

CHAPTER 9
POLITICAL SUBDIVISIONS

Authority

N.J.S.A. 11A:2-6(d), 11A:3-1(a), 11A:6-3, 11A:6-5, 11A:9-1 et seq.

Source and Effective Date

R.1992 d.418, effective September 22, 1992.
See: 24 N.J.R. 2498(a), 24 N.J.R. 3722(a).

Executive Order No. 66(1978) Expiration Date

Chapter 9, Political Subdivisions, expires on September 22, 1997.

Chapter Historical Note

Chapter 9, Political Subdivisions, was adopted as R.1987 d.405, effective October 5, 1987. See: 19 N.J.R. 1022(a), 19 N.J.R. 1827(a). Pursuant to Executive Order No. 66(1978), Chapter 9 was readopted as R.1992 d.418. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

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SUBCHAPTER 1. PROCEDURES FOLLOWING TITLE 11A COVERAGE

4A:9-1.1 Jurisdictions adopting Title 11A, New Jersey Statutes by referendum

(a) Upon the adoption by referendum of Title 11A, New Jersey Statutes, by a political subdivision, the Commissioner shall provide for the classification of all positions in the jurisdiction. See N.J.S.A. 11A:9-2 through 11A:9-7 for referendum procedures.

(b) Any employee who holds a position allocated to the career service and who has been continuously employed by the political subdivision for a period of at least one year prior to the adoption of Title 11A, New Jersey Statutes, including any such employee on an approved leave of absence, shall be considered a permanent employee under Title 11A, New Jersey Statutes and these rules as of the date of adoption.

(c) Seniority calculations for employees determined to be permanent under (b) above shall be based upon the length of their continuous service with that political subdivision.

(d) Vacation and sick leave entitlements under Title 11A, New Jersey Statutes, for employees determined to be permanent under (b) above shall be based upon seniority and are effective on a date set by the appointing authority. However, the date shall in no event be more than 60 days following the adoption of Title 11A, New Jersey Statutes.

4A:9-1.2 Jurisdictions subject to Title 11A, New Jersey Statutes, by consolidation or legislation

(a) This rule applies to political subdivisions which are subject to Title 11A, New Jersey Statutes through consolidation of governmental functions or by legislation.

(b) When functions of two or more political subdivisions are consolidated, and any one of the political subdivisions shall be operating under Title 11A, New Jersey Statutes, at the time of such consolidation, the other political subdivision or subdivisions shall be deemed to have adopted Title 11A, New Jersey Statutes with regard to the combined functions.

(c) The Commissioner shall provide for classification of all positions in the jurisdictions following such consolidation or enactment of legislation.

(d) Any employee who has been employed by the new jurisdiction, holds a position allocated to the career service and has been continuously employed by the former jurisdiction for a period of at least one year prior to the effective date of such consolidation or legislation, including any such employee on an approved leave of absence, shall be considered a permanent employee under Title 11A, New Jersey Statutes and these rules as of that date, except as may be provided in such legislation.

(e) Seniority calculations for employees determined to be permanent under (d) above shall be based upon the length of their continuous service with the political subdivision.

(f) Vacation and sick leave entitlements under Title 11A, New Jersey Statutes, for employees determined to be permanent under (d) above shall be based upon seniority and shall be effective on the effective date of consolidation or legislation.

Amended by R.1992 d.418, effective October 19, 1992.
See: 24 N.J.R. 2498(a), 24 N.J.R. 3722(a).
Revised (d).