for one year.

8. Retired employees will not be a part of this program.

PART 16-16 RETIREMENT

Subpart 16-16.101 Retirement Planning

16-16.101a Subject:

This subpart will deal with the efforts of the Department of Civil Service and the department and agency personnel units to assist employees in the State Service to plan positively and effectively for their retirement.

16-16.101b Purpose:

The primary objective of this effort is to assist employees in making constructive plans for retirement and to prepare a smooth transition into retirement.

16-16.101c Procedure:

1. The Department of Civil Service will train a Retirement Planning Coordinator from each department in conducting a series of meetings for employees who are within one year of retirement. The person assigned the responsibility of conducting the Retirement Planning Sessions and working with employees who are contemplating retirement may be selected from the department staff; however, this individual will report to the personnel officer regarding all retirement planning activities.

2. Each training session for Department Coordinators will cover a specific aspect of retirement. The sessions will enable the Coordinators of each department to acquire a thorough understanding of the problems, conditions, and factors which affect individual retirement situations.

3. After completion of these training sessions, the Department Coordinators will conduct similar sessions for retiring employees in their departments.

4. The Division of Pensions will provide to the Employee Services Unit in the Department of Civil Service an annual listing by payroll number and name of all State employees who are members of the Public Employees Retirement System who are 54 years of age or older.

5. The Employee Services Unit in the Department of Civil Service will reproduce copies of the listing and distribute copies to each Retirement Coordinator in each department, institution or agency.

16.16.101c (cont'd)

6. Each Coordinator will review the list for accuracy and then notify each employee listed thereon of eligibility to participate in Retirement Planning Sessions and the availability of the sessions. Based on the responses from the employees, the Coordinator will schedule rooms and speakers for four one-half day sessions. The sessions will cover the following aspects concerning retirement:

- Session 1 - Social Security
- Session 2 - Public Employees Retirement System and the New Jersey State Health Benefits Program in Retirement
- Session 3 - Adjustment Factors in Retirement
- Session 4 - Summary Session and Health Factors in Retirement

7. Each Coordinator will also order from the Employee Services Unit in the Department of Civil Service a Retirement Planning kit for each participant which will be used as an adjunct to the sessions.

8. In those cases where there are less than 12 employees available or interested in attending sessions, the Coordinator will notify the Chief, Employee Services, Department of Civil Service, who will arrange for the interested employees to attend sessions in another department, institution, or agency.

9. In all departments, the Coordinator will review the situation at least annually to determine the need for Retirement Planning Sessions.

10. The Employee Services Unit of the Department of Civil Service will provide film strips on retirement planning and a DuKane projector for showing the film strips.

11. The Chief, Employee Services Unit, Department of Civil Service, will meet with the departmental coordinators at least annually to review any changes, additions, or deletions in Social Security regulations, pension regulations, or any other new or available materials concerning retirement planning.

12. The Employee Services Unit, Department of Civil Service, will audit the Retirement Planning sessions conducted in all departments to insure quality of presentation, proper utilization of Retirement Planning materials, and to give supportive help and assistance to each Coordinator.

16-16.101c (cont'd)

13. Brochures, pamphlets and other materials related to retirement as well as continuous advisory service will be furnished to the departments by the Department of Civil Service on a debit and credit basis. New approaches for retirement preparation and any changes in Social Security regulations or pertinent statutes will be communicated to the departments by memos, additional training sessions or other means. The services of professional personnel, such as psychologists, lawyers, or physicians, from the various State departments will be provided for participation in the Retirement Planning Training Sessions.

**CIVIL SERVICE PERSONNEL MANUAL
(STATE SERVICE)**

Series 17

Leaves of Absence

Part 17-1 GENERAL

Subpart 17-1.101 Granting of Pregnancy-Disability Leave and Child Care Leave

17-1.101a Subject:

This subpart prescribes the Civil Service regulations concerning the use of sick leave, with or without pay, for pregnancy-disability purposes; and personal leave without pay for child care purposes. Pregnancy-disability leave with or without pay shall be granted in the same manner and under the same terms and conditions as sick leave. Child care leave, which is only granted as a leave without pay, shall be granted under the same terms and conditions as other personal leave.

17-1.101b Pregnancy-Disability Leave With Pay

1. Upon request, paid sick leave shall be granted by the appointing authority for pregnancy-disability purposes. The appointing authority may request acceptable medical evidence that the employee is unable to perform her work due to disability because of pregnancy. The utilization of accrued sick leave shall be limited only by the length of her disability due to pregnancy.

2. The granting of an individual's request for pregnancy-disability leave with pay shall not be handled differently than any other employee's request for paid sick leave. However, the granting of such is mandatory once acceptable medical evidence of disability due to pregnancy has been presented.

17-1.101c Pregnancy-Disability Leave Without Pay

1. Upon request, pregnancy-disability leave without pay shall be granted by the appointing authority upon the receipt of acceptable medical evidence that the employee is unable to perform her work due to disability because of pregnancy. The amount of pregnancy-disability leave without pay that an individual may take shall be governed by the length of her disability due to pregnancy except that it shall be no more than one year in duration.

2. The granting of an individual's request for pregnancy-disability without pay shall not be treated differently than any other employee's request for sick leave without pay. However, the granting of such leave is mandatory once acceptable medical evidence of disability due to pregnancy has been presented.

17-1.101d Child Care Leave Without Pay

Child care leave without pay may be granted by the appointing authority under the same terms and conditions applicable to all other personal leaves without pay.

17-1.101e Use of Accrued Leave Time

An employee may use accrued leave time (e.g., sick, vacation, administrative) for pregnancy-disability purposes, however, 1) the employee shall not be required to exhaust accrued leave before taking a leave without pay for pregnancy-disability 2) the employee must exhaust all her accrued sick leave prior to being eligible for New Jersey Temporary Disability Insurance.

17-1.101f Temporary Employees, Provisional Employees and Employees Who Have Not Completed Their Working Test Period

As provided by N.J.A.C. 4:1-17.2(b), leave without pay for a temporary employee, provisional employee or employee who has not completed the working test period is restricted to a maximum of 60 days. If the position is terminated prior to this time, the leave may not continue beyond the termination of the position. A temporary employee, provisional employee or employee who has not completed the working test period may not receive entitlements while on leave which s/he could not receive while in active employment. Any leave without pay for a temporary or provisional employee may be terminated by the appointing authority at any time.

Information about New Jersey Temporary Disability Insurance may be obtained from the Department Personnel Officer or the Disability Insurance Service, P.O. Box 825, Trenton, New Jersey 08625.

PART 17-3 MILITARY LEAVE

Subpart 17-3.101 Leave To Attend National Guard Or Reserve Drills

17-3.101a Subject:

This subpart shall detail the mandatory treatment of employees who are required to attend drills of the National Guard or any of the branches of the Reserves. It shall also recommend standard treatment where not required by law. This policy is effective September 6, 1973.

17-3.101b Definitions:

1. A drill, as used in this subpart, is defined as inactive duty training on a regular periodic basis.
2. A reservist, for the purpose of this subpart, is a member of a reserve component of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.

17-3.101c Stipulations:

1. Members of the National Guard

Employees who are members of the National Guard must be given time off with full pay to attend required drills. Such time off shall be in addition to vacation, sick and administrative leave.

An appointing authority may, however, reschedule an employee's hours and days of work in order to enable an employee to attend drills and still fulfill all employment responsibilities without the need for additional time off.

2. Reservists

Employees who are members of a reserve component of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard need not be given time off to attend drills; however, pursuant to State law these employees are entitled to full reinstatement in the event of discharge or suspension because of a Reserve obligation. An appointing authority is obligated only to pay the Reservist-employee for days and hours actually worked.

An appointing authority may reschedule an employee's hours and days of work in order to enable an employee to attend drills and still fulfill all the employment responsibilities.

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17-3.101c (cont'd)

Although it is not obligatory, the Department of Civil Service recommends that appointing authorities treat members of the Reserve and the National Guard similarly regarding time off or rescheduling for drills.

Subpart 17-3.102 Compensation For Certain Leaves Of Absence For Military Duty

17-3.102a Subject:

This subpart will set forth the conditions under which employees in the classified service are to be granted certain leaves of absence for military duty and whether the employee must be compensated for such leaves, effective September 6, 1973.

17-3.102b Definitions:

1. Active Duty - full-time duty in the active military service, other than active duty for training.
2. Active Duty For Training - full-time duty in the active military service for training purposes. This may be indicated on military orders as "ADT" (Active Duty For Training), "FTTD" (Full Time Training Duty), or "AT" (Annual Training).
3. Annual Training - a period of full-time training duty (FTTD) required to be performed each calendar year under Federal statutes. This duty is usually performed at summer encampments and may include field exercises and maneuvers. This is indicated on military orders as "AT".
4. Field Training - only that training which consists of participation in unit training in field operations. This may be indicated on military orders as "AT" (Annual Training); however, as noted above "AT" sometimes refers to other than field training.
5. Full-Time Training Duty - full-time training or duty, with or without pay, including but not limited to "AT" (Annual Training), attendance at service schools, attendance at military conferences or other similar duty. This is indicated on military orders as "AT" or "FTTD".
6. Other Duty Ordered By The Governor - any type of duty other than the above ordered by the Governor. This duty is not limited to training in the field or even to training duty nor is it limited to the performance of duties as part of the unit.

17-3.102c Compensation:

Compensation for leaves granted for the above purposes should be as indicated under 17-3.102d for permanent, provisional, and temporary employees. This compensation is not to be offset by military wages earned while absent.

An employee shall not be compensated for the initial period of service which is required to be performed upon entrance into the National Guard or United States Reserve.

17-3.102d Conditions For Payment; Duration Of Leave, And Amount Of Pay:

UNITED STATES ARMY, NAVY, AIR FORCE, MARINE CORPS, OR COAST GUARD RESERVE

<u>Type of Employee</u>	<u>Type of Duty</u>	<u>Military Designation</u>	<u>Duration of Leave</u>	<u>Pay</u>
Permanent	Field Training	"AT"	No limitation	Full
Temporary or Provisional With One Year or More of Service	Field Training	"AT"	30 days per year	Full

NATIONAL GUARD

<u>Type of Employee</u>	<u>Type of Duty</u>	<u>Military Designation</u>	<u>Duration of Leave</u>	<u>Pay</u>
Permanent	Active Duty	ACTIVE DUTY	90 days per year	Full
	Active Duty For Training	"ADT"; "FTTD"; "AT"	90 days per year	Full
	Other Duty Ordered by Governor	Various; May Include Any of the Above	No limitation	Full
Temporary or Provisional With One Year or More of Service	Field Training	"AT"	30 days per year	Full

NOTE:

The military designations shown above are only a guide for making determinations regarding military leaves. The key factor to be considered is whether the employee is being ordered to the type of duty specified and defined in the regulation.

17-3.102e Leaves For Military Duty:

Leaves granted under the provisions of 17-3.102d, or extensions of such leave, shall be recorded as military leave. Employees who are required to perform involuntary military duty with the National Guard or a reserve component of any of the Armed Forces of the United States shall be entitled to a leave of absence without pay for periods of absence which do not come under the provisions of 17-3.102d. However, at the discretion of the employee, vacation leave, administrative leave, or other accrued compensable leave may be used for such absences.

17-3.102f Limitations:

Although this subpart applies to employees in the classified service, the statutes on which these policies are based are applicable to all State, County, Municipal and School District employees.

Subpart 17-3.103 Veteran's Reemployment Rights

17-3.103a Subject:

This subpart is issued to advise appointing authorities of the reemployment rights of persons honorably discharged from the armed forces as established by Federal Public Law 93-508, Chapter 43. This law became effective December 3, 1974.

17-3.103b Application:

Provisions which are set forth herein shall apply to any person in the employ of the State or any political subdivision thereof.

Nothing in Chapter 43 of Federal Public Law 93-508 shall excuse noncompliance with any statute or ordinance establishing greater or additional rights or protections than the rights or protections established pursuant to Chapter 43.

17-3.103c Reemployment Rights of Inducted Persons; Benefits Protected:

1. Any person inducted into the armed forces for training and service and who leaves a position (other than a temporary position) in order to perform such training and service, and

a. Receives a certificate of satisfactory completion of military service, and

b. Makes application for reemployment within 90 days after being relieved from training and service or from hospitalization continuing after discharge for a period of not more than one year

shall if qualified to perform the duties of such position be restored to such position, or to a position of like seniority, status and pay.

2. If, due to disability sustained during military service, the person is no longer qualified to perform the duties of such position, but is qualified to perform the duties of any other position, the person must be offered the other position if the person so requests and provided like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances in such person's case.

3. The only exception to the above requirement is, if the employer's circumstances have so changed as to make it impossible or unreasonable to reemploy the person as specified.

17-3.103c (cont'd)

4. Any person reemployed in accordance with number 1, this section, shall be considered as having been on furlough or leave of absence during period of training and service.

5. Persons so reemployed shall be restored without loss of seniority and shall be entitled to participate in insurance or other benefits offered pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted.

6. Persons so reemployed shall not be discharged from such position without cause within one year after reemployment.

7. Congress has declared any person reemployed should be reemployed in such manner as to give such person status in employment as the person would have enjoyed if the person had continued in such employment continuously from the time of entering the armed forces until the time of reemployment.

8. Such persons shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a reserve component.

17-3.103d Rights of Persons Who Enlist Or Are Called To Active Duty:

1. Any person who enlists in the armed forces (other than a reserve component) shall be entitled to all reemployment rights and benefits specified in section 17-3.103c upon release from service under honorable conditions if:

a. Total armed forces service performed between June 24, 1948 and August 1, 1961 does not exceed 4 years, and

b. Total of any service, additional or otherwise, performed after August 1, 1961 does not exceed 5 years, and

c. Service in excess of 4 years after August 1, 1961 is at the request and for the convenience of the Federal government

d. Plus, in each case, any period of additional service imposed pursuant to law.

17-3.103d (cont'd)

2. Any person who enters upon active duty (other than for purposes of determining physical fitness and other than for training), whether or not voluntarily, in response to an order or call to active duty shall be entitled to all reemployment rights and benefits specified in section 17-3.103c upon release from active duty under honorable conditions if:

- a. Total active duty performed between June 24, 1948 and August 1, 1961 did not exceed 4 years, and
- b. Total of any such active duty, additional or otherwise, performed after August 1, 1961 does not exceed 4 years,
- c. Plus, in each case, any additional period in which the person was unable to obtain orders relieving them from active duty.

17-3.103e Rights of Members of a Reserve Component:

1. Any member of a Reserve component of the armed forces who voluntarily or involuntarily enters active duty (other than for purposes of determining physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units to active duty shall have service limitations governing eligibility for reemployment rights under number 2 of section 17-3.103d extended by such member's period of active duty. Extensions are not to exceed the period which the President is authorized to order.

2. With reference to a member who voluntarily enters duty, provisions of this section shall apply only when the member's voluntary active duty or whose voluntary extension is at the request and for the convenience of the Federal Government.

3. Any member of a reserve component of the armed forces who is ordered to an initial period of active duty for training of not less than 3 consecutive months shall, upon application for reemployment within 31 days after:

- a. Release from active duty after satisfactory service, or
- b. Discharge from hospitalization incident to such active duty or one year after member's scheduled release from training, whichever is earlier,

shall be entitled to all reemployment rights and benefits specified in 17-3.103c except that :

17-3.103e (cont'd)

a. Any person employed shall not be discharged from such position without cause within 6 months after reemployment, and

b. No reemployment rights granted shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim.

17-3.103f Reemployment Rights of Persons Performing Active Duty For Training Or Inactive Duty Training:

1. Any employee not covered by the preceding sections who holds a position in State government or any political subdivision thereof shall, upon request, be granted a leave of absence by the employer for the period required to perform active duty for training or inactive duty training in the armed forces.

2. Upon release from period of active duty for training or inactive duty training, or upon discharge from hospitalization incident to that training, such employee shall be permitted to return to such employee's position with seniority, status, pay, and vacation as the employee would have had if he/she had not been absent for such purposes.

3. Such employee shall report to work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from place of training to place of employment following release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control.

4. Failure to report for work at regularly scheduled working period shall make the employee subject to conduct rules of the employer pertaining to explanations and discipline regarding absence from scheduled work.

5. If employee is hospitalized, incident to active duty for training or inactive duty training, the employee shall be required to report for work at the beginning of the next regularly scheduled work period after expiration of necessary travel time from place of hospitalization discharge to the place of employment, or within reasonable time thereafter if return delayed due to factors beyond the employee's control, or within one year after release from active duty for training or inactive duty training, whichever is earlier.

17-3.103f (cont'd)

6. If an employee covered by this section is not qualified to perform duties of position by reason of disability sustained during duty, but is qualified to perform duties of any other position, such employee shall be offered employment and, if person so requests, be employed in such position as will provide like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in the employee's case.

17-3.103g Rights of Persons Being Inducted Into, Entering, Or Determining Physical Fitness to Enter the Armed Forces:

1. Any employee not covered by the preceding section who hold a position in State government or any political subdivision thereof shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering, or determining, by a preinduction or other examination, physical fitness to enter the armed forces.

2. Upon such employee's rejection, upon completion of pre-induction or other examination, or upon discharge from hospitalization incident to such rejection or examination, such employee shall be permitted to return to their position in accordance with the provisions of section 17-3.103f.

17-3.103h Prior Rights For Reemployment:

In any case where two or more persons are entitled to be restored to or employed in a position under the provisions of Chapter 43 and who left the same position in order to enter the armed forces, the person who left first shall have prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be reemployed.

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PART 17-4 CONVENTION LEAVE WITH PAY

Subpart 17-4.101 Leave of Absence to Attend State or National Conventions

17-4.101a Subject:

This subpart enumerates certain State or national conventions which may be attended by duly authorized persons. The list of organizations to which this subpart applies may be legislatively modified or supplemented. Employees may be granted leaves of absence to attend conventions of organizations not appearing on this list upon proof of modification or supplementation of the list.

17-4.101b Procedure:

1. Every duly authorized employee, upon request, shall be granted a leave of absence with pay for a period not to exceed five days in any calendar year, for the purpose of traveling to and from and attending any State or national convention of any one or more of the organizations that appear on the following list, as written, or modified or supplemented legislatively.

- American Gold Star Mothers
- American Legion
- American Legion Auxiliary
- American Veterans World War II
- Army and Air National Guard Association of New Jersey
- Army and Navy Legion of Valor
- Blind Veterans Association of New Jersey
- Catholic War Veterans of the United States
- Disabled American Veterans Auxiliary
- Disabled American Veterans of the World Wars
- Grand Army of the Republic
- Indian War Veterans
- Italian American War Veterans of the United States, Incorporated
- Jewish War Veterans of the United States
- Ladies Auxiliary, Department of New Jersey, Jewish War Veterans of the U.S.A.
- Ladies Auxiliary, Italian American War Veterans of the United States, Incorporated
- Ladies Auxiliary of New Jersey State Department, Catholic War Veterans
- Ladies Auxiliaries of Veterans of Foreign Wars
- Ladies Auxiliary, Veterans of World War I of the United State of America
- Marine Corps League of the United States
- National Guard Association of the United States
- Navy League
- New Jersey Civil Service Association

New Jersey Firemen's Association
New Jersey State Employees' Association
New Jersey State Exempt Firemen's Association
Polish Legion of American Veterans
Polish Legion of American Veterans, Ladies Auxiliary
Reserve Officers Association of the United States
369th Veterans Association, Incorporated
Twenty-Ninth Division Association
United Spanish-American War Veterans
United States Coast Guard Auxiliary
Veterans of Foreign Wars
Veterans of World War I of the United States of America
War Veteran Public Employees Association
Women's Overseas Service League

(a) Written notice from the appropriate organization, indicating that the employee is a duly authorized delegate shall be submitted to the appointing authority prior to the convention.

(b) A certificate of attendance shall be submitted to the appointing authority after the convention indicating the delegate's attendance.

2. Every employee of the State who is a duly authorized representative of the following organizations shall be allowed a leave of absence with pay for a period to include travel time to and from the convention and the duration of the convention. (N.J.S.A. 11:26C-4)

Firemen's Mutual Benevolent Association, Inc.
Fraternal Order of Police
New Jersey Association of Chiefs of Police
New Jersey State Patrolmen's Benevolent Association,
Inc.
Uniformed Firemen's Association

3. Persons designated by the governor shall be granted leaves of absence to attend the following convention. Expenses are not to exceed five dollars a day including traveling time to and from the convention and the duration of the convention. (N.J.S.A. 30:4-178)

American Correctional Association (American Prison Association)

4. Departments of Education and Higher Education

(a) Any full-time teaching staff member, any secretary or office clerk of any board of education of any local, regional or county vocational school district who applies to his/her board of education shall be granted a leave of absence with pay to attend the convention of the

New Jersey Education Association.

Such leave shall not exceed two days within any one calendar year. The employee must file, with his/her board of education, a certificate of attendance signed by the executive secretary of the association in order to receive paid leave. (N.J.S.A. 18A:31-2)

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(b) The Chancellor of Higher Education, with approval of the board of higher education, may make rules concerning leaves of absence and payment during such leaves for teachers employed in the state colleges. (N.J.S.A. 18A:64-16.)

(c) Pursuant to N.J.S.A. 18A:7B-1, the State Facilities Act of 1979, funds received by the Department of Corrections, Office of Education or the Department of Human Services, Office of Education, shall be used for salaries of teachers and paraprofessionals, among others, who are assigned to educational programs in State facilities. The programs of these Offices of Education include adult, post-secondary and college programs offered by the Department of Education or the Department of Higher Education.

It is the policy of the State to consider the staffs of these Offices of Education as having the same rights regarding leaves of absence to attend the convention of the New Jersey Education Association or to those conventions allowed by the Chancellor of Higher Education as other employees of boards of education as stated above.

17-4.101c Annual Report:

Not later than the last working day in January, all State Personnel Offices will submit a Convention Leave Report for the previous calendar year to the Department of Civil Service, Division of Classification and Compensation, providing the following information:

1. Total number of employees (per organization convention) who have attended State and national conventions as authorized representatives on an organization listed in 17-4.101b;
2. Total number of employees (per organization convention) who have attended conventions other than those listed in the 17-4.101b;
3. Total number of working days granted for each organization's convention;
4. The name of each convention organization.

If no convention leave was granted a negative report stating no leaves granted must be submitted.

PART 17-4 CONVENTION LEAVE WITH PAY

Subpart 17-4.101 Leave of Absence to Attend State or National Conventions

17-4.101 Subject:

This subpart describes the regulations of the Department of Civil Service governing the granting and use of leaves of absence to attend State and national conventions pursuant to N.J.S.A. 38:23-2.

17-4.101b Procedure:

1. Every employee, upon request, shall be granted a leave of absence with pay for an aggregate period not to exceed five days in any calendar year, for the purpose of traveling to and from and attending, as a duly authorized representative, any State or national convention of any one or more of the following organizations:

- American Gold Star Mothers
- American Legion
- American Legion Auxiliary
- American Veterans World War II
- Army and Air National Guard Association of New Jersey
- Army and Navy Legion of Valor
- Blind Veterans Association of New Jersey
- Catholic War Veterans of the United States
- Council of State Employees
- Disabled American Veterans Auxiliary
- Disabled American Veterans of the World Wars
- Grand Army of the Republic
- Indian War Veterans
- (the) Italian American War Veterans of the United States, Incorporated
- Jewish War Veterans of the United States
- Ladies Auxiliary, American Legion
- Ladies Auxiliary, Department of New Jersey, Jewish War Veterans of the U.S.A.
- (the) Ladies Auxiliary, Italian American War Veterans of the United States, Incorporated
- Ladies Auxiliary of New Jersey State Department, Catholic War Veterans
- Ladies Auxiliary, Polish Legion of American Veterans
- Ladies Auxiliaries of Veterans of Foreign Wars
- Ladies Auxiliary, Veterans of World War I of the U.S.A.
- Marine Corps League of the United States
- (The) National Guard Association of the United States
- Navy League
- New Jersey Civil Service Association
- (the) New Jersey Firemen's Association
- (the) New Jersey State Exempt Firemen's Association
- Polish Legion of American Veterans
- Polish Legion of American Veterans, Ladies Auxiliary
- Reserve Officers Association of the United States

17-4.101b (Cont'd)

(The) 369th Veterans Association, Incorporated
(The) Twenty-Ninth Division Association
United Spanish-American War Veterans
(The) United States Coast Guard Auxiliary
Veterans of Foreign Wars
Veterans of World War I of the United States of America
War Veteran Public Employees Association
Women's Overseas Service League

2. Written notice from the appropriate organization, indicating that the employee is a duly authorized delegate shall be submitted to the appointing authority prior to the convention.

A certificate of attendance shall be submitted to the appointing authority after the convention indicating the delegate's attendance.

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Please be advised that the following subpart has been rescinded:

<u>Subpart</u>	<u>Issue Date</u>	<u>Rescission Date</u>
17-8.101	8/25/71	12/2/80

PART 17-8 EMERGENCY AND SPECIAL LEAVE (STATE SERVICE)

Subpart 17-8.101 Sick Leave, Vacation Leave, and Leave Without Pay for
Maternity Purposes for Employees Having Permanent Status

17-8.101a Subject:

This subpart will describe the extent to which various leave time may be used for maternity reasons.

17-8.101b Standards:

Leave With Pay

1. (a) Permanent employees who have completed their working test period may be granted earned and accumulated sick leave during the time prior to the expected date of confinement (date of delivery) and for one month after the actual date of confinement, on presentation of a doctor's certificate and on approval of the departmental authorities. Additional time beyond the one month period may be granted upon presentation of a doctor's certificate setting forth the necessity therefor.
- (b) Permanent employees who are without accrued vacation or sick leave may be granted leave of absence without pay not to exceed 6 months, subject to the same preconditions and limitations listed in 1(a) above.
2. Earned and accumulated vacation for the time worked during the current calendar year and for the previous calendar year may be approved.
3. Compensatory time resulting from overtime services as recorded and approved by the appointing authority may be used for maternity leave.
4. N.J.A.C. 4:1-17.11(c) will also apply:

"A permanent employee who returns from military service is entitled to full vacation allowance for the calendar year of return and for the year preceding, provided the latter can be taken during the year of return."

Leave Without Pay

1. On the expiration of earned and accumulated sick leave and vacation leave this department will consider for approval, if requested by the appointing authority, a leave of absence without pay for a period not to exceed six months. If additional leave is required, an extension of leave of absence without pay not to exceed six months will be considered for approval on the request of the appointing authority together with the reasons therefor. No further leave beyond the one year will be approved.

17-8.101b (cont'd)

2. Upon expiration of the first leave of absence without pay under Leave With Pay 1(b) above, an appointing authority may request an additional leave without pay not to exceed 6 months, accompanied by the reasons therefor. No further leave beyond one year will be approved.

17-8.101b (cont'd)

2. Upon expiration of the first leave of absence without pay under Leave With Pay 1(b) above, an appointing authority may request an additional leave without pay not to exceed 6 months, accompanied by the reasons therefor. No further leave beyond one year will be approved.

Special Note: This rescinds the previous subpart issued July 11, 1972, regarding Administrative Leave.

Subpart 17-8.102 Administrative Leave

17-8.102a Subject:

This subpart includes the regulations of the Department of Civil Service governing the granting and use of administrative leave pursuant to C.74, Laws of 1972.

17-8.102b Procedure:

1. Effective July 1, 1972, all employees in the classified service with not less than six months service shall be granted an allowance of 1 1/2 days administrative leave for the remainder of the current calendar year and on January 1, 1973 shall be granted the yearly allowance of 3 days administrative leave.
2. For the current calendar year (1972), all employees in classified service with less than six months service and those hired after July 1, 1972 shall be granted 1/2 day of administrative leave for each calendar month of service after July 1, 1972 to a maximum of 1 1/2 days.
3. All employees in classified service hired on or after January 1, 1973, shall be granted 1/2 day of administrative leave after each full calendar month of employment to a maximum of (3) three days during the remainder of that calendar year and 3 days administrative leave in each calendar year thereafter.
4. Administrative leave shall not be cumulative and any such leave credit remaining unused by an employee at the end of the calendar year or upon separation shall be cancelled. Unlike other leave, when an employee separates, there shall be no reduction or repayment of funds for days already used in the calendar year of separation.
5. Administrative leave may be scheduled in units of 1/2 days or multiples thereof.
6. Requests for administrative leave of absence must be approved in advance by the appointing authority. Priority in granting such requests shall be:
 - (1). emergencies
 - (2). observation of religious or other days of celebration, but not public holidays
 - (3). personal business
 - (4). other personal affairs

However, requests for religious observances shall be granted on the days and hours required insofar as the absence will not interfere with the proper conduct of state business.

17-8.102b (cont'd)

7. Administrative leave may be taken in conjunction with other types of paid leave.

17-8.102c Administrative Leave for Employees Employed on a Part-Time Basis

1. Definition:

"Part-time employee" means any employee who, by arrangement, regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid a percentage of an annual salary for the title in which such employee works or is paid at an hourly rate.

2. Regulation:

Temporary, provisional, and permanent part-time employees who meet the definition as set forth in #1 and accordingly are in the classified service shall be granted administrative leave credit on a proportionate basis.

Special Note: This rescinds the previous subpart issued July 11, 1972, regarding Administrative Leave.

Subpart 17-8.102 Administrative Leave

17-8.102a Subject:

This subpart includes the regulations of the Department of Civil Service governing the granting and use of administrative leave pursuant to C.74, Laws of 1972.

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2. For the current calendar year (1972), all employees in classified service with less than six months service and those hired after July 1, 1972 shall be granted 1/2 day of administrative leave for each calendar month of service after July 1, 1972 to a maximum of 1 1/2 days.
3. All employees in classified service hired on or after January 1, 1973, shall be granted 1/2 day of administrative leave after each full calendar month of employment to a maximum of (3) three days during the remainder of that calendar year and 3 days administrative leave in each calendar year thereafter.
4. Administrative leave shall not be cumulative and any such leave credit remaining unused by an employee at the end of the calendar year or upon separation shall be cancelled. Unlike other leave, when an employee separates, there shall be no reduction or repayment of funds for days already used in the calendar year of separation.
5. Administrative leave may be scheduled in units of 1/2 days or multiples thereof.
6. Requests for administrative leave of absence must be approved in advance by the appointing authority. Priority in granting such requests shall be:

- (1). emergencies
- (2). observation of religious or other days of celebration, but not public holidays
- (3). personal business
- (4). other personal affairs

However, requests for religious observances shall be granted on the days and hours required insofar as the absence will not interfere with the proper conduct of state business.

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17-8.102b (cont'd)

7. Administrative leave may be taken in conjunction with other types of paid leave.

17-8.102c Limitations:

This subpart will take precedence over any agreements or policies to the contrary.

Subpart 17-8.103 Special Leave - Jury Duty

17-8.103a Subject:

This subpart stipulates the regulations of the Department of Civil Service governing the granting of special leave for jury duty in accordance with N.J.A.C. 4:1-17.8 and pursuant to the provisions of N.J.S.A. 2A:69-6 (Chapter 403, Laws of 1971).

17-8.103b Procedure:

1. An employee shall be granted special leave without loss of pay for the time he or she is required to perform jury duty during scheduled working hours.

2. An employee whose appearance is required during a shift period which is immediately contiguous to his or her scheduled shift, and wholly within the day of such duty, shall be excused from such shift without loss of pay.

3. If an employee's shift hours extend from one day to the next, and the required appearance is during a shift period not immediately contiguous to his or her scheduled shift, the employee shall have the option of choosing to be excused from the scheduled work shift prior to or after the required appearance provided the shift from which he or she is excused is partly within the day of such duty.

4. Performance of jury duty should encompass all necessary travel time in addition to actual time spent in court.

5. Special leave shall not be granted or credited for more than eight hours in any day.

6. The employee shall obtain a written report from the governmental authority for which he or she is serving jury duty, as to attendance at jury duty.

7. It shall be the responsibility of each Department or Agency to establish a procedure whereby an individual will notify the Department of any impending jury duty.

PART 17-9 DISABILITY LEAVE -- SICK LEAVE INJURY

Subpart 17-9.101 Employment Disability Report (Form CS40)

17-9.101a Subject:

This subpart will describe the preparation and use of the Employment Disability Report (CS40).

17-9.101b Purpose:

This form shall be a request by the Agency for the Department of Civil Service to approve a leave of absence with pay (SLI sick leave injury) for an employee due to a disability either through injury or illness as a result of, or arising from employment.

17-9.101c Procedures:

This form shall be prepared by the appointing authority and submitted in accordance with the instructions printed on the form.

If no SLI is immediately involved, it will NOT be necessary to forward the form to Civil Service. However, if the injury or illness is subsequently the cause of time lost, the form should be forwarded and Item 17 must be checked "supplemental report" and a note made in that space: "Original not submitted - no time lost."

A supplemental form should be submitted whenever additional approval time is necessary including the return of the employee in every case where the return of the employee is subsequent to the "through date" approved by Civil Service. Whenever a supplemental report is made, the terminal date of the previous approval shall be indicated in Item #18.

As stated on the form, SLI is limited to the period required for possible recovery from specific disability, or the period of one year from the date of accident, whichever period ends first.

17-9.101d Limitations:

(1) SLI is a privilege provided all full time employees and permanent part time employees who are disabled by injury or illness as a direct result, or arising out of, or in the course of one's employment. The determination of the causal relationship of the accident or illness to employment is essentially the responsibility of the appointing authority. Reporting the accident or injury to one's superior with a minimum of delay is the responsibility of the employee and undue delay in such reporting may cause disapproval of SLI.

17-9.101d (cont'd)

(2) If the employee has unused, accrued sick leave and/or earned vacation sufficient to cover the anticipated leave period, the appointing authority may withhold submission of an original-time cost CS40 form until the employee has returned to work, except that no forms shall be withheld more than thirty days from the date of commencement of time lost. Unless the employee has returned when the form is submitted, the form should be marked "indefinite" in Item #16.

(3) If the employee has (a) been obviously injured on the job, (b) exhausted all accrued sick leave and/or earned vacation, and (c) filed an accident report, he may be paid for a period of SLI not to exceed one pay period prior to return of an approved CS40. This situation is conditional upon: (a) the appointing authority being satisfied that the injury is job incurred, and (b) the subsequent submission of a CS40. If the SLI, in such a case, should be denied for any reason, a subsequent adjustment will be made in the employee's pay.

17-9.101e Sick Leave Injury for Employees Employed on a Part-Time Basis:

1. Definition:

A part-time employee is any employee who, by arrangement, regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid a percentage of an annual salary for the title in which such employee works or is paid at an hourly rate.

2. Regulation:

Temporary, provisional, and permanent part-time employees who meet the definition as set forth in #1 and accordingly are in the classified service shall be granted SLI credit on a proportionate basis, but such benefits will in no way prolong or alter provisional or temporary status at the time of legitimate termination.

~~SUPERSEDED~~

PART 17-9 DISABILITY LEAVE -- SICK LEAVE INJURY

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 This form shall be prepared by the appointing authority and submitted in accordance with the instructions printed on the form.

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 As stated on the form, SLI is limited to the period required for possible recovery from specific disability, or the period of one year from the date of accident, whichever period ends first.

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 (1) SLI is a privilege provided all full time employees and permanent part time employees who are disabled by injury or illness as a direct result, or arising out of, or in the course of one's employment. The determination of the causal relationship of the accident or illness to employment is essentially the responsibility of the appointing authority. Reporting the accident or injury to one's superior with a minimum of delay is the responsibility of the employee and undue delay in such reporting may cause disapproval of SLI.

17-9.101d (cont'd)

(2) If the employee has unused, accrued sick leave and/or earned vacation sufficient to cover the anticipated leave period, the appointing authority may withhold submission of an original-time lost CS40 form until the employee has returned to work, except that no forms shall be withheld more than thirty days from the date of commencement of time lost. Unless the employee has returned when the form is submitted, the form should be marked "indefinite" in Item #16.

(3) If the employee has (a) been obviously injured on the job, (b) exhausted all accrued sick leave and/or earned vacation, and (c) filed an accident report, he may be paid for a period of SLI not to exceed one pay period prior to return of an approved CS40. This situation is conditioned upon:
(a) the appointing authority being satisfied that the injury is job incurred, and
(b) the subsequent submission of a CS40. If the SLI, in such a case, should be denied for any reason, a subsequent adjustment will be made in the employee's pay.

Subpart 17-9.102 Information -- Workman's Compensation

17-9.102a Subject:

The Division of Workman's Compensation has promulgated new rules to eliminate delays which have existed in Workman's Compensation formal proceedings. The rules will require strict observance of time limitations for filing answers to claim petitions and other documents with the Court. Non-compliance with time limits set by the Court will result in monetary penalties against either party in the proceeding. Full compliance to these rules became effective June 1, 1975. In order to comply with the new rules, to properly defend agencies in these matters, and to avoid penalty costs to the agencies the Attorney General's office has outlined what information is needed, and when, by their office. That outline is presented in this subpart.

17-9.102b Information Required:

The following must be prepared and submitted to the Attorney General's office by the agencies key personnel:

1. All Personal Injury Reports (L&I-1) filled out as completely as possible and as soon as possible. Injury reports should be submitted whether or not medical information relative to the injury is available at the time of injury.
2. Indicate on the Personal Injury Report the injured employee's gross annual, bi-weekly or weekly salary.
3. A record of the injured employee's lost time as a result of his/her injury within 5 days of the Attorney General's request for same. The Attorney General's office will write to the agency requesting this information when a formal claim petition has been filed by the employee and has been served upon the Attorney General's office.

Subpart 17-9.102 Information -- Workman's Compensation

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2. Indicate on the Personal Injury Report the injured employee's gross annual, bi-weekly or weekly salary.
3. A record of the injured employee's lost time as a result of his/her injury within 5 days of the Attorney General's request for same. The Attorney General's office will write to the agency requesting this information when a formal claim petition has been filed by the employee and has been served upon the Attorney General's office.

17-9.103 Sick Leave Injury Benefits: Procedures at
Departmental Leave

17-9.103a Subject:

This subpart sets forth the procedures to be followed by individuals in filing requests for sick leave injury benefits and by appointing authorities in reviewing and passing upon those requests.

17-9.103b Procedures:

1. The employee shall report any injury or illness which s/he claims is the result of or arising from the employment to his/her supervisor at the time the injury/illness occurs or is discovered, or as soon thereafter as possible.

2. Where the employee wishes to receive sick leave injury benefits, s/he shall file a report with the appointing authority on the injury or illness which contains a statement of when, where and how the illness or injury occurred, as well as statements of any witnesses to the incident and copies of existing medical reports on the injury/illness, within 5 days of the injury/illness or as soon thereafter as is possible.

3. The appointing authority shall promptly review the request for sick leave injury benefits and, when it determines that the injury/illness is compensable, forward its recommendation for sick leave injury benefits to the Department of Civil Service for its review. Where the appointing authority determines the injury/illness is not compensable, the appointing authority shall so advise the appellant in writing, listing the reasons for its determination. The appointing authority must complete its review of the request for sick leave injury benefits within 20 days of receipt of that request. Where additional medical reports are necessary, the appointing authority may require that the employee be examined by a physician of its own choice. Where appropriate circumstances exist, extensions of time for reviewing the SLI request may be permitted.

4. When the appointing authority determines not to recommend sick leave injury benefits for the employee, or where the Department of Civil Service notifies the appointing authority that it has denied its request for benefits, the appointing authority shall so advise the employee. The appointing authority shall further advise the employee that this determination may be appealed within twenty days of receipt of notification of denial to:

Civil Service Commission
c/o Division of Administrative
Practices and Labor Relations
215 East State Street
Trenton, New Jersey 08625

5. In arriving at its determination to recommend or deny sick leave injury benefits, the appointing authority shall be governed by the standards established by C.S.P.M. 17-9.104.

Subpart 17-9.104 Sick Leave Injury Benefits: Standards

17-9.104a Subject:

This Subpart sets forth the standards to be applied in determining whether sick leave injury benefits (SLI) should be granted to an employee. In particular, these standards strictly limit the definition of work relatedness for purposes of determining sick leave injury benefits.

17-9.104b Standards:

1. Causation: The employee's disability must be an injury or illness resulting from, or arising from, the employment.

(a.) Injuries which would clearly not have occurred but for a specific work-related accident or a condition of employment are compensable.

(b.) Pre-existing physical illnesses, diseases or defects aggravated by the employment shall not be compensable where such aggravated injury was a condition of the job that was foreseeable by the employees.

(c.) Psychological or Psychiatric illness shall not be compensable, except where such illness may be traced to a specific work-related accident or occurrence which traumatized the employee, thereby creating the illness, and the claim is supported by medical documentation.

(d.) Illnesses such as heart disorder, not clearly caused by the employment or the work environment are not compensable.

2. Physical Area: Any accident resulting in injury for which the employee seeks compensation must occur on the work premises.

(a.) Work premises shall be defined as the physical area of operation of the employer, e.g. hospital and hospital grounds, building and parking facilities provided by the State for the benefit of its employees, etc.

(b.) The employee shall be compensated for any injury which occurs off the normal work premises while he or she is clearly acting within the scope of the employment.

3. Time: For an injury to be compensable, it must occur during the employee's normal working hours or during approved overtime hours.

4. Burden of proof: In all cases, the burden of proof is on the employee.

17-9.105 Sick Leave Injury Benefits: Appeal Procedures

17-9.105a Subject:

This subpart will detail the procedures to be followed where denial of sick leave injury benefits is appealed by the employee, or where either the employee or the appointing authority appeals the disapproval by the Department of Civil Service of the employer's recommendation that sick leave injury benefits be granted.

17-9.105b Appeal rights

An employee may appeal the denial of sick leave injury benefits by his/her appointing authority to the Civil Service Commission within 20 days of notification of the denial. Either the appointing authority or the employee may appeal the disapproval of sick leave injury benefits by the Department of Civil Service to the Civil Service Commission through the Division of Administrative Practices and Labor Relations within 20 days of final notification of denial. Appeals should be sent to:

Department of Civil Service
Division of Administrative Practices
and Labor Relations
215 East State Street
Trenton, New Jersey 08625

17-9.105c Procedures:

1. Letters of appeal must contain detailed background information on the incident causing the injury or illness, including the relationship of the injury or illness to the employee's job, the nature and extent of the injury or illness, supporting documentation including doctors' certificates and other medical records, time off from work as a result of the injury or illness, the specific relief sought, statements of witness to the injury and a copy of the formal notice of denial or disapproval.

2. All parties shall be notified by letter that the matter is being treated as a sick leave injury appeal, and that the opportunity to inspect and supplement the file is available for a period of 20 days following receipt of that letter.

3. The appointing authority shall be required to submit all information used to arrive at its recommendation within 20 days of notification that an appeal is being processed, including the following:

- (a) All Personal Injury Reports.
- (b) A record of the injured employee's lost time.

- (c) An explanation of the incident, in detail.
- (d) An explanation of why the appointing authority determined the incident was not related to work.
- (e) Any doctor's certificates which were submitted.
- (f) Any statements from doctors on job relatedness.

4. Upon receipt of the preceding information, the Chief Examiner and Secretary will either:

- (a) Forward the appeal to the Civil Service Commission for a review of the written record to determine the job relatedness and compensability of the injury, or
- (b) Where a dispute of material fact is present, forward the appeal to the Civil Service Commission recommending a hearing, or
- (c) Where it is necessary to determine the probable extent of the injury and its cause, schedule a review before the Civil Service Medical Examiners Board.
 - 1) The appellant will be notified of the review date. Any necessary additional physical examinations will be conducted by a member of the Board prior to the time of the review. In cases where the Civil Service Medical Examiners Board determines that additional medical examinations or laboratory tests are required, the member of the Board examining the appellant may authorize such tests. The cost of such tests shall be absorbed by the Department of Civil Service.
 - 2) The Report and Recommendation of the Civil Service Medical Examiners Board will be submitted within 10 days after the review.
 - 3) Copies of the report and recommendation will be forwarded to the appellant and the appointing authority.
 - 4) Exceptions may be filed within 10 days of receipt of the Report and Recommendation.
 - 5) The Report and Recommendation and any exceptions filed will be submitted to the Civil Service Commission for review and final administrative determination.

17-9.105d Burden of Proof

The burden shall be on the appellant to show by a preponderance of the evidence that denial of sick leave injury benefits for the injury or illness in question was improper.

PART 17-10 LEAVE BENEFITS OF PART-TIME EMPLOYEES

Subpart 17-10.101 Vacation Leave for Employees Employed on a Part-Time Basis

17-10.101a Subject:

This subpart will describe the extent to which part-time employees will be permitted to accrue vacation leave.

17-10.101b Definition:

"Part-time employee" means an employee who, by arrangement, regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid a percentage of an annual salary for the title in which such employee works or is paid at an hourly rate.

17-10.101c Regulation:

Temporary, provisional, and permanent part-time employees who meet the definition as set forth in 101b and accordingly are in the classified service shall be granted vacation leave credit on a proportionate basis. (See attached chart for computation guide.)

VACATION CREDITS

Prorated

<u>Percentage of Full-Time Hours</u>	<u>8 Hours/Day Position</u> (Hours/Month)	<u>12 Days/Year (1-5 Years)</u> (Hours/Year)	<u>15 Days/Year (5-12 Years)</u> (Hours/Year)	<u>20 Days/Year (12-20 Years)</u> (Hours/Year)	<u>25 Days/Year (20 Years +)</u> (Hours/Year)
20	1.60	19	24	32	40
25	2.00	24	30	40	50
30	2.40	29	36	48	60
40	3.20	38.5	48	64	80
50	4.00	48	60	80	100
60	4.80	57.5	72	96	120
70	5.60	67	84	112	140
75	6.00	72	90	120	150
80	6.40	77	96	128	160
90	7.20	86.5	108	144	180

EXAMPLE: If a part-time employee works 40% of the normal 8 hour per day position (40 hours per week), that person should be credited with vacation credit at the rate of 3.2 hours per month. For the first 5 years this would be a total of 38.5 hours vacation credit per year.

VACATION CREDITS

Prorated

<u>Percentage of full-time Hours</u>	<u>7 Hours/Day Position</u> (Hours/Month)	<u>12 Days/Year (1-5 Years)</u> (Hours/Year)	<u>15 Days/Year (5-12 Years)</u> (Hours/Year)	<u>20 Days/Year (12-20 Years)</u> (Hours/Year)	<u>25 Days/Year (20 Years +)</u> (Hours/Year)
20	1.40	17	21	28	35
25	1.75	21	26	35	44
30	2.10	25	31.5	42	52.5
40	2.80	33.5	42	56	70
50	3.50	42	52.5	70	87.5
60	4.20	50.5	63	84	105
70	4.90	59	73.5	98	122.5
75	5.25	63	79	105	131
80	5.60	67	84	112	140
90	6.30	75.5	94.5	126	157.5

EXAMPLE: If a part-time employee works 40% of the normal 7 hour per day position (35 hours per week), that person should be credited with vacation credit at the rate of 2.8 hours per month. For the first 5 years this would be a total of 33.5 hours vacation credit per year.

PART 17-16 AMOUNT OF SICK LEAVE (STATE SERVICE)

Subpart 17-16.101 Sick Leave for Employees Who Might Not Return to
Work From an Illness

17-16.101a Subject:

 This subpart will govern the use of accrued sick leave by employees having an illness that makes their return to work appear unlikely.

17-16.101b Limitations:

 There is no limitation on the proper use of sick days by employees who have accrued them under the provisions of Civil Service Law and Rules, except that when an employee resigns or is retired his use of sick leave must terminate at that time.

Subpart 17-16.102 Sick Leave for Employees Employed on a Part-Time Basis

17-16.102a Subject:

This subpart will describe the extent to which part-time employees will be permitted to accrue sick leave.

17-16.102b Definition:

"Part-time employee" means any employee who, by arrangement regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid a percentage of an annual salary for the title in which such employee works or is paid at an hourly rate.

17-16.102c Regulation:

Temporary, provisional, and permanent part-time employees who meet the definition as set forth in 102b and accordingly are in the classified service shall be granted sick leave credit on a proportionate basis. (See attached chart for computation guide.)

SICK TIME CREDITS

Prorated for 1 day per month and 1 1/4 days per month

<u>Percentage of Full-Time Position</u>	<u>8 Hours/Day Position</u> (Hours/Month)	<u>12 Days/Year (1st Year)</u> (Hours/Year)	<u>15 Days/Year</u> (Hours/Year)	<u>7 Hours/Day Position</u> (Hours/Month)	<u>12 Days/Year (1st Year)</u> (Hours/Year)	<u>15 Days/Year</u> (Hours/Year)
20	1.60	19	24	1.40	17	21
25	2.00	24	30	1.75	21	26
30	2.40	29	36	2.10	25	31.5
40	3.20	38.5	48	2.80	33.5	42
50	4.00	48	60	3.50	42	52.5
60	4.80	57.5	72	4.20	50.5	63
70	5.60	67	84	4.90	59	73.5
75	6.00	72	90	5.25	63	79
80	6.40	77	96	5.60	67	84
90	7.20	86.5	108	6.30	75.5	94.5

EXAMPLE: If a part-time employee works 40% of the normal 8 hour per day position (40 hours per week), that person should be credited with sick leave at the rate of 3.2 hours per month. For every month of the first calendar year of employment this would be a total of 38.5 hours sick leave credit. For every year thereafter, a total of 48 hours per year should be credited.

Subpart 17-16.102 Sick Leave for Permanent Employees Employed on a Part-Time Basis

17-16.102a Subject:

This subpart will describe the extent to which part-time permanent employees will be permitted to accrue sick leave.

17-16.102b Accrual of Leave:

All permanent employees employed on a part-time basis shall accrue sick leave credit on a proportionate basis.

PART 17-21 ACCUMULATION OF CREDITS

Subpart 17-21.101 Liability For Leave Credits Taken In Excess Of Statutory Guidelines

17-21.101a Subject:

This subpart is issued to advise of circumstances when an employee is liable for leave credits taken in excess of statutory guidelines. This subpart was initiated by the Office of Fiscal Affairs audits. The Department of Civil Service is responding to the results of those audits with this subpart, clarifying the extent to which reimbursement is required.

17-21.101b Liability:

There are basically two circumstances under which an employee could be liable for leave credits. The first is when an employee leaves the classified State Service before the end of the year and has taken the full year's allowance of sick and vacation leave credits. The other circumstance is when an employee has used the full year's allowance of sick and vacation leave awarded and then goes on leave without pay.

17-21.101c Application:

While both sick leave and vacation leave are not earned on a month-by-month basis, leave is granted based on a full year's service. When a classified employee does not work the full year but has taken the full year's service credits, sick and vacation leave must be pro-rated on a month-by-month basis to determine the amount of leave to which the employee is statutorily entitled.

When an employee leaves State Service that employee is liable for and must reimburse the appointing authority for the difference between the prorated leave award and the yearly leave award. If the employee does not reimburse, the appointing authority may recover through normal legal process.

In instances where an employee has used all the current year's sick and vacation leave award and then goes on leave without pay (in accordance with N.J.A.C. 4:1-17.21 leave credits shall not accrue while an employee is on any leave without pay, except military service) the employee is liable for the difference between the prorated leave award and the yearly award.

EXAMPLES:

1. An employee leaves the State Service in August of the second calendar year of service. This employee had used all vacation and sick leave credits awarded for the year -- 12 vacation days and 15 sick days.

17-21.101c (cont'd)

Since this employee did not complete the calendar year, leave credits must be prorated. To determine liability the appointing authority would subtract 10 days' sick leave (1 1/4 days per month) and 8 days vacation leave (1 day per month) from the yearly award. The employee is liable for and must reimburse the appointing authority for the difference -- 5 days' sick leave and 4 days' vacation leave.

2. An employee is granted a leave without pay for 2 months. This employee has been awarded 15 days sick leave and 12 days vacation leave (1-5 years of service) at the beginning of the calendar year. To determine liability the appointing authority would deduct 12 1/2 days' sick leave (1 1/4 days per month) and 10 days' vacation leave (1 day per month) from the yearly award. The employee is liable for the difference -- 2 1/2 days' sick leave and 2 days' vacation leave. The employee must reimburse the appointing authority for this time.

**CIVIL SERVICE PERSONNEL MANUAL
(STATE SERVICE)**

Series 18
Hours of Work

Civil Service Personnel Manual
(State Service)

Series 18
Part 18-1

PART 18-1 HOURS OF WORK

Subpart 18-1.101 Inclement Weather Emergency Policy

18-1.101a Policy:

The Governor or his designee shall determine if emergency procedures due to inclement weather shall be implemented. This determination applies to all departments, agencies and institutions. Emergency procedures may be early release of employees, closings and late openings.

18-1.101b Notification of Decision:

Designated representatives of the Governor or President of the Civil Service Commission shall notify all department heads of a determination to implement emergency procedures.

18-1.101c Agency Responsibility:

Each State department, agency or institution shall be responsible for developing internal emergency procedures. Internal emergency procedures must include:

1. the maintenance of essential services;
2. notification of field offices;
3. notification of clientele through radio, television or other media. (i.e., notifying the public that Motor Vehicle Stations will be closing or that State Colleges will be closing.)
4. the designation of a coordinator to:
 - a) receive inclement weather early closing determinations
 - b) communicate instructions to a descending chain of command in order to insure that all department employees are notified of the early release
 - c) forward to the Governor's Press Office information concerning regionalized openings/closings, etc...

Civil Service Personnel Manual
(State Service)

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Part 18-1

In order to equitably administer these procedures, each department, agency or institution should insure that those employees who, due to the need for maintaining essential services, are not released early or must report to work during an inclement weather emergency will be given priority for early release or not to report for work during the next emergency.

Employees will be notified through inserts in their payroll checks of appropriate telephone numbers to call and the radio stations which will broadcast information about State emergency procedures.

PART 18-1 HOURS OF WORK

Subpart 18-1.101 Snow Emergency Policy

18-1.101a Policy:

It has been determined the decision concerning the existence of a snow emergency requiring the early release of employees shall be made by the Chief Examiner and Secretary as advised by a formal committee. That committee is composed of the Governor, the President of the Civil Service Commission, and the State Treasurer, or their designees. The Chief Examiner and Secretary has been assigned the responsibility of determining the extent of the weather conditions through consultation with the New Jersey Department of Transportation and deciding if an early release of employees is in order. Resulting determinations shall apply to all departments, agencies and institutions of this State.

18-1.101b Notification of Decision:

The Chief Examiner and Secretary will notify Cabinet officials, through State agency personnel officers, of any decision to release employees early on days when a snow emergency exists.

18-1.101c Individual Agency Responsibility:

Each State department or agency shall be responsible for developing internal policy regarding early release. Internal policies must define:

1. essential services which must be maintained during a weather emergency;
2. a procedure for notifying field offices;
3. a system of notifying clientele through radio, television or other media. (i.e., notifying the public that Motor Vehicle Stations will be closing or that State Colleges will be closing.)

In order to equitably administer this policy, each department or agency should insure where operationally feasible that those employees who, due to the need for maintaining essential services, are not released early during a particular snow emergency will be given priority for early release during the next emergency.

PART 18-3 HOLIDAY LEAVE -- PART-TIME EMPLOYEES

Subpart 18-3.101 Holiday Leave for Employees Employed on a Part-Time Basis

18-3.101a Subject:

This subpart will describe the extent to which part-time employees will be permitted Holiday Leave.

18-3.101b Definition:

"Part-time employee" means any employee who, by arrangement, regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid a percentage of an annual salary for the title in which such employee works or is paid at an hourly rate.

18-3.101c Regulation:

Temporary, provisional, and permanent part-time employees who meet the definition as set forth in 101b and accordingly are in the classified service shall be granted holiday leave credit on a proportionate basis.

Holiday Leave Credits

Pronated

<u>Percentage of Full Time Position</u>	<u>8 Hours/Day Position (Hours/Month)</u>	<u>7 Hours/Day Position (Hours/Month)</u>
20	1.60	1.40
25	2.00	1.75
30	2.40	2.10
40	3.20	2.80
50	4.00	3.50
60	4.80	4.20
70	5.60	4.90
75	6.00	5.25
80	6.40	5.60
90	7.20	6.30

To calculate Holiday Leave Credits for the year, multiply the appropriate "Hours/Month" figure times the number of Holiday days in the year. To round off tenths of a number the following guide should be used: .1 to .3 should be dropped, .4 to .6 should be .5, and .7 to .9 increase to the next whole number.

PART 18-3 HOLIDAYS (STATE SERVICE)

Subpart 18-3.101 Holiday Time For Permanent Part-Time Employees

18-3.101a Subject:

This subpart provides for proportionate holiday credit for permanent part-time employees, as authorized by Overtime Regulations. (See Subpart 7-4.101).

18-3.101b Procedure:

Permanent part-time employees shall receive holiday time allowance on a proportionate basis. In addition, when assigned to work on a legal holiday or special holiday declared by the Governor, these employees will earn compensable overtime at the rate of 1 1/2 hours for each hour worked; this will be in addition to the normal credit due for the holiday.

18-3.101c Application:

This policy shall apply to employees in those classes of part-time positions where the work schedule is consistently regular and controllable and the nature of work lends itself to the establishment of a specific work week or standard for the class. These classes are considered to have "regular" work hours.

Subpart 18-3.102 Personal Preference Days

18-3.102a Subject:

This subpart will authorize the selection of "personal preference days" as may be prescribed in a collective negotiation agreement.

18-3.102b Regulations:

1. All eligible employees shall be entitled to select personal preference days in lieu of regularly scheduled holidays as may be provided by their respective collective negotiation agreement.

2. The terms and conditions set forth in the respective collective negotiation agreements shall govern the selection of such days.

Subpart 18-3.103 Holiday Pay Practice

18-3.103a Subject:

This subpart provides for conditions under which employees in the classified service shall receive pay credit for holidays.

18-3.103b Procedure:

If an employee in the classified service is in pay status the working day immediately preceding a holiday, he/she shall receive pay credit for the holiday.

All temporary, provisional and permanent part-time employees in the State classified service who regularly work a constant percentage of the regular and normal work week in a class or for an agency, and who are paid a percentage of an annual salary for the title in which such employees work or are paid at an hourly rate, shall receive pay credit for the holiday on a proportionate basis provided their work schedule would have included work time on that holiday.

18-3.103c Exceptions:

(1) In those cases where an employee reverts to pay status from a leave without pay the working day immediately preceding the holiday, credit shall not be given except when the return is final.

(2) When an employee retires or is otherwise separated from the state service on the working day immediately preceding the holiday, he/she shall not receive credit for that holiday; that is, if an employee's last day of pay status occurs on the working day immediately preceding the holiday, he/she cannot have his separation date designated on that holiday.

(3) Casual or Special Services employees are not entitled to holiday pay credit.

PART 18-4 DUAL EMPLOYMENT

Subpart 18-4.101 Dual Office Holding

18-4.101a Subject:

 This subpart describes the required payroll auditing procedures when dual office holding is found to exist.

18-4.101b Requirements:

 When instances of the concurrent holding of public office and public employment are found to exist the payroll item for the employee in question will be recorded and the Civil Service Department shall advise the appointing authorities that the recording of the payroll item in question does not grant authority for the continued concurrent holding of public office and public employment. The determination as to whether such dual office holding constitutes a conflict of interest is beyond the jurisdiction of the Civil Service Commission.

Subpart 18-4.102 Information -- Dual State Office Holding

18-4.102a Subject:

This subpart is issued to advise of the Attorney General's formal opinion on whether the Conflict of Interest Act prohibits a State Officer or employee from holding or being employed in a separate State office or position at the same time.

18-4.102b Attorney General's Formal Opinion No. 18 - 1976 (dated June 21, 1976):

"You have asked for our opinion as to whether the Conflicts of Interest Act prohibits a State officer or employee from holding or being employed in a separate State office or position at the same time. For the following reasons, you are advised that such dual State employment or officeholding is not proscribed by the Conflict of Interest Act. However, dual State officeholding may be regulated by the respective departments of State government when it is deemed that such officeholding might reasonably be expected to impair the objectivity and independence of the State employee in the exercise of his or her primary job responsibilities.

"The subject of dual employment is extensively treated by the New Jersey Constitution, common law, and various statutes. See N.J. Const., Art. IV, § 5, par. 1, 3, 5 and Art. VI, § 6, par. 7; N.J.S.A. 19:3-5; N.J.S.A. 40A:9-4; N.J.S.A. 52:37B-69.1. See also N.J.A.C. 4:1-18.4. Except for certain specific proscriptions contained in the Constitution or statutes, there is no absolute bar to dual employment. Such employment is proscribed only where the duties of two positions are incompatible, inviting the incumbent to prefer one obligation to another. E.g., Kaufman v. Pannuccio, 121 N.J. Super. 27 (App. Div. 1972), certif., den. 62 N.J. 192 (1973). Indeed, the Legislature has, in the area of municipal government, specifically permitted dual employment of an elective county office and an elective municipal office and of a legislative office and nonelective or appointive office or position in the county or municipal government. N.J.S.A. 40A:9-4.

"The Conflicts of Interest Act, however, predominantly concerns the regulation and control of the activities of legislators, State officials and employees in their private business and commercial contractual dealings with the State. See generally 1969 Report of Legislative Commission on Conflicts of Interest. For instance, N.J.S.A. 52:13D-15 prohibits a legislator, State officer or employee from participating on behalf of any party other than the State in negotiations for the acquisition or sale of State property. Similarly, N.J.S.A. 52:13D-16 generally prohibits a legislator, State officer or employee from representing any

18-4.102b (cont'd)

party other than the State in proceedings before various State agencies. N.J.S.A. 52:13D-17 proscribes representation by a former State officer or employee involving matters in which the officer or employee was directly involved in during his State service. In like vein, N.J.S.A. 62:13D-20 proscribes the representation by a legislator, State officer or employee on behalf of the State for the transaction of any business with himself or a corporation of which he has an interest. It is thus apparent that the controls and proscriptions contained in the Conflicts of Interest Act are far removed from the area of dual public employment. Rather, the entire thrust of the Act is directed towards private business and commercial dealings with the State.

"Nonetheless, it has been suggested that the restrictions contained in N.J.S.A. 52:13D-19 on obtaining contracts awarded by the State extend to and prohibit dual State employment.* This suggestion ignores the plain fact that the entire tenor of that provision, as the tenor of the Act itself, is directed towards dealings and negotiations with the State for contracts or agreements to supply the State with either commercial, business or the personal services of a person acting in his private capacity. Initially, this is indicated by the nature of the exceptions enacted to the general prohibition concerning contracts let by competitive bidding. The legislative pre-occupation with contracts or agreements awarded through the competitive bidding process is indicative of an intention to deal with those contracts traditionally and normally associated

* N.J.S.A. 52:13D-19 provides in pertinent part:

'No member of the Legislature or State officer or employee shall . . . undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded or granted by any State agency; provided, however, that the provisions of this section shall not apply to (a) purchases, contracts, agreements or sales which (1) are made or let after public notice and competitive binding or which (2), pursuant to...[law], may be made, negotiated or awarded without public advertising or bids, or (b) any contract or insurance entered into by the Director of the Division of Purchase and Property'

18-4.102b (cont'd)

with the competitive bidding process, i.e., contracts for equipment, supplies, public works and buildings. See N.J.S.A. 2A:135-6; N.J.S.A. 40A:11-3. Moreover, the legislative reference in N.J.S.A. 52:13D-19 to "partners," "corporations" and "to undertake to execute" are terms normally associated with the typical business or commercial contract. In contrast, State officeholding or employment situations are not normally considered contractual in nature. The indicia of public service is essentially governed by statute and is considered sui generis. Adams v. Mayor and Common Council of City of Plainfield, 109 N.J.L. 282 (Sup. Ct. 1932), aff'd 110 N.J.L. 377 (E.&A. 1933).

"Any remaining doubts that the Conflicts of Interest Act does not impose a general proscription on dual State officeholding or employment must be resolved in light of the traditional rule of statutory construction that statutes should be construed to substantially conform to the Legislature's intent and to avoid unreasonable results. County of Monmouth v. Wissel, 68 N.J. 35, 42 (1975). A construction of the Act which would draw dual State employment within the parameters of its general proscriptions would simply not be consistent with its primary purpose, i.e., to regulate and control the narrow area of private business and commercial relationships with the State by legislators, State officers and employees. Moreover, the consequences of such an interpretation would produce substantial hardships for many State employees in situations which are far removed from the Act's essential objectives. Surely, it cannot be suggested that the Legislature intended, for example, the harsh result of prohibiting a maintenance worker for the Department of Transportation earning \$6500 a year from also being employed on a different shift as a maintenance worker in the Department of Environmental Protection earning a similar salary. Yet, this is precisely the type of dual State employment which would be prohibited under a contrary interpretation of the Conflicts of Interest Act.

"It is thus apparent that the literal terms of the Conflicts of Interest Act and its underlying policy are not indicative of a legislative purpose to deal substantially with dual State officeholding or employment situations and to alter the general body of law on dual employment. However, consistent with that body of law the Act does recognize that, through departmental codes of ethics, State officers or employees should not act in their official capacity in any matter involving a direct or indirect financial interest which "might reasonably be expected to impair his objectivity or independence of judgment." N.J.S.A. 52:13D-23(e)(5). Through this provision, dual officeholding or employment could be precluded where it tends to impair the ob-

18-4.102b (cont'd)

jectivity of a particular office or employee.

"In light of the foregoing, it is our opinion that the Conflicts of Interest Act does not impose an absolute bar to dual State officeholding or employment. The departments of State government, however, are free to regulate dual officeholding in instances where it may be expected to impair the objectivity and independence of the State officer or employee in the exercise of his or her primary job responsibilities."

**CIVIL SERVICE PERSONNEL MANUAL
(STATE SERVICE)**

Series 19

Payroll Certification

Series 20

Performance Evaluation and Employee Training

PART 20-1 PERFORMANCE EVALUATION SYSTEM

Subpart 20-1.101 Employee Performance Evaluation and Improvement System
Regulations

20-1.101a Subject:

This subpart describes the regulations of the Department of Civil Service for the keeping of performance evaluation records, establishment of standards of performance for employees in the classified service and a system of performance evaluation based on these standards as referred to in N.J.A.C. 4:1-20.1 through .4 and established pursuant to N.J.S.A. 11:13-1.

20-1.101b Purpose:

The primary objective of this system is to foster improvement in the setting and attainment of goals in state agencies through the improved performance and participation of individual employees.

The purpose of the system is to help the employee, whether the individual be a supervisor or subordinate, to improve performance on the present job, now and in the future.

20-1.101c Categories of Performance:

Final overall evaluations of performance shall fall into one of the following categories:

- (1) Unsatisfactory - Inadequate or deficient in the achievement and/or discharge of duties when the job is viewed as a whole based on mutually agreed upon standards formulated at the beginning of the evaluation period.
- (2) Satisfactory - Adequate achievement of results; appropriate discharge of obligations, duties, tasks, and requirements of the job as mutually agreed upon at the beginning of the evaluation period; overall fulfillment of supervisory expectations when the job is viewed as a whole.
- (3) Outstanding - Continuous record of achievement and service of such a noticeable and obvious nature that it substantially stands out above satisfactory performance when the job is viewed as a whole.

20-1.101d Procedure:

Employee Performance Evaluation and the setting of Improvement Goals will be the mutual activity of the employee and the supervisor. In order to develop skills and abilities necessary to carry out this activity, all supervisors will undergo the supervisory training which will cover the philosophy, techniques, rules and procedures of the Employee Performance Evaluation and Improvement System necessary to effectively implement EPEIS at their respective agencies. The effects of this training on the implementation of EPEIS will be monitored by the Department of Civil Service. Other employees shall undergo an orientation program in their Agency's Performance Evaluation and Improvement System and Grievance Procedure. The Agency will be the final authority in determining who is to be considered a "supervisor" for the purposes of its system.

1. Standards For Forms

Each agency, with the assistance and approval of the Department of Civil Service, shall prepare Employee Performance Evaluation and Improvement forms tailored to the needs of the individual agency and its different classes of positions. Forms must be consistent with guidelines listed below. Forms for job classes that cross agency lines must be comparable. The Civil Service Department will assist agencies when this problem occurs.

There shall be two (2) forms: One for employee's perform-

20-1.101d Procedure:

Employee Performance Evaluation and the setting of Improvement Goals will be the mutual activity of the employee and the supervisor. In order to develop skills and abilities necessary to carry out this activity, all supervisors will undergo training that will cover the philosophy, techniques, rules and procedures of the Employee Performance Evaluation and Improvement System. All managers and supervisors (classified and unclassified who rate classified employees) shall receive at least eighteen (18) hours of training in philosophy, goals, and methods of their Agency Employee Performance Evaluation and Improvement System. Employees shall undergo an orientation program in their Agency's Performance Evaluation and Improvement System and Grievance Procedure. The Agency will be final authority in determining who is to be considered a "supervisor" for the purposes of its system.

1. Standards For Forms

20-1.101d (cont'd)

fact that he or she gave the subordinate a written record of the prescribed conferences as set forth in Section 20-1.101d3.

(d) All salary forms shall provide for the signatures of the evaluator and a reviewer who may be either the evaluator's supervisor or any member(s) of the agency so designated by the agency head.

2. Evaluation Periods And Schedule

(a) Evaluation shall be made and improvement goals set at least annually. If evaluations are made more than once a year because of different assignments, change in improvement goals, etc. the employee's annual evaluation shall be the proration of these evaluations.

(b) In cases of reassignments and transfers within the agency during the employee's annual evaluation period, the employee shall be evaluated by all of the immediate supervisors for the annual period and the final rating shall be determined by the proration of all evaluations.

(c) In cases of inter-agency transfers during the annual evaluation period, the employee will be evaluated by the former supervisor at the time of his or her transfer and a copy of the evaluation will be forwarded attached to the CS-22 form, to the employee's new agency. At the end of the annual evaluation period the current supervisor will evaluate the employee and the rating for the annual period will be determined by the proration of the evaluations.

(d) It is essential that unit and agency summaries of employees performance be completed on schedule. Salary checks of individual supervisors within the agency as identified by the agency's Personnel Office will be held or, if warranted, salary increases may be delayed by whole unit or agency depending upon circumstances until evaluations are made and improvement goals set.

(e) Performance improvement goals and actions, evaluations and summaries are to be completed in accordance with the schedule printed in the chart serving as a supplement to this Subpart.

20-1.101d (cont'd)

3. Employee Participation And Notification

(a) Each employee shall be notified of the rating determined for him or her and given an opportunity to participate in formulating performance standards and improvement goals for the next appropriate period as determined by the schedule supplementing this subpart.

(b) Each supervisor shall have a conference with the employee at least every six months to advise the individual of his or her progress during the respective rating period. However, where the performance of an employee is unsatisfactory the supervisor will confer with such employee at least once every three months and in doing such shall set forth the deficiencies noted during the respective evaluation period and accordingly the improvement goals required to achieve satisfactory or better performance.

A written record of the above prescribed conferences shall be made and a copy given to the employee.

(c) If mutual agreement on standards and improvement goals cannot be reached, the areas of disagreement may be submitted as a grievance by the aggrieved employee for consideration through the agency grievance procedure as provided in N.J.A.C. 4:1-23.2 and Subpart 23-2.101, Civil Service Personnel Manual (State Service).

(d) The employee and the supervisor should both have copies of the performance description and agreement on performance standards and improvement goals.

4. Appeals

(a) Employees may only appeal adverse actions (i.e., unsatisfactory rating) caused by the evaluation of their performance.

(b) An appeal from an adverse action resulting from the evaluation of employee's performance must be made within ten (10) working days of notification of the "unsatisfactory" rating. Appeals on adverse Performance Evaluations shall be ameliorated within the agency through its Grievance Procedure. Copies of the findings and actions taken on the grievance shall be presented in writing to the Agency Head, appellant and the Civil Service Department.

20-1.101d (cont'd)

(c) The Civil Service Commission will not hear appeals of employees on Employee Performance Evaluation Ratings. However, the Commission reserves the right granted to it in grievances by N.J.A.C. 4:1-23.6 " ... review, on its own motion cases which the Commission considers of such importance as to warrant hearing by it or designated members. In such cases the Commission's decision shall be final."

(d) If the rating is a primary or contributing factor in future adverse action (i.e., demotion, separation, etc.) the individual employee still retains all rights to formal hearings as provided by N.J.A.C. 4:1-5.1 through .15. Only the rating itself rather than the validity of the Supervisor's deliberation in arriving at the particular rating will be considered by the Commission when weighing a rating as a factor in appealable actions.

5. Salary Increases

(a) Employees who are eligible and whose performance is satisfactory shall receive a normal increment.

(b) Any employee who receives an "unsatisfactory" performance evaluation rating shall not receive an increment during the next annual evaluation period, except those employees whose performance improves to a level which warrants the granting of a normal merit increment shall be eligible to receive such increment subject to the conditions as set forth in Subpart 20-1.104 of the Civil Service Personnel Manual (State Service).

6. Retention of Records

Performance Certification and Salary Increase Recommendation forms (CS-85) must be retained along with performance evaluation records and data for a period of two (2) years; thereafter, only summary records need be maintained. Records may not be changed except through the appeal process.

7. Performance Evaluation may be used:

(a) As a method in determining eligibility and selection for incentive awards;

20-1.101d (cont'd)

(b) As a factor in determining order of layoff as provided for in N.J.A.C. 4:1-16.3;

(c) As a means of identifying employees in the classified service, who, by reason of their unsatisfactory service, should be demoted, removed or subject to other disciplinary action as provided in N.J.A.C. 4:1-16.9;

(d) As a factor in promotional tests as provided by N.J.A.C. 4:1-9.5; and

(e) As a selection device for eligibility and assignment for Training and Development Programs. Agencies are encouraged to utilize "outstanding" ratings as criteria in selecting employees for intern and exchange type programs provided the agency publicizes that such programs are available to personnel attaining such ratings and the classes of employment eligible.

20-1.101e Application:

The Employee Performance Evaluation and Improvement System covers all permanent, provisional, and temporary officers and employees in the State Classified Service whether full or part-time.

EMPLOYEE PERFORMANCE EVALUATION AND IMPROVEMENT SCHEDULE
 SUPPLEMENTING SUBPART 20-1.101
 ANNIVERSARY DATE METHOD

(Read from top to bottom)

JULY	OCTOBER	JANUARY	APRIL
<p>If the employee's anniversary date is July</p> <p>The period of evaluation is from May 1 through the following April 30</p> <p>The Evaluation must be made and Improvement Actions & Goals decided upon by the end of the second week in May</p> <p>The Certification of Performance Summary must be received by Civil Service on the last working day in May</p>	<p>If the employee's anniversary date is October</p> <p>The period of evaluation is from August 1 through the following July 31</p> <p>The Evaluation must be made and Improvement Actions & Goals decided upon by the end of the second week in August</p> <p>The Certification of Performance Summary must be received by Civil Service on the last working day in August</p>	<p>If the employee's anniversary date is January</p> <p>The period of evaluation is from November 1 through the following October 31</p> <p>The Evaluation must be made and Improvement Actions & Goals decided upon by the end of the second week in November</p> <p>The Certification of Performance Summary must be received by Civil Service on the last working day in November</p>	<p>If the employee's anniversary date is April</p> <p>The period of evaluation is from February 1 through the following January 31</p> <p>The Evaluation must be made and Improvement Actions & Goals decided upon by the end of the second week in February</p> <p>The Certification of Performance Summary must be received by Civil Service on the last working day in February</p>
<p>New Jersey Department of Civil Service</p>			<p>issued: 5/20/71</p>

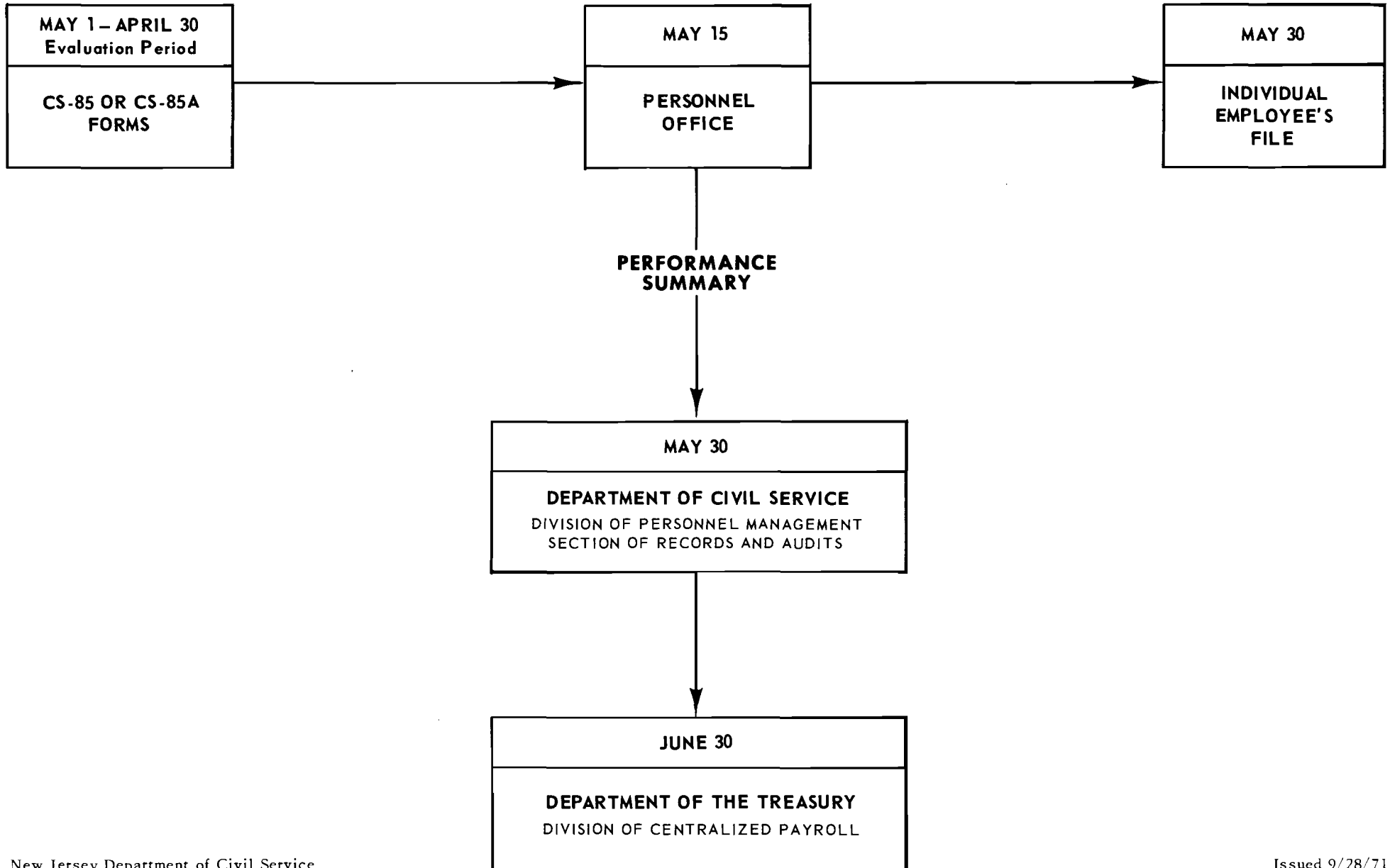
EMPLOYEE PERFORMANCE EVALUATION AND IMPROVEMENT SCHEDULE
SUPPLEMENTING SUBPART 20-1.101
ANNIVERSARY DATE METHOD

(Read from top to bottom)

SEPTEMBER	FEBRUARY
<p data-bbox="159 517 917 546">If the employee's anniversary date is September</p> <p data-bbox="159 712 798 773">The period of evaluation is from July 1 through the following June 30</p> <p data-bbox="159 938 863 1032">The Evaluation must be made and Improvement Actions and Goals decided upon by the end of the second week in July</p> <p data-bbox="159 1227 817 1321">The Certification of Performance Summary must be received by Civil Service on the last working day in July</p>	<p data-bbox="1055 517 1800 546">If the employee's anniversary date is February</p> <p data-bbox="1055 712 1761 773">The period of evaluation is from December 1 through the following November 30</p> <p data-bbox="1055 938 1764 1032">The Evaluation must be made and Improvement Actions and Goals decided upon by the end of the second week in December</p> <p data-bbox="1055 1227 1715 1321">The Certification of Performance Summary must be received by Civil Service on the last working day in December</p>

How to Process Increments Under EPEIS

Example: July 1 Anniversary Date



Subpart 20-1.102 Processing Of Increments Under The Employee Performance Evaluation and Improvement System (EPEIS)

20-1.102a Subject:

This subpart describes the regulations of the Department of Civil Service for processing of Performance Certification and Salary Increase Recommendations (Form CS-85 and CS-85A).

20-1.102b Procedure:

The granting and verification of salary increments under the Employee Performance Evaluation and Improvement System shall be accomplished by the following procedure:

1. For an employee in the classified service, the supervisor will have two weeks at the end of the employee's evaluation period to submit a completed CS-85 form to the Personnel Office in the Department. The supervisor of an employee in the unclassified service will submit 45 days before an employee's anniversary date a completed CS-85A form to the Personnel Office.
2. Within two weeks after receiving the CS-85 or CS-85A forms the Personnel Office will send these forms to their departmental files where they will become a part of the employee's permanent records.
3. Not later than the last working day of the month following the end of the employee's evaluation period, all State Personnel Offices will submit a Performance Summary to the Department of Civil Service, Division of Personnel Management, Payroll Auditing Section listing by payroll number, social security number and name:
 - a. All employees in the classified service who have been rated "unsatisfactory" and who thereby will be denied salary increments;
 - b. All employees in the unclassified service to whom the appointing authority does not want to grant a salary increase;
 - c. All supervisors who have failed to complete CS-85 and/or CS-85A forms for their employees within the prescribed period.
4. The Division of Personnel Management, Payroll Auditing Section will:

20-1.102b (cont'd)

- a. Delete all unsatisfactory personnel from the increment roster; and
 - b. Forward to the Chief Examiner and Secretary a listing of all supervisors who have failed to complete an annual performance certification and salary increase form (CS-85 and/or CS-85A) on each of their subordinates.
5. The Chief Examiner and Secretary will recommend to the President of the Civil Service Commission the necessary measures to be taken, including withholding payroll certification of these supervisors, to assure compliance with these regulations.

Subpart 20-1.103 EPEIS Program: Regulations For Determining Whether An Employee Is Step 8 Or Step 4 For Purposes Of Awarding Salary Range Increments

20-1.103a Subject:

This subpart contains the regulations of the Department of Civil Service for determining whether an employee, is Step 8 or Step 4, effective June 26, 1971.

20-1.103b Definitions:

1. Step 4 designation means that attainment of salary increments beyond Step 4 (mid-point) of the range requires an outstanding EPEIS rating. Employees originally hired on or after June 26, 1971, are designated Step 4. (See Subpart 20-1.101).

2. Step 8 designation means that salary increments in the assigned range are based on a satisfactory EPEIS rating. Employees originally hired before June 26, 1971, and continuously employed since that date are designated Step 8.

20-1.103c Regulations:

In most cases, whether an employee is Step 8 or Step 4 can be readily determined by the original date of appointment. Those employees with appointment dates before June 26, 1971, are Step 8; while those employees with appointment dates on or after June 26, 1971, are Step 4. Employees designated as Step 4 retain this designation regardless of the personnel action.

Some appointment situations present problems regarding the proper EPEIS Program designation of an employee. The following list, which supersedes all previous determinations, contains possible appointment situations and the corresponding EPEIS Program designation of an employee appointed under these conditions:

<u>SITUATION</u>	<u>AFTER 6/26/71:</u>	<u>EPEIS:</u>
RA Employee (Step 8) resigned, laid off, or involuntarily demoted.	Reappointed from regular or special reemployment list.	Step 8
RA or PA Employee (Step 8) resigned.	Reappointed from open competitive list (no break in service).	Step 8

20-1.103c (cont'd)

<u>SITUATION:</u>	<u>AFTER 6/26/71:</u>	<u>EPEIS:</u>
RA or PA Employee (Step 8) resigned.	Reappointed from open competitive list <u>with</u> a break in service.	Step 4
RA Employee (Step 8).	Promoted.	Step 8
RA Employee (Step 8).	Voluntarily Demoted.	Step 8
Federal, County, Municipal or other employee hired before June 26, 1971 and continuously employed until being deemed a State employee.	Designated a State employee by means of legislation, court case, "covering in", etc.	Step 8
Federal, County, Municipal or other employee hired on or after June 26, 1971.	Designated a State employee by means of legislation, court case, "covering in", etc.	Step 4

20-1.103d Procedure:

Appropriate steps should be taken to correct any employee designations made or personnel actions taken contrary to the above regulations.

Subpart 20-1.104 EPEIS Program: Granting Of Increments

20-1.104a Subject:

This subpart contains the regulations of the Department of Civil Service regarding the granting of increments to employees who have been rated unsatisfactory and subsequently have achieved a satisfactory level of performance in the following rating period. The regulations were effective as of July 1, 1974.

20-1.104b Regulations:

The Department of Civil Service will consider requests from appointing authorities to grant increments to employees who have received unsatisfactory ratings provided:

- a. The employee has achieved a sustained level of satisfactory performance in the subsequent rating period.
- b. The employee's supervisor certifies that the employee's current performance does meet the condition as prescribed in a. and accordingly such performance warrants the granting of the increment.
- c. The appointing authority requests and justifies granting of the increment through submission of a CS-21 to the Department of Civil Service indicating in Block #36: "Granting of Increment Pursuant to Subpart 20-1.104 of the Civil Service Personnel Manual (State Service)".

2. Requests for granting of increments may be forwarded to the Department of Civil Service forty-five (45) days or more after the effective date of the denial of an increment due to an unsatisfactory rating. The effective date of the granting of the increment shall be the next quarterly action date subsequent to the request subject to the limitation that the CS-21 requesting such must be submitted at least one week prior to the respective quarterly action date. No change shall be made in the employee's anniversary date.

3. Any granting of an increment request is subject to audit or post-audit by the Department of Civil Service.

20-1.104c Limitations:

The effective date of the granting of an increment pursuant to the provisions of this Subpart shall be limited to the three quarterly action dates falling subsequent to the forty-five (45) day limit cited above.

PART 20-5 EMPLOYEE DEVELOPMENT AND TRAINING

Subpart 20-5.101 General: Objectives, Responsibilities, Definitions
and Standards

20-5.101a General Definition and Application

1. Definition

Training in the continuous and systematic development among all levels of employees of that knowledge, and those skills and behaviors which contribute to their welfare, to that of the organization, and to the clients and citizens they serve.

2. Application

This Subpart applies to all employees, permanent and provisional, classified and unclassified, of the State of New Jersey, its departments, agencies and other organizational units.

20-5.101b Objective

The objective of this Subpart is to encourage the effective use by top management of staff development and training resources among all components of State Government as a means of:

1. Helping the agency to achieve its goals and objectives.
2. Enabling the individual employee to improve his/her performance through increased knowledge and the development of more productive skills, behavior patterns and attitudes.
3. Enhancing or improving the functional effectiveness of work groups and government units.
4. Identifying, assessing and resolving organizational problems.

20-5.101c Responsibilities--General

Staff development and training is a fundamental responsibility of all levels of management.

By statute the Department of Civil Service serves as a central training resource. Its role is to "encourage and assist appointing authorities to initiate and conduct employee development and training programs."

20-5.101c (cont'd)

Individual departments retain primary responsibility of training and development activity, particularly that which is unique to each department or requires a decentralized mode of delivery, such as counselling and on the job training. The development of internal training competence is encouraged in all departments. However, in recognition of the disparities that exist among departments in terms of size, needs and capabilities, training designated as a department responsibility may be conducted, upon request by the Department of Civil Service.

Example: While supervisory/management training is designated as a department responsibility, agencies may request the Department of Civil Service to conduct supervisory training. Larger departments on the other hand, may have the capability and interest in organizing and conducting their management development systems.

20-5.101d Responsibilities--Specific

1. The Department of Civil Service: As the central State training agency, the Department of Civil Service with the departments will:
 - a. develop minimum training standards;
 - b. encourage inter-governmental cooperation;
 - c. sponsor inter-agency programs;
 - d. conduct programs for small departments that lack training capabilities;
 - e. develop career ladders;
 - f. serve as a clearinghouse, and exchange center;
 - g. develop training materials;
 - h. provide advisory services--advise agencies on the most effective training methods and techniques;
 - i. establish a uniform reporting and recordkeeping system;
 - j. assist in developing evaluation guidelines;
 - k. establish criteria for granting educational leave, tuition assistance, etc.;

20-5.101d (cont'd)

1. review and evaluate staff training requests (CS-94) submitted per regulation 20-5.101f;
- m. provide advice concerning departmental budgets;
- n. prepare an annual summary of all staff training conducted in the State service;
- o. provide professional and clerical support service to the State Employee Development and Training Council.
- p. publish and distribute a catalog of the training programs offered by the Department of Civil Service.
2. Departments and Agencies: Each Department and Agency will be responsible for:
 - a. determining its training needs and priorities;
 - b. program design and development;
 - c. program planning and scheduling;
 - d. program evaluation;
 - e. providing supportive services;
 - f. preparing budgets;
 - g. career counselling;
 - h. conducting training in the following areas:
 - (1)-Management and supervisory
 - (2)-Professional/Technical
 - (3)-Office skills
 - (4)-Orientation
 - (5)-Special Program
 - (6)-Employee Performance Evaluation and Improvement System

20-5.101e Definitions

1. In-service is that training which is conducted by State government agencies primarily for their employees.

20-5.101e (cont'd)

2. Out-service is that training which is initiated and/or conducted by agencies other than State government agencies and which include:
 - a. Any course for credit in an educational institution, and,
 - b. Any non-credit program, workshop, seminar, conference, or the like.
3. Management/Supervisory training is that training especially designed to improve the effectiveness of those employees whose responsibilities include the direction of the work of other employees.
4. Professional/Technical training is that training especially designed to improve the employee's skills on his/her job, or in preparation for future assignments. Data-processing is an example of training in professional/technical skills.
5. Office Skills is that part of Professional/Technical training which is designed to improve skills of clerical employees.
6. Orientation is that training designed to acquaint new employees with their positions and work environment, agency policies and procedures.
7. Supportive Services is that equipment, materials, supplies, audio-visual aids, etc. required to carry on in-service training programs.
8. Special Programs are those programs of training and development which cannot be defined readily in any of the areas specified above, such as Affirmative Action, Career Development, Job Enrichment, conferences, special workshops, etc.
9. Tuition Aid means a program of tuition reimbursement or assistance for employees who attend established educational institutions of their own choosing and primarily on their own time within the limitation of these regulations and the funds available for such programs. Reimbursement is made to the employee only after satisfactory completion of course(s).

20-5.101e (cont'd)

10. Educational Leave is an absence, full or part-time, with or without pay, from normal hours of work authorized by the Department of Civil Service and granted to an employee for the express purpose of participating in an extended educational program offered by an accredited institution of higher learning, vocational or technical school.

20-5.101f General Regulations and Standards

1. Departments and agencies are encouraged and authorized to:
 - a. Conduct education, training and upward mobility programs directed toward continually improving service to the public through the development and retention of skilled and effective employees.
 - b. Enter into agreements and contracts necessary to provide such training within the limits of these regulations.
 - c. Pay in whole or in part tuition and/or other costs attendant to out-service education as defined in 20-5.101e, and in accordance with the procedures defined in 20-5.112, and to establish uniform guidelines for selection, application, control and reimbursement.
 - d. Grant educational leave, as defined above, with the approval of the Department of Civil Service to any permanent employee to pursue education or training designed to improve the employee's competence in the position he/she occupies or in a position for which he/she is being prepared. Such education or training must be of direct value to the State sending agency and limited to providing knowledge or skills which cannot be provided through available in-service training.
2. Departments and agencies are required to:
 - a. Obtain approval from the Department of Civil Service for any training program which involves the direct expenditure of funds.
 - b. Submit a summary of training activities to the Chief, Training Section, Department of Civil Service, by September 15, following the close of the fiscal year in which such activities took place. This summary must contain all of the information prescribed on form CS-152.

20-5.101f (cont'd)

- c. Develop and maintain a written record of the education, training and upward mobility programs in which each employee takes part, and record such information in the individual personnel file for each employee at least annually.
 - d. Designate its training officer, as its primary representative, and such other alternate representatives as deemed necessary to provide advice and counsel to the Department of Civil Service through the State Employee Development and Training Council.
 - e. Complete a department-wide or agency survey in order to determine department or agency training needs at least once each year.
 - f. Complete an evaluation of all programs of education and training in which department or agency employees take part through written questionnaires, oral interviews, testing, and/or other appropriate means.
 - g. Develop a department or agency plan for Career Development, the objectives of which will be to provide education and training designed to meet assessed needs and to prepare employees for advancement to higher level positions.
3. Direct training in specified areas should be provided by departments and agencies in accordance with the following minimum standards:
- a. Employee Performance Evaluation and Improvement

No less than six hours of formal training in the operation of the State Employee Performance Evaluation and Improvement System, to all employees charged with the responsibility of evaluating the work of other employees.
 - b. Retirement Planning

No less than eight class hours of formal training designed to assist employees in making constructive plans for retirement (as defined in Civil Service Subpart 16-16.101).

20-5.101f (cont'd)

4. Departments and agencies are further authorized and encouraged to provide direct training for employees in the following areas and in accordance with the standards specified:

a. Supervision and Management

No less than twenty-four (24) hours of formal training in the fundamentals of supervision and management for each employee charged with the responsibility of supervising the work of other employees.

b. Affirmative Action

No less than eight class hours of formal training for supervisors (as defined in 20-5.101e 3) designed to ensure effective compliance with and implementation of the requirements of Equal Employment Opportunity Act and State Department Affirmative Action Plans.

c. Orientation

No less than three class hours of formal orientation (as defined in 101e 6) for all newly appointed employees within two months of appointment.

d. Employee Relations

1. No less than six hours of formal training designed to enable the supervisor or manager to function effectively in handling employee complaints and grievances.
2. No less than two class hours of formal training in the requirements of each employee agreement for supervisors of employees who are members of the unit to which the agreement applies within one month after the promulgation of each agreement.

PART 20-5 EMPLOYEE TRAINING PROGRAMS

Subpart 20-5.101 Staff Development and Training

20-5.101a Subject:

Staff development and training is a fundamental responsibility of all levels of management. Although by statute the Department of Civil Service is charged with the responsibility for - "devising, installing and administering training courses" - and the Budget Bureau, Department of the Treasury, is charged with the responsibility of reviewing all expenditure of funds, cooperation among the various line and staff units is essential to the success of any staff development and training court.

The purpose of these regulations is to encourage and assist all units of the State service in the initiation and conduct of staff development and training programs and to establish procedures whereby all such programs may be coordinated in order to achieve the highest quality training at the lowest cost.

20-5.101b Definitions:

1. Staff Training means the planned development of employee knowledge, skill and/or attitude.
2. In-Service Training means staff training conducted in a State facility.
3. State Facility means any property owned or substantially controlled by the State and the services of any employee of the State.
4. Out-Service Training means staff training conducted in a non-State facility.
5. Non-State Facility means any property which is not owned or controlled by the State and the services of any personnel other than an employee.
6. Management means staff training in the field of administration or management or employees at the organizational level of bureau chief or above.
7. Supervision means staff training in the field of management or supervision of employees below the organizational level of bureau chief who supervises the work of other employees.
8. Professional or Technical means staff training at the college level or its equivalent or employees whose job specification requires a college degree.

20-5.101b (cont'd)

9. Trade means staff training in the skilled or semi-skilled trades or employees in the skilled or semi-skilled trades.
10. Clerical means staff training in clerical skills or employees who perform clerical duties.
11. Tuition-Aid means a program of tuition reimbursement for employees who attend established educational institutions of their own choosing and on their own time within the limitation of these regulations and the funds expended for such programs.

20-5.101c Regulations:

1. Appointing authorities are authorized and encouraged to conduct any in-service training designed to lead to improved public service and the building and retention of a permanent cadre of skilled and efficient employees.
2. Subject to the availability of funds, appointing authorities are authorized to pay, in whole or in part, the tuition, per diem and other expenses for approved out-service training designed to lead to improved public service and the building and retention of a permanent cadre of skilled and efficient employees, provided such training shall be:
 - a. of direct value to the State,
 - b. relevant to the trainee's duties,
 - c. limited to providing knowledge and skills which cannot be provided through available in-service training.
3. No out-service training is authorized for:
 - a. temporary employees or
 - b. for the primary purpose of providing employees with an opportunity to obtain an undergraduate academic degree.
4. Any staff training which involves the direct expenditure of funds must be approved by the Department of Civil Service per Budget Regulations. Requests for approval of staff training shall be submitted to the Department of Civil Service on form CS-94 in triplicate at least four weeks prior to the date of the training. Each request shall be accompanied by a memorandum of transmittal which will include:
 - a. the criteria used in selecting the person(s) to receive the training and,
 - b. a statement to justify the particular training requested as compared to any less costly type of training.

20-5.101c (cont'd)

5. Each department or agency conducting or participating in any staff training program shall submit a consolidated annual summary of staff training to the Department of Civil Service on form CS-152 by August 15, to cover the preceding fiscal year.
6. Each department shall establish or make available a formal training program in supervision to be successfully completed by all employees appointed to supervisory positions within one year of their date of appointment. The program shall consist of a minimum of 20 classroom hours of instruction and shall include training in the supervisor's responsibility to plan, organize, motivate and control; and in communications, interpersonal relations, civil rights, safety, Civil Service Rules and Regulations and budget and purchase procedures.
7. As a condition of tuition aid, an employee who receives it will be expected to remain in the employ of his department for one month for each month he received tuition-aid to a maximum of two years or shall reimburse the department on the same basis. However, if termination of employment is based upon such compelling circumstances as may be deemed satisfactory cause by the appointing authority, recovery of such costs or part of such costs may be waived.

20-5.101d Department of Civil Service:

The Training Section of the Department of Civil Service shall:

1. Advise and assist all units of the State service on matters pertaining to staff development and training,
2. Conduct or coordinate interdepartment staff training programs,
3. Review and evaluate Staff Training Requests (CS-94) submitted per regulation 20-5.101c4 above,
4. Prepare an annual summary of all staff training conducted in the State service per regulation 20-5.101c5 above for inclusion in the Department of Civil Service Annual Report to the Governor,
5. Furnish necessary clerical services to the State Employee Development and Training Council, and
6. Make recommendations to the President of the Civil Service Commission for the improvement of staff development and training in the State service.

20-5.101e Tuition-Aid Program:

All departments are encouraged to establish uniform programs for tuition-aid for their employees (See 20-5.101b11 and 20-5.101c2,3 and 7). Such programs can be of direct benefit to the State service through improved performances and also in recruiting and retaining superior employees.

Subpart 20-5.102 State Employee Development and Training Council

20-5.102a Subject:

Career development and training of State employees is an integral part of the management of the State of New Jersey. It is essential that the quality of employee development and training be improved and extended to all units.

20-5.102b Purpose:

For this purpose, there has been established a State Employee Development and Training Council which shall be an advisory group that shall consist of representatives of each Executive Department and its Miscellaneous Executive Commissions. It may also include representatives of the Judicial and Legislative Branches and its Miscellaneous Legislative Commissions.

20-5.102c Operation:

The Council shall act as a consultative and advisory body and through its recommendations to the Department of Civil Service shall:

1. Promote in all units of State Government the growth and use of employee development and training as a major system for management to more effectively achieve its organizational goals and objectives.
2. Assist all units of State government in the research, planning, development, implementation, and evaluation of employee development and training programs.
3. By its research and recommendations continuously strive for improvement in employee development and training administration and practices.

The Council shall elect officers from its membership and an employee of the Department of Civil Service shall be designated to act as its Executive Secretary. The Department of Civil Service will provide clerical services for the Council. The Council may establish any necessary standing and Ad Hoc Committees.

Each Department Head shall designate a representative to the Council and send the name of the designee to the Department of Civil Service. The representative should be a professional or management level employee with a knowledge of career development, training and/or personnel administration. If any unit wishes to designate more than one representative it may do so, however, in case of a vote each unit shall have one vote.

Subpart 20-5.103 Program for the Utilization of Trainee Titles

20-5.103a Purpose:

This subpart will govern the Trainee program used in establishing entrance level positions in the skilled or professional series of class titles in the State Classification plan.

20-5.103b Establishment of Class Titles:

A Trainee position will be established by the temporary downward reclassification of a permanent "journeyman" level position.

Trainee positions will be filled by permanent appointments from open-competitive lists, or in the absence of such lists, by provisional appointments subject to open-competitive examinations.

20-5.103c Training Period:

The length of the training period will be designated in the specifications for the particular Trainee title. The training period must be continuous, except if interrupted by military leave, and may include both temporary and permanent service. The permanent service may not be less than the required working test period (4 or 6 months).

20-5.103d Advancement:

The advancement of the successful Trainee to the next higher title will be accomplished by the upward reclassification of the Trainee position and the promotion of the employee without the usual promotional examination process.

The inability of an employee in a Trainee title to attain a level of performance warranting advancement to the next higher title shall be considered as cause for separation.

Employees advanced from a Trainee title to the next higher permanent title will receive the promotional increase provided in the salary regulations (see Subpart 7-3.102) or the minimum rate for the journeyman title, whichever is greater. In those cases where the six (6) month Trainee rate is in a higher grade level than the grade level of the journeyman title to which it promotes, the employee will be advanced in salary to the next higher rate or the authorized hiring rate of the journeyman title, whichever is higher.

20-5.103e Procedures:

The appointment of a Trainee and the temporary downward reclassification of a journeyman position will be accomplished by submitting one (1) CS21 completed in accordance with the Payroll Manual Instructions for the appointment of a new employee, in Box #20, A or B and G will be checked. There will be no need for a CS44.

20-5.103e (cont'd)

The advancement of a Trainee to the next higher permanent journeyman title will be accomplished by returning the Trainee position to its original classification and by concurrent promotion of the Trainee. However, the promotion to journeyman level shall not take effect at a date other than the beginning of a pay period, and may be made only upon full completion of the specified training period as a Trainee with the required period of permanent status. The advancement will be accomplished by submitting one (1) CS21 completed in accordance with the Payroll Manual Instructions for a promotion. Boxes #28 and #30 will be checked (a CS44 is not required). In Box #36 the appointing authority will certify to the satisfactory performance of the Trainee and that he is able to perform on the journeyman level. The appointing authority will also certify, for those journeyman titles requiring extra training courses over the Trainee title requirements, that the Trainee has successfully completed these requirements. In the journeyman titles that require formalized training to attain a standard of proficiency in certain skills, a statement of the Trainee's proficiency will accompany the CS21. The basis for this statement will be a certificate of the Trainee's proficiency filed by the training agency with the appointing authority. The employee's Anniversary Date will be determined by the date of his appointment to the journeyman title, using the promotional cut off date.

NOTE: Appointments to vacant journeyman level positions still may be made at that level from open-competitive lists of eligibles or by provisional appointments subject to open-competitive examination, providing candidates are qualified.

20-5.103f College Level Trainees:

Employees serving in college level Trainee titles will be eligible to receive an increase in salary after a total of six months satisfactory service. The college level Trainee titles will be designated in the State Compensation Plan by the word "Trainee" in the title, range code N95, and two rates opposite the title: (1) the hiring rate, and (2) the six month rate.

After the Trainee completes a total of six months of satisfactory service, the appointing authority will submit a CS21 to the Department of Civil Service for the six months increase in salary. The CS21 will be completed in accordance with the Payroll Manual for a Salary Change. In Block #36 of the CS21, the appointing authority must certify that the "Trainee's performance and development have been satisfactory" to support the six month rate for the Trainee. The CS21 must be submitted in time to be effective on the first bi-weekly pay period after the Trainee has completed six months of satisfactory service.

20-5.103g Exceptions For Non-Professional Trainee Titles:

For employees serving in non-professional trainee titles the required training period may be waived under the following conditions:

- (1). the trainee has permanent status for at least four months; and

(2). the trainee has acquired the necessary qualifications for promotion to the journeyman level and has been recommended for promotion by his supervisor; or

(3). the trainee has acquired the necessary journeyman level skills through a combination of formal and on-the-job training and has been certified by the training agent.

SUPERSEDED

Subpart 20-5.103 Program for the Utilization of Trainee Titles

20-5.103a Purpose:

This subpart will govern the Trainee program used in establishing entrance level positions in the skilled or professional series of class titles in the State Classification plan.

20-5.103b Establishment of Class Titles:

A Trainee position will be established by the temporary downward reclassification of a permanent "journeyman" level position.

Trainee positions will be filled by permanent appointments from open-competitive lists, or in the absence of such lists, by provisional appointments subject to open-competitive examinations.

20-5.103c Training Period:

The length of the training period will be designated in the specifications for the particular Trainee title. The training period must be continuous, except if interrupted by military leave, and may include both temporary and permanent service. The permanent service may not be less than the required working test period (4 or 6 months).

20-5.103d Advancement:

The advancement of the successful Trainee to the next higher title will be accomplished by the upward reclassification of the Trainee position and the promotion of the employee without the usual promotional examination process.

The inability of an employee in a Trainee title to attain a level of performance warranting advancement to the next higher title shall be considered as cause for separation.

Employees advanced from a Trainee title to the next higher permanent title will receive the promotional increase provided in the salary regulations (see Subpart 7-3.102) or the minimum rate for the journeyman title, whichever is greater.

20-5.103e Procedures:

The appointment of a Trainee and the temporary downward reclassification of a journeyman position will be accomplished by submitting one (1) CS21 completed in accordance with the Payroll Manual Instructions for the appointment of a new employee, in Box #20, A or B and G will be checked. There will be no need for a CS44.

The advancement of a Trainee to the next higher permanent journeyman title will be accomplished by returning the Trainee position to its original classification and by concurrent promotion of the Trainee. However, the promotion to journeyman level shall not take effect at a date other than the beginning of a pay period, or the first work day of a pay period, and may be made only upon full completion of the specified training period as a Trainee with the required period of permanent status. The advancement will be

SUPERSEDED

20-5.103e (cont'd)

accomplished by submitting one (1) CS21 completed in accordance with the Payroll Manual Instructions for a promotion. In box #20 B, C, and G will be checked (a CS44 is not required), in Box 34 the appointing authority will certify to the satisfactory performance of the Trainee and that he is able to perform on the journeyman level. The appointing authority will also certify for those journeyman titles requiring extra training courses over the Trainee title requirements that the Trainee has successfully completed these requirements. In the journeyman titles that require formalized training to attain a standard of proficiency in certain skills, a statement of the Trainee's proficiency will accompany the CS21. The basis for this statement will be a certificate of the Trainee's proficiency filed by the training agency with the appointing authority. The employee's Anniversary Date will be determined by the date of his appointment to the journeyman title.

NOTE: Appointments to vacant journeyman level positions still may be made at that level from open-competitive lists of eligibles or by provisional appointments subject to open-competitive examination, providing candidates are qualified.

20-5.103f College Level Trainees:

Employees serving in college level Trainee titles will be eligible to receive an increase in salary after a total of six months satisfactory service. The college level Trainee titles will be designated in the State Compensation Plan by the word "Trainee" in the title, range code N95, and two rates opposite the title: (1) the hiring rate, and (2) the six month rate.

After the Trainee completes a total of six months service the appointing authority will submit a CS21 to the Department of Civil Service for the six months increase in salary. The CS21 will be completed in accordance with the Payroll Manual for a Salary Change. In block 34 of the CS21 the appointing authority must certify that the "Trainee's performance and development has been satisfactory" to support the six month rate for the Trainee. The CS21 must be submitted in time to be effective on the first bi-weekly pay period after the Trainee has completed six months of service.

20-5.103g Exceptions For Non-Professional Trainee Titles:

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- (1). the trainee has permanent status for at least four months; and
- (2). the trainee has acquired the necessary qualifications for promotion to the journeyman level and has been recommended for promotion by his supervisor; or
- (3). the trainee has acquired the necessary journeyman level skills through a combination of formal and on-the-job training and has been certified by the training agent.

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NOTICE

As approved by the Civil Service Commission at its November 18, 1975 meeting, Appendix A of Subpart 20-5.103 (State Service) is rescinded. Listings of trainee and related journeyman titles are issued in accordance with reissued section "h" of Subpart 20-5.103h, attached.

Attachment

20-5.103h List of Trainee Titles and Related Journeyman Titles:

The list of trainee titles and related journeyman titles covered by this subpart are issued by the Division of Classification and Compensation, Department of Civil Service. Copies can be obtained on request from the Division of Classification and Compensation.

SUPERSEDED

20-5.103h List of Trainee Titles and Related Journeyman Titles:

The list of Trainee titles and related journeyman titles which are governed by this subpart is distributed separately as Appendix A to this manual. Extra copies can be obtained from the Department of Civil Service on request.

All of the following
pages thru ()
20-5.104(12/8/72)
are rescinded.

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APPENDIX A

LIST OF TRAINEE TITLES SUPPLEMENTING SUBPART 20-5.103

"Program for the Utilization of Trainee Titles"

The following list contains the trainee titles and related journeyman titles referred to in Subpart 20-5.103g. Class specifications for the trainee titles issued by the Division of Classification and Compensation indicate the training period. This list will be amended and supplemented as necessary.

Note: This subpart applies to all variants of the listed basic titles.

COLLEGE LEVEL TRAINEES

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	55230	Actuarial Assistant Trainee	A18	55232	Actuarial Assistant 3
N95	55300	Analyst Trainee	A18	50532	Fiscal Analyst
			A18	55302	Operations Analyst
			A18	54242	Procedures Analyst
			A19	13282	Transportation Analyst
N95	17690	Architect Trainee	A19	17692	Assistant Architect
N95	50960	Auditor Accountant Trainee	A18	50452	Accountant 3
			A18	50962	Auditor 3
			A18	54862	Bank Examiner
			A18	94712	Examiner Consumer Credit
			A18	55082	Insurance Examiner 3
			A19	55392	Municipal Finance Auditor 3
			A18	54882	Savings and Loan Examiner
N95	02250	Bacteriologist Trainee	A18	02252	Bacteriologist
N95	01750	Biologist Trainee	A18	01752	Assistant Biologist

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	50090	Budget Analyst Trainee	A18	50092	Budget Analyst 3
N95	52660	Buyer Trainee	A18	52662	Assistant Buyer
N95	16270	Chemical Engineer Trainee	A19	10262	Asst. Engineer, Data Processing
			A19	13092	Asst. Engineer, Materials
			A18	16302	Asst. Environmental Engineer
			A19	16312	Asst. Environmental Engineer
N95	01550	Chemist Trainee	A18	01552	Chemist
N95	14090	Civil Engineer Trainee	A19	14092	Asst. Engineer, Civil
			A19	10262	Asst. Engineer, Data Processing
			A19	16082	Asst. Engineer, Hydrographic
			A19	13092	Asst. Engineer, Materials
			A19	16892	Asst. Engineer, Mechanical
			A19	12692	Asst. Engineer, Planning
			A19	11282	Asst. Engineer, Traffic
			A19	10272	Asst. Engineer, Transportation
			A19	14892	Asst. Engineer, Utilities
			A18	16302	Asst. Environmental Engineer
			A19	16312	Asst. Environmental Engineer
N95	64951	Claims Adjudicator Trainee, Disability Determinations	A17	64952	Claims Adjudicator 3, Disability Determinations
N95	16301	Clean Air Intern	A18	16302	Asst. Environmental Engineer
			A19	16312	Asst. Environmental Engineer
			A18	15852B	Environmental Specialist
			A19	12522	Environmental Specialist
N95	64170	Community Service Trainee	A18	64172	Community Service Officer 3
			A18	64482	Program Development Specialist

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	53350	Data Processing Programmer Trainee	A18	53262	Data Processing Programmer 3
N95	44780	Dietitian Trainee	A18	44782	Senior Dietitian
N95	16690	Electrical Engineer Trainee	A19	10262	Asst. Engineer, Data Processing
			A19	16692	Asst. Engineer, Electrical
			A19	16892	Asst. Engineer, Mechanical
			A19	10272	Asst. Engineer, Transportation
			A19	14892	Asst. Engineer, Utilities
			A18	16302	Asst. Environmental Engineer
			A19	16312	Asst. Environmental Engineer
N95	64760	Employment Counselor Trainee	A18	64762	Employment Counselor
N95	64790	Employment Services Trainee	A15	56092	Claims Examiner
			A15	56122	Claims Reviewer
			A15	65072	Examiner, Disability Insurance
			A15	70131	Examiner, Education Credentials
			A15	56192	Examiner, Unemployment Tax
			A16	55982B	Field Representative, Wage and Hour Bureau
			A15	64751	Interviewer
			A16	65052	Investigator, Disability Ins.
			A17	56082	Unemployment Claims Investigator
N95	02470	Entomologist Trainee	A19	02473	Entomologist 2
N95	15850	Environmental Specialist Trainee	A18	15852B	Environmental Specialist
			A19	12522	Environmental Specialist
N95	51480	Examiner Inheritance Tax Trainee	A18	51482	Examiner 3 Inheritance Tax
N95	02650	Forester Trainee	A18	02652	Assistant Forester
N95	03050	Geologist Trainee	A18	03052	Assistant Geologist
N95	62850	Health Representative Trainee	A16	62852	Field Representative Health

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	17090	Industrial Engineer Trainee	A19	17092	Assistant Engineer, Industrial
N95	16280	Industrial Hygienist Trainee	A18	16282	Industrial Hygienist
N95	61380	Instructor Counselor Trainee	A17	61382	Instructor Counselor
N95	52480	Investment Analyst Trainee	A18	52482	Investment Analyst 3
N95	54140	Labor Market Analyst Trainee	A18	54142	Labor Market Analyst
N95	10690	Landscape Architect Trainee	A19	10692	Asst. Landscape Architect
N95	56490	Management Trainee	A18	56492	Management Assistant
N95	16890	Mechanical Engineer Trainee	A19	14092	Asst. Engineer, Civil
			A19	10262	Asst. Engineer, Data Processin
			A19	16692	Asst. Engineer, Electrical
			A19	13092	Asst. Engineer, Materials
			A19	16892	Asst. Engineer, Mechanical
			A19	11282	Asst. Engineer, Traffic
			A19	10272	Asst. Engineer, Transportation
			A18	16302	Asst. Environmental Engineer
			A19	16312	Asst. Environmental Engineer
N95	03670	Occupational Therapist Trainee	A18	03672	Senior Occupational Therapist
N95	61770	Parole Officer Trainee	A17	61772	Parole Officer
N95	53650	Pensions Counselor Trainee	A18	53652	Pensions Counselor 3
N95	63250	Personnel Trainee	A18	63252	Personnel Assistant
			A18	63262	Personnel Technician

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	16470	Planner Trainee	A18	16472	Assistant Planner
			A19	12492	Planner Transportation
			A19	12282	Research Asst., Transportation
N95	50110	Program Analyst Trainee, Bureau of the Budget	A18	50111	Program Analyst 4, Bureau of the Budget
N95	54450	Public Information Trainee	A18	54452	Public Information Assistant
N95	63915	Public Service Trainee, 1	A19	17692	Assistant Architect
			A19	14092	Asst. Engineer, Civil
			A19	10262	Asst. Engineer, Data Processing
			A19	16692	Asst. Engineer, Electrical
			A19	16082	Asst. Engineer, Hydrographic
			A19	17092	Asst. Engineer, Industrial
			A19	13092	Asst. Engineer, Materials
			A19	16892	Asst. Engineer, Mechanical
			A19	12692	Asst. Engineer, Planning
			A19	11282	Asst. Engineer, Traffic
			A19	10272	Asst. Engineer, Transportation
			A19	14892	Asst. Engineer, Utilities
			A19	16312	Asst. Environmental Engineer
			A18	16302	Asst. Environmental Engineer
			A19	10692	Asst. Landscape Architect
N95	63914	Public Service Trainee 2	A18	50452	Accountant 3
			A18	55232	Actuarial Assistant 3
			A18	01752	Assistant Biologist
			A18	02652	Assistant Forester
			A18	03052	Assistant Geologist
			A19	03042	Asst. Geologist, Transportation
			A18	50452	Auditor, 3
			A18	02252	Bacteriologist
			A18	54862	Bank Examiner
			A18	50092	Budget Analyst, 3

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<u>Range</u>	<u>Title</u>	<u>Code</u>	<u>Trainee</u>	<u>Title</u>	<u>Range</u>	<u>Title</u>	<u>Code</u>	<u>Journeyman</u>	<u>Title</u>
					A16		62852		Field Rep., Health
					A16		51682		Field Rep. Local Property Tax
					A18		50532		Fiscal Analyst
					A17		61382		Instructor - Counselor
					A15		64751		Interviewer
					A17		33452		Investigator, Office of the Public Defender
					A18		52482		Investment Analyst, 3
					A16		63614		Manpower Training Advisor 3
					A17		61772		Parole Officer
					A18		53652		Pensions Counselor 3
					A18		63252		Personnel Assistant
					A18		63262		Personnel Technician
					A19		12492		Planner, Transportation
					A18		54242		Procedures Analyst
					A18		64482		Program Development Specialist 3
					A18		54452		Public Information Asst.
					A19		12282		Research Asst., Transportation
					A18		52502		Securities Market Trader 3
					A16		60052		Social Worker 2
					A18		04183		Supervisor of Boys, School for the Deaf
					A21		03553		Supervisor of Recreation
					A18		63562		Training Technician
					A18		62552		Vocational Counselor Commission for the Blind and Visually Impaired
N95	18090		Radiation Physicist Trainee		A18	18092			Radiation Physicist 4
N95	55270		Rate Analyst Trainee		A18	55272			Rate Analyst 3, Insurance

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	03550	Recreation Trainee	A18	04183	Supervisor of Boys, School for the Deaf
			A21	03553	Supervisor of Recreation
N95	65270	Rehabilitation Counselor Trainee	A18	65272	Rehabilitation Counselor
N95	03150	Sanitarian Trainee	A18	03152	Sanitarian
N95	52501	Securities Market Trader Trainee	A18	52502	Securities Market Trader 3
N95	02350	Serologist Trainee	A18	02352	Serologist
N95	64741	Social Resources Development Trainee	A17	64952	Claims Adjudicator, 3 Disability Determinations
			A15	56092	Claims Examiner
			A15	56122	Claims Reviewer
			A15	65072	Examiner, Disability Insurance
			A15	56192	Examiner, Unemployment Tax
			A16	55982B	Field Rep., Wage & Hour Bureau
			A15	64751	Interviewer
			A16	65052	Investigator, Disability Ins.
			A16	63614	Manpower Training Advisor 3
			A17	56082	Unemployment Claims Investigat
N95	60050	Social Worker Trainee	A16	60052	Social Worker 2
			A18	60053	Social Worker 1 (If incumbent possesses a Master's degree in Social Work)
N95	03650	Speech Therapist Trainee	A18	03652	Speech Therapist 2
N95	51342	Special Agent Trainee	A18	51343	Special Agent 3
N95	54080	Statistician Trainee	A18	54082	Statistician

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	51400	Tax Representative Trainee	A16	51682	Field Rep., Local Property Tax
N95	51412	Taxation Analyst Trainee	A18	51402	Tax Analyst 3
N95	11221	Traffic Control Analyst Trainee	A19	11223	Traffic Control Analyst
N95	63560	Training Technician Trainee	A18	63562	Training Technician
N95	02150	Virologist Trainee	A18	02152	Virologist
N95	62550	Vocational Counselor Trainee, Commission for the Blind and Visually Impaired	A18	62552	Vocational Counselor, Commission for the Blind and Visually Impaired

ADDITIONAL TRAINEE TITLES OTHER THAN PROFESSIONAL

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N99	02410	Asst. Inspector Trainee Agriculture	A09	02411	Asst. Inspector Agriculture
N95	17240	Asst. Safety Inspector Trainee (2 year training period)	A12	17241	Asst. Safety Inspector
N99	20040	Clerical Trainee	A07	74762	Audio-Visual Technician
			A03	20042	Clerk
			A06	20142	Clerk Driver
			A06	23821	Clerk Stenographer A
			A06	23332	Clerk Transcriber
			A05	23232	Clerk Typist
			A03	20432	Mail Clerk
			A05	22232	Office Appliance Operator
			A07	20422	Postal Clerk
			A05	40032	Stock Clerk
			A07	40021	Stores Clerk
			A04	20642	Vault Clerk
N99	21801	Communications Operator Trainee	A15	21802	Communications Operator
N99	04140	Cottage Training Technician Trainee	A12	04143	Cottage Training Technician
N99	53291	Data Entry Machine Operator Trainee	A05	53292	Data Entry Machine Operator
N99	60931	Day Care Center Worker Trainee, Youth and Family Services	A06	60932	Day Care Center Worker Youth and Family Services
N99	14040	Engineering Aide Trainee	A09	10841	Asst. Highway Inspector
			A09	14042	Engineering Aide 2
			A09	13032	Engineering Aide 2, Materials
N99	62840	Health Aide Trainee	A07	62843	Health Aide

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N99	55481	Inspector Aide Trainee, Multiple Dwellings	A10	55482	Inspector Aide, Multiple Dwellings
N95	00841	Inspector Trainee Meat and Poultry	A16	00843	Inspector 1, Meat and Poultry
N99	01921	Laboratory Technician Trainee	A12	01922	Laboratory Technician
N99	22530	Offset Machine Trainee	A07	22532	Offset Machine Operator
N99	40420	Operating Engineer Trainee	A13	40422	Operating Engineer 2
N95	63230	Personnel Aide Trainee (2 year training period)	A13	63232	Personnel Aide
N95	16430	Planning Aide Trainee (2 year training period)	A13	16432	Planning Aide
N99	41240	Repairer Trainee	A11	41242	Repairer
N99	64830	Services Aide Trainee Labor and Industry	A09	64833	Services Aide Labor and Industry
N99	62130	Social Service Aide Trainee	A04	62132	Social Service Aide
N99	63912	Technician Trainee	A13	50451	Accounting Assistant
			A13	63871	Asst. Field Rep., Public Service Careers
			A13	55981	Asst. Field Rep., Wage and Hour Bureau
			A12	56072	Benefits Determination Aide

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
			A12	64942	Claims Adjudicator Aide
			A13	64844	Community Employment Service Worker
			A12	56551	Damage Claims Evaluator
			A13	60923	Day Care Counselor Assistant
			A14	14043	Engineering Aide 1
			A14	13033	Engineering Aide 1, Materials
			A12	63061	Inspector, Migrant Labor
			A12	52702	Inspector, Purchase and Property
			A13	61844	Parole Aide
			A12	63232	Personnel Aide
			A13	16432	Planning Aide
			A13	65340	Rehabilitation Aide
			A13	54093	Research Technician
			A13	57122	Right of Way Investigator
			A14	63613	Training Assistant
			A14	63861	Training Assistant, Public Service Careers
			A13	62544	Vocational Assistant, Commission for the Blind and Visually Impaired
			A15	33171	Weights and Measures Assistant
N99	23431	Teletype Operator Trainee	A12	23432	Teletype Operator
N99	66001	Youth Worker Trainee	A12	66002	Youth Worker

APPENDIX A

REPLACED BY
ISSUE 8/19/74

LIST OF TRAINEE TITLES SUPPLEMENTING SUBPART 20-5.103

"Program for the Utilization of Trainee Titles"

The following list contains the trainee titles and related journeyman titles referred to in Subpart 20-5.103g. Class specifications for the trainee titles issued by the Division of Classification and Compensation indicate the training period. This list will be amended and supplemented as necessary.

COLLEGE LEVEL TRAINEES

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	55230	Actuarial Assistant Trainee	A18	55232	Actuarial Assistant 3
N95	55300	Analyst Trainee	A18	54242	Procedures Analyst
			A18	55302	Operations Analyst
			A18	50532	Fiscal Analyst
N95	17690	Architect Assistant	A77	17692	Assistant Architect
N95	17240	Assistant Safety Inspector Trainee	A12	17241	Assistant Safety Inspector
N95	50960	Auditor Accountant Trainee	A18	50452	Accountant 3
			A18	50962	Auditor 3
			A18	54862	Bank Examiner
			A18	94712	Examiner Consumer Credit
			A18	55082	Insurance Examiner 3
			A18	54882	Savings and Loan Examiner
			A19	51093	Senior Auditor, State Auditor
N95	02250	Bacteriologist Trainee	A18	02252	Bacteriologist
N95	01750	Biologist Trainee	A18	01752	Assistant Biologist
N95	50090	Budget Analyst Trainee	A18	50092	Budget Analyst 3

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	52660	Buyer Trainee	A18	52662	Assistant Buyer
N95	16270	Chemical Engineer Trainee	A77	13092	Assistant Engineer, Materials
			A75	13072	Assistant Engineer, Materials Project Inspection
			A77	13062	Assistant Engineer, Materials Testing
			A18	16302	Assistant Environmental Engineer
			A18	16292	Public Health Engineer
N95	01550	Chemist Trainee	A18	01552	Chemist
N95	14090	Civil Engineer Trainee	A77	14092	Assistant Engineer, Civil
			A77	10262	Assistant Engineer, Data Processing
			A77	10272	Assistant Engineer, Highway
			A77	16092	Assistant Engineer, Hydraulic
			A77	16082	Assistant Engineer, Hydrographic
			A77	13092	Assistant Engineer, Materials
			A75	13072	Assistant Engineer, Materials Project Inspection
			A77	13062	Assistant Engineer, Materials Testing
			A77	16892	Assistant Engineer, Mechanical
			A77	12692	Assistant Engineer, Planning
			A77	11282	Assistant Engineer, Traffic
			A18	14892	Assistant Engineer, Utilities
			A18	16302	Assistant Environmental Engineer
			A18	16292	Public Health Engineer
N95	64170	Community Service Trainee	A18	64172	Community Service Officer 3
			A18	64482	Program Development Specialist 3
			A17	64182	Community Program Analyst 3
N95	53350	Data Processing Programmer Trainee	A18	53262	Data Processing Programmer 3
N95	44780	Dietitian Trainee	A18	44782	Senior Dietitian
N95	64970	Disability Examiner OASI Trainee	A15	64972	Disability Examiner OASI
N95	16690	Electrical Engineer Trainee	A77	16692	Assistant Engineer, Electrical
			A77	10272	Assistant Engineer, Highway
			A77	16892	Assistant Engineer, Mechanical
			A18	14892	Assistant Engineer, Utilities
			A18	16302	Assistant Environmental Engineer

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	64760	Employment Counselor Trainee	A18	64762	Employment Counselor
N95	64790	Employment Services Trainee	A15	56092	Claims Examiner, Employment Security
			A15	56122	Claims Reviewer, Employment Security
			A15	65072	Examiner, Disability Insurance
			A15	70131	Examiner, Education Credentials
			A15	56192	Examiner, Unemployment Tax
			A16	55982	Field Representative, Wage and Hour Bureau
			A15	64751	Interviewer, Employment Security
			A16	65052	Investigator, Disability Insurance
			A17	56082	Unemployment Claims Investigator
N95	02470	Entomologist Trainee	A19	02473	Entomologist 2
N95	15850	Environmental Specialist Trainee	A18	15852	Environmental Specialist
N95	51480	Examiner Inheritance Tax Trainee	A18	51482	Examiner 3 Inheritance Tax
N95	02650	Forester Trainee	A18	02652	Assistant Forester
N95	03050	Geologist Trainee	A18	03052	Assistant Geologist
			A77	03042	Assistant Geologist, Transportation
N95	62850	Health Representative Trainee	A16	62852	Field Representative Health
N95	17090	Industrial Engineer Trainee	A77	17092	Assistant Engineer, Industrial
N95	16280	Industrial Hygienist Trainee	A18	16282	Industrial Hygienist
N95	61380	Instructor Counselor Trainee	A17	61382	Instructor Counselor
N95	33450	Investigator Trainee Office of the Public Defender	A17	33452	Investigator, Office of the Public Defender
N95	52480	Investment Analyst Trainee	A18	52482	Investment Analyst 3
N95	54140	Labor Market Analyst Trainee	A18	54142	Labor Market Analyst

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<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	10690	Landscape Architect Trainee	A77	10692	Assistant Landscape Architect
N95	56490	Management Trainee	A18	56492	Management Assistant
N95	16890	Mechanical Engineer Trainee	A77	14092	Assistant Engineer, Civil
			A77	16692	Assistant Engineer, Electrical
			A77	10272	Assistant Engineer, Highway
			A77	13092	Assistant Engineer, Materials
			A75	13072	Assistant Engineer, Materials Project Inspector
			A77	13062	Assistant Engineer, Materials Testing
			A77	16892	Assistant Engineer, Mechanical
			A77	11282	Assistant Engineer, Traffic
			A18	16302	Assistant Environmental Engineer
N95	03670	Occupational Therapist Trainee	A18	03672	Senior Occupational Therapist
N95	61770	Parole Officer Trainee	A17	61772	Parole Officer
N95	53650	Pensions Counselor Trainee	A18	53652	Pensions Counselor 3
N95	63250	Personnel Trainee	A18	63262	Personnel Technician
			A18	63252	Personnel Assistant
N95	16470	Planner Trainee	A18	16472	Assistant Planner
			A77	12492	Planner Transportation
N95	54450	Public Information Trainee	A18	54452	Public Information Assistant
N95	18090	Radiation Physicist Trainee	A18	18092	Radiation Physicist 4
N95	55270	Rate Analyst Trainee	A18	55272	Rate Analyst 3, Insurance
N95	03550	Recreation Trainee	A21	03553	Supervisor of Recreation
			A18	04183	Supervisor of Boys, School for the Deaf
N95	65270	Rehabilitation Counselor Trainee	A18	65272	Rehabilitation Counselor

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	03150	Sanitarian Trainee	A18	03152	Sanitarian
N95	52501	Securities Market Trader Trainee	A18	52502	Securities Market Trader 3
N95	02350	Serologist Trainee	A18	02352	Serologist
N95	64741	Social Resources Development Trainee	A15	64751	Interviewer, ES
			A15	56122	Claims Reviewer, ES
			A15	56092	Claims Examiner, ES
			A16	63614	Manpower Training Advisor 3, ES
N95	60050	Social Worker Trainee	A16	60052	Social Worker 2
N95	03650	Speech Therapist Trainee	A18	03652	Speech Therapist 2
N95	54080	Statistician Trainee	A18	54082	Statistician
			A18	51402	Tax Analyst 3
N95	51400	Tax Representative Trainee	A16	51682	Field Representative, Local Property Tax
N95	51412	Taxation Analyst Trainee	A18	51402	Tax Analyst 3
			A18	55302	Operations Analyst (Taxation)
N95	11221	Traffic Control Analyst Trainee	A77	11223	Traffic Control Analyst
N95	63560	Training Technician Trainee	A18	63562	Training Technician
			A18	63262	Personnel Technician (Training)
N95	02150	Virologist Trainee	A18	02152	Virologist
N95	62550	Vocational Counselor Trainee Commission for the Blind	A18	62552	Vocational Counselor, Commission for the Blind

ADDITIONAL TRAINEE TITLES

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N99	02410	Assistant Inspector Trainee Agric.	A09	02411	Assistant Inspector Agriculture
N95	17240	Assistant Safety Inspector Trainee (2 year Training period)	A12	17241	Assistant Safety Inspector
N99	20040	Clerical Trainee	A07	74762	Audio-Visual Technician
			A03	20042	Clerk
			A06	20142	Clerk Driver
			A06	23821	Clerk Stenographer A
			A06	23332	Clerk Transcriber
			A05	23232	Clerk Typist
			A03	20432	Mail Clerk
			A65	20422	Mail Clerk, Treasury
			A05	22232	Office Appliance Clerk
			A05	40032	Stock Clerk
			A65	40021	Stores Clerk
			A04	20642	Vault Clerk
N99	04140	Cottage Training Technician Trainee	A70	04143	Cottage Training Technician
N99	14040	Engineering Aide Trainee	A67	10841	Assistant Highway Inspector
			A67	14042	Engineering Aide 2
			A67	13032	Engineering Aide 2 Materials
N99	62840	Health Aide Trainee	A07	62843	Health Aide
N99	55481	Inspector Aide Trainee, Multiple Dwellings	A10	55482	Inspector Aide, Multiple Dwellings
N99	04101	Institutional Maintenance Trainee	A66	43731	Mechanic Helper
			A68	42132	Truck Driver
			A62	44132	Building Maintenance Worker
			A66	45322	Assistant Farmer
			A67	03142	Exterminator
			A64	42743	Assistant Groundsman
			A64	45532	Assistant Gardener
			A64	45512	Assistant Greenhouseman

RECEIVED 6/17/74

CORRECTION SHEET 1

APPENDIX A

LIST OF TRAINEE TITLES SUPPLEMENTING

SUBPART 20-5.103

Please delete the following title from page 2 of Appendix A under
Community Service Trainee:

<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
A17	64182	Community Program Analyst 3

Please add the following title on page 5 of Appendix A under Social
Worker Trainee:

<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
A18	60053	Social Worker I (If the incumbent possesses a Master's Degree in Social Work)

RESCINDED 8/19/74

CORRECTION SHEET 2

APPENDIX A

LIST OF TRAINEE TITLES SUPPLEMENTING SUBPART 20-5.103

Please delete the following titles from page 8 of Appendix A:

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N99	62533	Vocational Aide Trainee, Commission for the Blind	A08	62543	Vocational Aide, Commission for the Blind

Please add the following titles on page 2 of Appendix A:

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	16301	Clean Air Intern	A18	16302	Assistant Environmental Engineer
			A19	16312	Assistant Environmental Engineer
			A18	15852	Environmental Specialist

RESCINDED 8/19/74

CORRECTION SHEET 3

APPENDIX A

LIST OF TRAINEE TITLES SUPPLEMENTING SUBPART 20-5.103

Please add the following titles on page 3 of Appendix A:

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	55071	Insurance Examiner Trainee	A18	55082	Insurance Examiner 3

CORRECTION SHEET 4

APPENDIX A

LIST OF TRAINEE TITLES SUPPLEMENTING SUBPART 20-5.103

Please add the following title on page 1 of Appendix A under Auditor-Accountant Trainee:

<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
A19	55392	Municipal Finance Auditor 3

Please add the following titles on page 2 of Appendix A:

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
N95	64951	Claims Adjudicator Trainee, Disability Determinations	A17	64952	Claims Adjudicator, III, Dis- ability Determinations

Please add the following titles on page 4 of Appendix A:

<u>Range</u>	<u>Title Code</u>	<u>Trainee Title</u>	<u>Range</u>	<u>Title Code</u>	<u>Journeyman Title</u>
A18	63932	Public Service Institute Intern	A22	63933	Education and Training Services Specialist, II

RESCINDED 8/19/74

Special Note: This rescinds the previous subpart issued March 13, 1972, regarding the Emergency Employment Act of 1971 (E.E.A.)

Subpart 20-5.104 Administration Of The Federal Emergency Employment Act Of 1971

20-5.104a Subject:

The Emergency Employment Act of 1971 (E.E.A.) authorizes funds for the immediate employment in the public service of individuals who are unemployed or underemployed, with preference to special veterans (see Federal Register, Section 55.7). The objectives of this act are to relieve current unemployment and to fill the unmet service needs of government. Appointing authorities operating under this Act are directly responsible for complying with the "assurances" incorporated in their E.E.A. grants.

20-5.104b Alternatives:

Appointing authorities operating under the provisions of Title 11, the Civil Service Statute, are authorized to fill E.E.A. positions, in accordance with this subpart. The Civil Service Commission in cooperation with the New Jersey Department of Labor and Industry has established the following alternatives for the appointment of E.E.A. employees:

1. The original approval of granting temporary appointments to E.E.A. employees for a two year period is still in effect.
2. Individuals may be appointed to E.E.A. positions as regular appointees under normal certification procedures at the request of the appointing authority with the consent of the appointee.
3. All appointees to the position of Patrolman, E.E.A.; Fireman, E.E.A.; and Sheriff's Officer, E.E.A. will be considered as provisional appointees subject to regular Civil Service examination procedures. Eligibles for these examinations will be required to meet age, medical, physical and statutory requirements in addition to eligibility criteria established under the Emergency Employment Act. Appointees to the position of Patrolman, E.E.A. and Sheriff's Officer, E.E.A. will be subject to the provisions of the Police Training Act (N.J.S.A. 52:17B-69).

20-5.104c Note:

1. Upon request, the Department of Civil Service will assist jurisdictions in the selection of E.E.A. appointees by conducting examinations and furnishing the appointing authorities with the resulting scores.

2. The Department of Civil Service will assist appointing authorities in meeting requirements of the act by providing technical assistance in the area of position classification, recruitment, training and development.

3. It is the intention of the Department of Civil Service to review Civil Service procedures concerning this program at regular six month intervals.

Special Note: This rescinds the previous subpart issued March 13, 1972, regarding the Emergency Employment Act of 1971 (E.E.A.)

Subpart 20-5.105 Employment Terms And Conditions Of E.E.A. Employees

20-5.105a Subject:

This subpart deals with Civil Service employment terms and conditions of E.E.A. employees.

20-5.105b Employment Terms And Conditions Defined:

1. Individuals receiving temporary or provisional appointments to E.E.A. positions will obtain all of the Civil Service terms and conditions accorded to temporary or provisional employees.

2. Individuals receiving appointments to E.E.A. positions under alternative 2 in 20-5.104(b) have the same terms and conditions as employees who are appointed to regular positions.

3. E.E.A. appointees in the non-competitive and labor divisions, may receive regular Civil Service status upon regular appointment.

20-5.105c Note:

If regular positions are abolished and E.E.A. positions are established and appointments made to the same or similar titles, the Department of Civil Service will certify appropriate special reemployment lists against such E.E.A. appointees. The employees so certified and appointed will be retained on the special reemployment lists for certification to future vacancies in regular positions.

Subpart 20-5.106 Clean Air Scholarship Intern Program

20-5.106a Subject:

This subpart will deal with the procedure for permanent appointment of employees under the Clean Air Scholarship Intern Program.

20-5.106b Purpose:

The Department of Environmental Protection operates a Clean Air Scholarship Intern Program as prescribed by N.J.S.A. 26:2C-24. Under this program, New Jersey High School graduates, who have been accepted at an accredited college or university and who have narrowed their studies to engineering or environmental services, are granted full scholarships after a rigid selection process conducted by Educational Testing Service of Princeton, New Jersey. These students contract to serve with the Department of Environmental Protection during summer vacation and for three years following graduation from college. The purpose of this program is to train needed professional personnel for work in the field of environmental protection.

20-5.106c Procedure:

The Civil Service Commission, pursuant to N.J.S.A. 11:7-11, has determined that college graduates under the Clean Air Scholarship Program shall be appointed permanently to the classified service without competitive examination.

At least one month before their anticipated graduation, a list of persons to be appointed under this program shall be forwarded to the Administrative Services Section, Department of Civil Service by the Department of Environmental Protection. After graduation, a CS-21 shall be sent to Civil Service certifying that the individual has graduated and indicating the effective date of permanent appointment as a Clean Air Intern.

Following permanent appointment as a Clean Air Intern, individuals under this program will be governed by the Program for the Utilization of Trainee Titles as described in Subpart 20-5.103 and Appendix A of this Manual.

Subpart 20-5.107 Administration Of The Work Incentive/Public Service
Employment Program

20-5.107a Subject:

The Work Incentive/Public Service Employment (WIN/PSE) Program authorizes funds for the immediate employment in the public service of WIN participants. The prime objective of developing PSE positions for WIN participants is to ultimately provide permanent employment in unsubsidized jobs in the public sector and to fill the unmet service needs of government. Appointing authorities operating under this program are directly responsible for complying with the "assurance" incorporated in their WIN/PSE grants.

20-5.107b Alternatives:

Appointing authorities, operating under the provisions of Title 11, the Civil Service Statute, are authorized to fill WIN/PSE positions, in accordance with this subpart. The Civil Service Commission in cooperation with the New Jersey Department of Labor and Industry has established the following alternatives for the appointment of WIN/PSE employees:

1. Approval is granted for the appointment of WIN/PSE employees to temporary positions for a 12-month period.
2. Individuals may be appointed to WIN/PSE positions as regular appointees under normal certification procedures at the request of the appointing authority with the consent of the appointee.

20-5.107c Employment Terms And Conditions Of Employment:

1. Individuals receiving temporary appointments to WIN/PSE positions will obtain all of the Civil Service terms and conditions accorded to temporary employees.
2. Individuals receiving appointments to WIN/PSE positions under alternative 2 above have the same terms and conditions as employees who are appointed to regular positions.

Subpart 20-5.107 Administration Of The Comprehensive Employment And
Training Act Program (CETA II)

20-5.107a Subject:

This subpart will describe the interim policy and procedures of the Department of Civil Service with regard to the administration of the Comprehensive Employment and Training Act Programs.

20-5.107b Policy and Procedures:

The Department of Civil Service is presently engaged in discussions with both the United States and New Jersey Departments of Labor for the purpose of establishing a policy with regard to the status of employees hired under the Comprehensive Employment and Training Act (CETA). Pending the promulgation of this policy, the following interim procedures have been established:

1. Appointing authorities operating under the provisions of Title 11, the Civil Service Statute, may continue to make appointments under the CETA II Program.
2. Each jurisdiction shall submit Personnel Action Forms (CS-21) for all appointments to CETA II funded positions to the Department of Civil Service. For purposes of identification, the abbreviation CETA II shall be included following the desired title in box 37 of the CS-21 form.

Subpart 20-5.108 Administration of The Comprehensive Employment and Training Act Program (CETA II)

20-5.108a Subject:

This subpart will describe the interim policy and procedure of the Department of Civil Service with regard to the administration of the Comprehensive Employment and Training Act Programs.

20-5.108a Policy and Procedures:

The Department of Civil Service is presently engaged in discussions with both the United States and New Jersey Departments of Labor for the purpose of establishing a policy with regard to the status of employees hired under the Comprehensive Employment and Training Act (CETA). Pending the promulgation of this policy, the following interim procedures have been established:

1. Appointing authorities operating under the provisions of Title 11, the Civil Service Statute, may continue to make appointments under the CETA II Program.
2. Each jurisdiction shall submit Personnel Action Forms (CS-21) for all appointments to CETA II funded positions to the Department of Civil Service. For purposes of identification, the abbreviation CETA II shall be included following the desired title in box 37 of the CS-21 form.

Subpart 20-5.109 Administration Of The Comprehensive Employment And
Training Act Program - (CETA VI)

20-5.109a Subject:

This subpart on CETA VI is identical to the subpart on CETA II issued 11/12/74. It describes the interim policy and procedures of the Department of Civil Service with regard to the administration of the Comprehensive Employment and Training Act Program - CETA VI which are exactly the same as those for CETA II and are spelled out below for your information.

20-5.109b Policy And Procedures:

The Department of Civil Service is presently engaged in discussions with both the United States Department of Labor and New Jersey Department of Labor and Industry for the purpose of establishing a policy with regard to the status of employees hired under the Comprehensive Employment and Training Act (CETA). Pending the promulgation of this policy, the following interim procedures have been established:

(1) Appointing authorities operating under the provisions of Title 11, the Civil Service Statute, may continue to make appointments under the CETA VI program.

(2) Each jurisdiction shall submit Personnel Action Forms (CS-21) for all appointments to CETA VI funded positions to the Department of Civil Service. For purposes of identification, the abbreviation CETA VI shall be included in box 36 of the CS-21 form.

20-5.109c Exception:

This subpart does not apply to Supplemental Unemployment Assistance (SUA) jobs.

Subpart 20-5.110 INFORMATION-- CETA Title II or CETA Title VI Participants

20-5.110a Subject:

This subpart is issued to advise appointing authorities of the provisions contained in Regulation 96.24(d) of the Federal Comprehensive Employment and Training Act.

20-5.110b Regulation 96.24(d):

If layoffs of regular employees occur during the CETA Title II (or CETA Title VI) grant period, participants cannot remain working in the same or substantially equivalent job within the employing agency that is affected by the layoff. Under these circumstances during the CETA Title II (or CETA Title VI) grant periods, such participants will either be transferred to positions not affected by the layoffs or be laid off.

20-5.110c Interpretation:

If an appointing authority has a CETA position and a regular position in which the employees are performing substantially equivalent jobs and the regular employee is laid off, the CETA employee cannot remain working in that position. The prime sponsor (the appointing authority) has the option of appointing employees laid off from regular positions to the positions vacated by CETA employees, assuming they qualify under CETA. CETA employees are to be either transferred to positions not affected by the layoffs or be laid off.

Subpart 20-5.111 Administration Of The Work Incentive/On-The-Job Training Program

20-5.111a Subject:

The Work Incentive/On-the-Job Training (WIN/OJT) Program authorizes funds for the immediate employment in the public service of WIN participants. The prime objective of developing OJT positions for WIN participants is to ultimately provide permanent employment in unsubsidized jobs in the public sector and to fill the unmet service needs of government. Appointing authorities operating under this program are directly responsible for complying with the "assurance" incorporated in the WIN/OJT grants.

20-5.111b Alternatives:

Appointing authorities, operating under the provisions of Title 11, the Civil Service Statute, are authorized to fill WIN/OJT positions, in accordance with this subpart. The Civil Service Commission in cooperation with the New Jersey Department of Labor and Industry has established the following alternatives for the appointment of WIN/OJT employees:

1. Approval is granted for the appointment of WIN/OJT employees to temporary positions for a 12-month period.
2. Individuals may be appointed to WIN/OJT positions as regular appointees under normal certification procedures at the request of the appointing authority with the consent of the appointee.

20-5.111c Employment Terms And Conditions Of Employment:

1. Individuals receiving temporary appointments to WIN/OJT positions will obtain all of the Civil Service terms and conditions accorded to temporary employees.
2. Individuals receiving appointments to WIN/OJT positions under alternative 2 above have the same terms and conditions as employees who are appointed to regular positions.

Subpart 20-5.112 Tuition Aid

20-5.112a Definition:

As defined in Subpart 20-5.101e, Tuition Aid means a program of tuition reimbursement or assistance for employees who attend established educational institutions of their own choosing and primarily on their own time for formal academic credit within the limitations of these regulations and funds available for such programs.

20-5.112b Authorizations:

1. Departments and Agencies should:

a. Establish a planned program for granting tuition aid designed to:

- (1) be of direct benefit to the department or agency and the State;
- (2) to improve employee performance and;
- (3) to facilitate career development.

b. Pay in whole or in part tuition and/or other costs attendant to out-service education as defined in 20-5.101e, and in this Subpart.

c. Establish uniform guidelines for selection, application, control and remuneration, in accordance with procedures defined herein.

2. The standards set forth herein should define parameters for tuition aid. Individual departments may, at their own discretion, set policies within the parameters so prescribed.

3. Departments may, for example, require an academic average higher than the minimum standard (20-5.101e 8), or a department may limit reimbursement to less than the authorized 15 credits in a fiscal year (20-5.112e 15).

20-5.112c Eligibility:

All full-time employees in the classified and unclassified service, who will have completed one year of satisfactory service at the time of registration, are eligible to receive tuition aid.

20-5.112d Objectives:

1. To enable individual employees to increase their knowledge, enhance their skills and/or improve their performance in order to contribute more effectively to the programs and services of the departments and agencies of New Jersey State Government.
2. To provide a means for assisting State Government in attracting, retaining and developing its human resources.

20-5.112e Conditions and Limitations:

1. Tuition Aid Plan
 - a. Each department and agency is responsible for developing and implementing its own planned program for tuition aid as defined in the standards prescribed in these regulations. Such programs should include the following written components, which shall be available to all employees of that organization:
 - (1) Minimum criteria for selection;
 - (2) Procedures for application;
 - (3) Conditions and method of payment or reimbursement;
 - (4) Binding agreements upon participants;
 - (5) Names, titles, address of employees administering the program;
 - (6) Provision to ensure participants' compliance with program regulations;
 - (7) allowable exceptions to regulations.
 - b. Each Department or agency shall obtain approval of its tuition aid program from the Department of Civil Service in advance of the program's implementation.
 - c. Each Department or agency shall obtain approval from the Department of Civil Service of amendments to and changes in its plan in advance of implementation of such changes.