

emergency transfers of employees and sets forth procedures to follow in those instances. N.J.A.C. 4A:4-7.1A, Intergovernmental transfers, concerns the movement of a permanent employee between government jurisdictions operating under Title 11A and provides cross-references to other civil service rules regarding the effect of such movements on the various leave programs, seniority used for different purposes, and other aspects of the civil service system. N.J.A.C. 4A:4-7.2, Reassignments, defines employee reassignments. N.J.A.C. 4A:4-7.3, Relocation assistance: State service, governs financial assistance to permanent State employees who are transferred or reassigned to a new work location due to the movement of an office or a unit or the closing or phasedown in anticipation of a closing of a State operation; it is noted that such financial assistance is subject to available appropriations. N.J.A.C. 4A:4-7.4, Retention of rights, sets forth the rights retained by an employee who is permanently or temporarily transferred, receives an intergovernmental transfer, or is reassigned. N.J.A.C. 4A:4-7.5, Transfer during a working test period, sets forth limits on an employee transfer during a working test period and the employee's rights in this type of situation.

N.J.A.C. 4A:4-7.6, Lateral title change, defines the meaning of a lateral title change of an employee and includes procedures for determining whether the employee retains permanent status or must be appointed pending examination. N.J.A.C. 4A:4-7.7, Appeals, pertains to appeals that may be filed regarding transfers, reassignments, and lateral title changes. N.J.A.C. 4A:4-7.8, Voluntary demotion, defines the voluntary demotion of an employee and sets forth the parameters within which such a personnel action may be taken and the circumstances under which an employee who has been voluntarily demoted may return to his or her prior permanent title. N.J.A.C. 4A:4-7.10, Regular reemployment, governs the procedures by which a permanent employee may be appointed from a regular reemployment list or a police or fire reemployment list and provides when seniority commences in those situations. N.J.A.C. 4A:4-7.11, Transfer or combining of functions, governs the status of employees affected by a transfer or combining of functions between two or more civil service agencies or political subdivisions. N.J.A.C. 4A:4-7.12, Reinstatement following disability retirement, governs the rights of a permanent employee placed on disability retirement to return to work.

Pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 4A:4 is readopted and shall continue in effect for a seven-year period.

(a)

**CIVIL SERVICE COMMISSION**  
**Notice of Readoption**  
**Leaves, Hours of Work, and Employee Development**  
**Readoption: N.J.A.C. 4A:6**

Authority: N.J.S.A. 11A:2-6.d, 11A:3-7, 11A:6-1 through 11A:6-28, 18A:31-2, 30:4-178, 34:11B-1 et seq., 38:23-2, 38A:1-1, 38A:4-4, 40A:14-177, and 52:14-26.2; P.L. 2008, c. 29 and P.L. 2001, c. 351; 10 U.S.C. § 10101, 29 U.S.C. §§ 201 et seq., 29 U.S.C. §§ 2601 et seq., 38 U.S.C. §§ 4301 et seq., 38 U.S.C. §§ 4311 et seq., and 42 U.S.C. §§ 12101 et seq.; and 29 CFR 825.

Authorized By: Civil Service Commission, Deirdré L. Webster  
 Cobb, Chairperson.

Effective Date: August 25, 2022.

New Expiration Date: August 25, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 4A:6, which address leaves, hours of work, and employee development in the Civil Service, were scheduled to expire on November 15, 2023. The Civil Service Commission has reviewed N.J.A.C. 4A:6 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change.

Subchapter 1 pertains to leaves of absence for employees in State service and in political subdivisions. N.J.A.C. 4A:6-1.1, General provisions, includes special provisions regarding leaves of absence and

leave procedures in local service, as well as State and local appointing authority recordkeeping requirements, and other general leave provisions. N.J.A.C. 4A:6-1.2, Vacation leave, sets forth eligibility criteria for vacation leave in State and local service and other provisions concerning the use and accumulation of vacation leave. N.J.A.C. 4A:6-1.3, Sick leave, sets forth eligibility criteria for sick leave in State and local service and other provisions concerning the use and accumulation of sick leave. N.J.A.C. 4A:6-1.4, Sick leave procedures: State service, which is limited to State service, sets forth provisions regarding sick leave reporting, proof of illness or injury, special circumstances involving chronic or recurring illnesses, situations in which examination by a State doctor may be required, and recordkeeping requirements.

N.J.A.C. 4A:6-1.5, Vacation, administrative and sick leave adjustments: State service, another rule that is limited to State service, provides instances in which an employee's vacation, administrative, and sick leave entitlements must be adjusted due to an unpaid leave of absence, work week changes, and other similar circumstances. N.J.A.C. 4A:6-1.6 and 4A:6-1.7 will remain reserved.

Numerous other leaves, limited to State service, are provided for in succeeding rules: pregnancy-disability and child care leaves, N.J.A.C. 4A:6-1.8; administrative leave, N.J.A.C. 4A:6-1.9; leave without pay, N.J.A.C. 4A:6-1.10; education leave, N.J.A.C. 4A:6-1.14; leave for athletic competition, N.J.A.C. 4A:6-1.15; leave for emergency civilian duty, which includes American Red Cross disaster relief services, N.J.A.C. 4A:6-1.18; leave for jury duty, N.J.A.C. 4A:6-1.19; and leave to appear as a witness, N.J.A.C. 4A:6-1.20. Conversely, leave for elective office, N.J.A.C. 4A:6-1.17, is limited to local service, while military leave, N.J.A.C. 4A:6-1.11; leave for appointment by Governor, N.J.A.C. 4A:6-1.12; convention leave, N.J.A.C. 4A:6-1.13; and leave for union office, N.J.A.C. 4A:6-1.16; are available in both State and local service. Though limited to State service, the provisions at N.J.A.C. 4A:6-1.24, regarding school volunteer leave, permit local governments to establish their own school volunteer leave programs.

N.J.A.C. 4A:6-1.21, Family leave, sets forth provisions common to both the State and Federal family leave programs and provides useful examples regarding interaction between the two programs. N.J.A.C. 4A:6-1.21A is specific to State family leave, while N.J.A.C. 4A:6-1.21B addresses Federal family and medical leave. An appendix provides a chart that compares the major provisions of the two family leave programs.

The donated leave program, found at N.J.A.C. 4A:6-1.22, is available in State service (and in local governments that choose to participate) as set forth in the rule, and provides for the donation of sick and vacation leave to an employee suffering from a catastrophic health condition or injury, who has exhausted his or her paid leave benefits. The voluntary furlough program, found at N.J.A.C. 4A:6-1.23, establishes a program in which employees in State service, and those working for participating local governments, may have the opportunity, under the parameters set forth in the rule, to take a voluntary furlough from employment. The program has been used over the years to assist public agencies in achieving fiscal savings and to provide employees with the opportunity to provide child care or seek further education. Rules regarding school volunteer leave are included at N.J.A.C. 4A:6-1.24, which generally provide that State employees in the career, senior executive, or unclassified service shall be granted leave with pay, up to a maximum of 20 hours per calendar, to volunteer in an academically beneficial school activity.

Subchapter 2 concerns hours of work in State service. N.J.A.C. 4A:6-2.1, General provisions, provides in part that, in local service, appointing authorities may establish hours of work subject to applicable negotiations requirements. The criteria for determining work weeks are set forth at N.J.A.C. 4A:6-2.2 (for fixed work week job titles), 2.2A (for law enforcement job titles), and 2.3 (for non-limited job titles). N.J.A.C. 4A:6-2.4 addresses holidays, while N.J.A.C. 4A:6-2.5 concerns inclement weather or emergency conditions. Finally, variations in usual work hours are addressed at N.J.A.C. 4A:6-2.6 (flexitime programs), 2.7 (alternative work week programs), and 2.8 (adjusted hours of operation).

Subchapter 3 sets forth the eligibility requirements and procedures for obtaining Supplemental Compensation on Retirement (SCOR), a program in State service that provides for the payment of compensation for half the value of a retiring employee's accumulated sick leave up to a maximum

of \$15,000. Specifically, N.J.A.C. 4A:6-3.1 sets forth the eligibility criteria for SCOR, while N.J.A.C. 4A:6-3.2 addresses an employee's SCOR eligibility when he or she has had a break in service. N.J.A.C. 4A:6-3.3 includes the formula for computing the SCOR payment. N.J.A.C. 4A:6-3.4 delineates the SCOR application procedures. N.J.A.C. 4A:6-3.5 pertains to the impact on SCOR of an intergovernmental transfer.

Subchapter 4 concerns human resource development programs. Specifically, N.J.A.C. 4A:6-4.1 includes general provisions regarding permissible human resource development programs in local service and the establishment of various employee development programs in State service by the Chairperson of the Civil Service Commission. N.J.A.C. 4A:6-4.2 sets forth the functions of the Civil Service Commission to administer a Center for Learning and Improving Performance. N.J.A.C. 4A:6-4.3 sets forth provisions on training and education programs in State service. N.J.A.C. 4A:6-4.4 provides for the Certified Public Manager (CPM) program in State service. N.J.A.C. 4A:6-4.5 involves career development programs in State service. Other rules at Subchapter 4 include N.J.A.C. 4A:6-4.6, Tuition aid, 4.8, Employee interchange, 4.9, Internship programs, and 4.10, Employee Advisory Service (EAS). The latter provides for counseling, rehabilitative, and/or community services for employees who meet certain criteria involving job performance or who have personal problems that affect job performance.

Subchapter 5 primarily pertains to the Performance Assessment Review (PAR) program in State service. N.J.A.C. 4A:6-5.1, General provisions, provides for the establishment and approval of a performance evaluation system in local service. The section also provides for the rating scales to be used in State service, as well as standardized rating cycles, and recordkeeping requirements. N.J.A.C. 4A:6-5.2, PAR procedure: State service, sets forth the procedures for completion of PARs and provides a mechanism for the filing of a complaint regarding an agency's noncompliance with the PAR program. N.J.A.C. 4A:6-5.3, PAR use and review: State service, provides for the consequences of specific ratings. The rule further provides for a grievance procedure regarding a PAR rating.

Subchapter 6 pertains to the awards program. N.J.A.C. 4A:6-6.1 provides that appointing authorities in local service may establish and administer their own awards programs. The section also establishes the general provisions of the awards program for State service. The remaining rules at Subchapter 6 pertain to awards in State service only. N.J.A.C. 4A:6-6.2 sets forth the New Jersey Employee Awards Committee for State service, while N.J.A.C. 4A:6-6.3 pertains to the records of the Committee. N.J.A.C. 4A:6-6.4 sets forth the categories for Commendation awards. N.J.A.C. 4A:6-6.5 describes standards for the Suggestion Award Program, N.J.A.C. 4A:6-6.6 sets forth the procedures for the Suggestion Award Program, and N.J.A.C. 4A:6-6.7 pertains to the types and amounts of awards for the Suggestion Award Program. N.J.A.C. 4A:6-6.9 encourages State departments to establish their own awards programs and N.J.A.C. 4A:6-6.10 pertains to appeals.

Pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 4A:6 is readopted and shall continue in effect for a seven-year period.

(a)

## CIVIL SERVICE COMMISSION

### Notice of Redoption Equal Employment Opportunity and Affirmative Action

#### Redoption: N.J.A.C. 4A:7

Authority: N.J.S.A. 10:5-1 et seq., 11A:2-6.d, and 11A:7-1 et seq.; P.L. 2006, c. 100 (N.J.S.A. 10:2-1 et seq.), P.L. 2006, c. 103 (N.J.S.A. 37:1-28 et seq.), P.L. 2008, c. 29 (N.J.S.A. 11A:2-1 et seq.), and P.L. 2013, c. 220 (N.J.S.A. 10:5-3.1 et seq.); and 42 U.S.C. § 2000e et seq.

Authorized By: Civil Service Commission, Deirdré L. Webster  
Cobb, Chairperson.

Effective Date: August 25, 2022.

New Expiration Date: August 25, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 4A:7 were scheduled to expire on November 5, 2022. N.J.A.C. 4A:7 addresses equal employment opportunity and affirmative action. The Civil Service Commission has reviewed N.J.A.C. 4A:7 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change.

Subchapter 1 establishes the rules pertaining to Equal Employment Opportunity, including general provisions (N.J.A.C. 4A:7-1.1) and a prohibition on discriminatory inquiries (N.J.A.C. 4A:7-1.2). Subchapter 2 establishes the rules pertaining to the Division of Equal Employment Opportunity and Affirmative Action (Division) and includes the responsibilities of the Division (N.J.A.C. 4A:7-2.1), the establishment of the Equal Employment Opportunity Advisory Commission (N.J.A.C. 4A:7-2.2), and the responsibilities of appointing authorities regarding equal employment opportunities and affirmative action (N.J.A.C. 4A:7-2.3). Subchapter 3 establishes the rules pertaining to the Policy Prohibiting Discrimination in the Workplace, including the statement of the State Policy Prohibiting Discrimination in the Workplace (N.J.A.C. 4A:7-3.1), and the model complaint procedures for internal complaints alleging discrimination in the workplace.

Pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 4A:7 is readopted and shall continue in effect for a seven-year period.

(b)

## CIVIL SERVICE COMMISSION

### Notice of Redoption Layoffs

#### Redoption: N.J.A.C. 4A:8

Authority: N.J.S.A. 11A:2-6.d, 11A:2-11.h, 11A:2-28, 11A:6-28, and 11A:8-1 through 11A:8-4.

Authorized By: Civil Service Commission, Deirdré L. Webster  
Cobb, Chairperson.

Effective Date: August 25, 2022.

New Expiration Date: August 25, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 4A:8 were scheduled to expire on November 15, 2023. N.J.A.C. 4A:8 addresses layoffs in the civil service. The Civil Service Commission has reviewed N.J.A.C. 4A:8 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change.

Subchapter 1 establishes the procedures pertaining to layoffs and includes general provisions (N.J.A.C. 4A:8-1.1), alternatives to layoffs (N.J.A.C. 4A:8-1.2), pre-layoff actions (N.J.A.C. 4A:8-1.3), review of layoffs by the Civil Service Commission (N.J.A.C. 4A:8-1.4), layoff units and job locations (N.J.A.C. 4A:8-1.5), and layoff notices (N.J.A.C. 4A:8-1.6). Subchapter 2 establishes the rules pertaining to employee layoff rights and includes types of layoff rights (N.J.A.C. 4A:8-2.1), the exercise of lateral and demotional rights (N.J.A.C. 4A:8-2.2), the exercise of special reemployment rights (N.J.A.C. 4A:8-2.3), seniority (N.J.A.C. 4A:8-2.4), reassignments (N.J.A.C. 4A:8-2.5), and appeals (N.J.A.C. 4A:8-2.6).

Pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 4A:8 is readopted and shall continue in effect for a seven-year period.