

ASSEMBLY, No. 5628

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 17, 2019

Sponsored by:

Assemblywoman **ELIANA PINTOR MARIN**

District 29 (Essex)

Assemblywoman **NANCY F. MUNOZ**

District 21 (Morris, Somerset and Union)

Assemblywoman **ANGELA V. MCKNIGHT**

District 31 (Hudson)

Co-Sponsored by:

Assemblywomen **B.DeCroce, Schepisi, Murphy, Downey and Pinkin**

SYNOPSIS

Requires Civil Service Commission establish standardize recordkeeping and retention requirements with regard to unclassified State employees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2019)

1 AN ACT concerning recordkeeping and retention requirements of
2 the Civil Service Commission on unclassified State employees,
3 and amending N.J.S.11A:2-11 and supplementing Title 11A of
4 the Revised Statutes.

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

8
9 1. (New section) a. The Civil Service Commission, in
10 consultation with the Bureau of Records Management in the
11 Department of the Treasury and in accordance with federal and
12 State law and regulation, shall promulgate rules and regulations
13 concerning recordkeeping and record retention requirements related
14 to the recruitment, selection, hiring, and employment records of
15 persons in the State's unclassified service. The recordkeeping and
16 record retention requirements shall include, at minimum, written
17 and electronic records concerning job advertisements, job
18 applications, resumes, background checks, screening tools and tests,
19 interview notes and other records related to the decisions to hire or
20 not hire a person, and records related to job title and compensation,
21 training, reasonable accommodation requests, promotions,
22 demotions, transfers, performance evaluations, disciplinary actions,
23 and terminations.

24 b. A personnel form shall be completed and maintained for
25 each unclassified State employee. At minimum, the personnel form
26 shall include the following information:

- 27 (1) the name of the unclassified employee;
28 (2) the job title of unclassified employee;
29 (3) direct supervisor or manager;
30 (4) salary history;
31 (5) date of employment offer;
32 (7) date of hire;
33 (8) the individual authorizing the hire or change of employment
34 status; and
35 (9) any notes on promotions, demotions, transfers, performance
36 evaluations, disciplinary actions, and terminations.

37 Personnel forms shall be revised as needed to reflect any
38 subsequent change or modification in the unclassified employee's
39 employment status, salary, direct supervisor or manager, or legal
40 name.

41 c. The recruitment, selection, hiring, and employment records
42 of unclassified employees in any State agency shall be compiled by
43 the human resources office, or an equivalent entity, of that State
44 agency. Information from such records shall be provided to the
45 Civil Service Commission upon request for recordkeeping and data
46 collection purposes.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 2. N.J.S.11A:2-11 is amended to read as follows:
2 11A:2-11. Powers and duties of the commission. In addition to
3 other powers and duties vested in the commission by this title or
4 any other law, the commission:
5 a. (Deleted by amendment, P.L.2008, c.29);
6 b. May appoint employees necessary to enforce or implement
7 the provisions of this title. All employees of the commission whose
8 principal duties relate to the enforcement or implementation of this
9 title shall be confidential employees for the purposes of the "New
10 Jersey Employer-Employee Relations Act," P.L.1941, c.100
11 (C.34:13A-1 et seq.);
12 c. Shall maintain a management information system necessary
13 to carry out the provisions of this title;
14 d. Shall have the authority to audit payrolls, reports or
15 transactions for conformity with the provisions of this title;
16 e. Shall plan, evaluate, administer and implement personnel
17 programs and policies in State government and political
18 subdivisions operating under this title;
19 f. Shall establish and supervise the selection process and
20 employee performance evaluation procedures;
21 g. (Deleted by amendment, P.L.2008, c.29);
22 h. Shall set standards and procedures for review and render the
23 final administrative decision on a written record or after
24 recommendation by an independent reviewer assigned by the
25 commission from classification, salary, layoff rights and in the State
26 service noncontractual grievances;
27 i. May establish pilot programs and other projects for a
28 maximum of one year outside of the provisions of this title;
29 j. Shall provide for a public employee interchange program
30 pursuant to the "Government Employee Interchange Act of 1967,"
31 P.L.1967, c.77 (C.52:14-6.10 et seq.) and may provide for an
32 employee interchange program between public and private sector
33 employees;
34 k. (Deleted by amendment, P.L.2008, c.29);
35 l. (Deleted by amendment, P.L.2008, c.29);
36 m. Shall establish and consult with advisory boards representing
37 political subdivisions, personnel officers, labor organizations and
38 other appropriate groups;
39 n. Shall make an annual report to the Governor and Legislature
40 and all other special or periodic reports as may be required. The
41 annual report shall indicate the number of persons, by title, who, on
42 March 31, June 30, September 30, and December 31 of each year,
43 held appointments to positions in the senior executive service and
44 the number of noncareer employees by title, who, on those same
45 dates, held appointments in positions in the senior executive
46 service; **【and】**
47 o. Shall have the authority to assess costs for special or other
48 services;

1 p. (Deleted by amendment, P.L.2008, c.29) **[.]** ; and
2 q. Shall, pursuant to P.L. , c. (C.) (pending before the
3 Legislature as this bill), promulgate standardized recordkeeping and
4 record retention requirements concerning the recruitment, selection,
5 hiring, and employment records of persons in the State unclassified
6 service.
7 (cf: P.L.2008, c.29, s.8)

8
9 3. This act shall take effect immediately.

10
11
12 STATEMENT

13
14 This bill requires the Civil Service Commission, in consultation
15 with the Bureau of Records Management in the Department of the
16 Treasury and in accordance with federal and State law and
17 regulation, to promulgate rules and regulations concerning
18 recordkeeping and record retention requirements related to the
19 recruitment, selection, hiring, and employment records of persons in
20 the State unclassified service. The recordkeeping and record
21 retention requirements will include, at minimum, written records
22 concerning job advertisements, job applications, resumes,
23 background checks, screening tools and tests, interview notes, and
24 records related to job title and compensation, training, reasonable
25 accommodations requests, promotions, demotions, transfers,
26 performance evaluations, disciplinary actions, and terminations.

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28 unclassified State employee. At minimum, the personnel form will
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36 (8) the individual authorizing the hire or change of employment
37 status; and
38 (9) any notes on promotions, demotions, transfers, performance
39 evaluations, disciplinary actions, and terminations.

40 Personnel forms will be revised when needed to reflect any
41 changes in the unclassified employee's employment status, salary,
42 direct supervisor or manager, or legal name.

43 The recruitment, selection, hiring, and employment records of
44 unclassified employees in any State agency will be compiled by the
45 human resources office, or an equivalent entity, of that State
46 agency. Information for such records will be provided to the Civil
47 Service Commission upon request for recordkeeping and data
48 collection purposes.