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STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

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Chair/CEO of NJ Civil Service Commission Testimony at Senator Loretta Weinberg's Workgroup on Harassment, Sexual Assault and Misogyny in New Jersey Politics

Mount Laurel – Below is the full text of the testimony at Senator Loretta Weinberg's Workgroup on Harassment, Sexual Assault and Misogyny in New Jersey Politics on Monday, March 9, 2020:

"Good Evening, Senator Weinberg, Lt. Governor Oliver and Members of the Committee.

Our core mission at the Civil Service Commission is to ensure that state government has fair and efficient human resources responsive to the needs of the Civil Service workforce.

CSC had the statutory responsibility to enforce equal employment opportunities across the State workforce since 1981 and has always taken this responsibility seriously. Over 30 years ago, I began my career in state government as a Governor's Fellow with the Department of Personnel, now known as the Civil Service Commission, assigned to the Division of EEO and AA and the Division of Appellate Practices and Labor Relations. In the years since the start of my career, I have served in various capacities with responsibility to enforce compliance with federal and state labor and employment laws. As an EEO Officer with the Department of Community Affairs and the Department of Treasury, I personally investigated and rendered determinations on complaints of sexual harassment and other forms of discrimination. These experiences ignited my passion for our state's anti-discrimination zero-tolerance policy. More recently, during my tenure as the Chair and CEO of the Civil Service Commission, I, along with the Civil Service team, have worked diligently to make sure that no one is discriminated against or mistreated. Each and every state employee must feel both respected and valued for their work and should not be subjected to an unacceptable or toxic work environment.

We wholeheartedly support Governor Murphy's mandate to enhance workplace protections and have developed new policies and procedures and upgraded existing ones, to ensure the safety, inclusion and equity of all state employees regardless of sex, race, gender identity or any other protected category.

In 2019 alone, the Civil Service Commission proactively implemented several significant enhancements to trainings and policies to protect state employees from discrimination, harassment, and violence in the workplace.

The Division of Equal Employment Opportunity and Affirmative Action, which oversees the implementation of the State Policy Prohibiting Discrimination and Harassment in the Workplace, amended this State Policy to strengthen protections afforded to the state workforce, including two amendments regarding sexual harassment.

These amendments added sexual assault and other physical sexual conduct as specific examples of prohibited sexual harassment; and clarified that individuals who have been subjected to such inappropriate behavior may file complaints with law enforcement in the municipality where the incident occurred and with their EEO Officer or designee.

Of particular note is the fact that the survivor does not have to choose one or the other.

In addition, we added guidance to the procedures to assist EEO Officers when evaluating cases for investigation, so that cases aren't unjustifiably dismissed. The Division also ensures that each state department and agency provide training on the State Policy to its workforce. In addition, it personally provides this training to high level executives, managers and supervisors in state government.

Last year, the Division provided 25 State Policy and Sexual Harassment training sessions to executives, managers, supervisors, and employees in various state departments and agencies to ensure that complaints of discrimination and harassment are handled expeditiously to safeguard the workplace. We will continue to extend trainings to the Executive Branch to combat such instances.

While the Division of EEO and AA has also always provided training to State EEO Officers, last Fall, the Commission, in partnership with Cornell University's School of Industrial and Labor Relations, delivered a joint six-day training certification program for EEO Officers and Investigators statewide. The program provided specialized training in EEO Laws and state-of-the-art best practices for conducting internal investigations, including collecting relevant evidence, interviewing witnesses, and writing statements and reports. This valuable certification program will be offered again this Spring.

In addition, the Civil Service Commission has been responsive to legislative developments focused on enhancing the state's discrimination and harassment policies and procedures.

Immediately upon enactment of the laws signed by Governor Murphy in January of this year, our staff initiated implementation of a hotline for employees to report workplace discrimination or harassment, and we began our partnership with the New Jersey Coalition Against Sexual Assault to ensure our employees are provided with the relevant and most up to date training for handling sexual harassment and assault complaints.

This mandatory training will require EEO and HR personnel, including the Division of EEO/AA's professional staff, to complete a three-hour training session on Workplace Sexual Harassment. The training will be held in April and May and will include current statistics on sexual harassment and assault, and cover topics such as Sexual Violence & Sexual Harassment, Neurobiology of Trauma, Improving Response to Disclosures, and Prevention in the Workplace.

We will take a broad and comprehensive approach.

And, we have designated the Director of the Division of Equal Employment Opportunity and Affirmative Action to serve as the EEO Officer in future Gubernatorial Transitions.

Finally to ensure that new and existing State employees receive the most up-to-date training, our Center for Learning and Improving Performance (known as CLIP), in partnership with our recently created Office of State Workforce Diversity and Inclusion, developed new classroom courses including, Leading the Conscious Workforce: Preventing Harassment and Discrimination; and The Conscious Workforce: Preventing Harassment and Discrimination. CLIP also offered a new online course on New Jersey State Ethics Training and created new Skillssoft bundles, which is a Learning Management System software, to educate users on Preventing Harassment in the Workplace.

More importantly, pursuant to Executive Order #49 signed in 1996, the Civil Service Commission was directed to recommend strategies for prevention, action and reaction to incidents of workplace violence and provide each department, office, division or agency of State government with technical assistance and/or consultative services to implement the policy. In January 2019, CSC enhanced its oversight in this area as CLIP developed and deployed the Model Workplace Violence Policy for State Executive branch departments and agencies.

The Model Workplace Violence Policy was deployed to Executive Branch Human Resource personnel to ensure that all State departments and agencies are consistent in the application of these necessary procedures for receiving and investigating workplace violence complaints. To date, CLIP has reviewed and approved workplace violence model policies for 15 departments. Additionally, three departments' policies are pending approval based on recommended edits by CLIP. CLIP continues to consult the agencies and departments which have not yet submitted their policies to ensure compliance.

As Governor Murphy has reiterated, again and again, "This is a time of reflection, but reflection alone is not going to do it. We need to take action." And this action must be implemented uniformly across all branches of government so that all employees may benefit from its protections.

Allow me to close where I began. Every state employee has a basic right to work in a workplace free of discrimination and harassment, and in an environment that is inclusive and respectful, and in which they are treated with dignity.

The Civil Service Commission remains steadfast in our work to ensure a safe, fair and efficient work environment where everyone has a place, and everyone has an opportunity to contribute and thrive.

Thank you for the opportunity to share with you the important work of CSC in this area. CSC works for you."

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