

ASSEMBLY, No. 4124

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED SEPTEMBER 19, 2016

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District 5 (Camden and Gloucester)

Co-Sponsored by:

Assemblymen Holley, Houghtaling, Assemblywomen Pinkin, B.DeCroce, Muoio and Senator Turner

SYNOPSIS

Requires public employers to implement certain policies for handling and responding to reports of domestic violence.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 12/8/2017)

1 AN ACT concerning uniform domestic violence policies for public
2 employers and supplementing Title 11A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. As used in this section:

9 "Commission" means the Civil Service Commission.

10 "Domestic violence" means domestic violence as defined in
11 section 3 of P.L.1991, c.261 (C.2C:25-19) and section 1 of
12 P.L.2003, c.41 (C.17:29B-16).

13 "Employee" means an employee of a public employer.

14 "Human resources officer" means an employee of a public
15 employer with a human resources job title, or its equivalent, who is
16 responsible for orienting, training, counseling, and appraising staff.

17 "Public employer" means the State of New Jersey and any
18 county, municipality, school district, or other political subdivision
19 thereof, and any agency, authority, or instrumentality of the
20 foregoing.

21 b. (1) The commission shall develop a uniform domestic
22 violence policy, which all public employers shall adopt and
23 distribute to their employees, regardless of whether a public
24 employer is subject to the provisions of Title 11A, Civil Service, of
25 the New Jersey Statutes. A public employer may modify the
26 uniform domestic violence policy to suit any unique needs of the
27 public employer; provided, however, that the public employer's
28 domestic violence policy shall not conflict with the provisions of
29 paragraph (2) of this subsection. The commission shall review the
30 uniform domestic violence policy periodically and shall require
31 modification of the uniform domestic violence policy from time to
32 time, as need may require.

33 (2) The commission shall provide that the uniform domestic
34 violence policy, developed pursuant to this section, includes:

35 (a) a declaration encouraging employees who are victims of
36 domestic violence to contact their human resources officer and seek
37 assistance;

38 (b) a confidential method for employees to report domestic
39 violence incidents to human resources officers;

40 (c) a confidentiality policy to which human resources officers
41 receiving reports of domestic violence must adhere, unless a
42 domestic violence incident poses an emergent danger to employees
43 and the involvement of law enforcement is necessary;

44 (d) a listing of available State and local resources, support
45 services, treatment options, advocacy and legal services, medical
46 and counseling services, and law enforcement assistance services
47 for domestic violence victims;

- 1 (e) a requirement that an employee's records pertaining to a
2 domestic violence incident or domestic violence counseling be kept
3 separate from the employee's other personnel records;
- 4 (f) an explanation of the requirements of the "New Jersey
5 Security and Financial Empowerment Act," P.L.2013, c.82
6 (C.34:11C-1 et seq.); and
- 7 (g) a requirement for the public employer to develop a plan to
8 identify, respond to, and correct employee performance issues that
9 may be caused by a domestic violence incident.
- 10 (3) In the development of the uniform domestic violence policy,
11 the commission shall ensure consultation with human resources
12 officers, law enforcement personnel, prosecutors, social workers,
13 and other persons trained in counseling, crisis intervention, or in the
14 treatment of domestic violence victims.
- 15 c. The commission and the Division of Local Government
16 Services in the Department of Community Affairs shall distribute
17 the uniform domestic violence policy, and any modifications
18 thereto, to public employers. The Director of the Division of Local
19 Government Services shall release Local Finance Notices setting
20 forth any changes to the uniform domestic violence policy, as
21 changes occur.

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23 2. This act shall take effect immediately.
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26 STATEMENT
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28 This bill requires the Civil Service Commission to develop a
29 uniform domestic violence policy, which all public employers shall
30 adopt and distribute to their employees, regardless of whether a
31 public employer is subject to the provisions of Title 11A, Civil
32 Service, of the New Jersey Statutes.

33 Under this bill, the uniform domestic violence policy must
34 include: (1) a declaration encouraging employees who are victims
35 of domestic violence to contact their human resources officer and
36 seek assistance; (2) a confidential method for employees to report
37 domestic violence incidents to human resources officers; (3) a
38 confidentiality policy to which human resources officers receiving
39 reports of domestic violence must adhere, unless a domestic
40 violence incident poses an emergent danger to employees and the
41 involvement of law enforcement is necessary; (4) a listing of
42 available State and local resources, support services, treatment
43 options, advocacy and legal services, medical and counseling
44 services, and law enforcement assistance services for domestic
45 violence victims; (5) a requirement that an employee's records
46 pertaining to a domestic violence incident or domestic violence
47 counseling be kept separate from the employee's other personnel
48 records; (6) an explanation of the requirements of the "New Jersey

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1 Security and Financial Empowerment Act"; and (7) a requirement
2 for the public employer to develop a plan to identify, respond to,
3 and correct employee performance issues that may be caused by a
4 domestic violence incident. A public employer may modify the
5 uniform domestic violence policy, but the modified policy may not
6 conflict with the specific requirements set forth in this bill.

7 The bill requires the commission to ensure consultation about the
8 policy with human resources officers, law enforcement personnel,
9 prosecutors, social workers, and other persons trained in
10 counseling, crisis intervention, or in the treatment of domestic
11 violence victims. The bill requires the commission to review the
12 uniform domestic policy periodically and modify the policy from
13 time to time, as need may require.