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SYNOPSIS
Permits State and local government employees in civil service to be transferred in certain circumstances.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning transfers of State and local government employees in civil service and supplementing Title 11A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. An employee of the State, or of a political subdivision of the State that has adopted the provisions of Title 11A of the New Jersey Statutes, who is in the classified service or unclassified service of the civil service may be transferred or reassigned by the appointing authority during the period of a state of emergency or public health emergency declared by the Governor to another job assignment that is within or outside of the employee’s job title and that is within the employee’s organizational unit or department or that is in another organizational unit or department.

If the appointing authority decides to transfer or reassign an employee, the appointing authority shall order the transfer or reassignment only when the workforce needs of the organizational unit or department within which or to which the employee is transferred or reassigned have been adversely impacted by the events that caused the state of emergency or public health emergency to be declared by the Governor. The transfer or reassignment shall be for the sole purpose of responding to, mitigating, or recovering from the adverse impact, including but not limited to the processing of applications from members of the public for benefits which has been adversely impacted. The appointing authority shall state in writing the reasons for the transfer or reassignment order.

The transfer or reassignment shall be for a temporary period of no more than 30 consecutive or intermittent days.

The transfer or reassignment shall commence within the period of the state of emergency or public health emergency but may extend beyond the termination date of the emergency.

The seniority rights, the accumulated leave balances, salary steps, promotional rights, and other substantive rights, within the job title, job classification, and job assignment from which the employee was transferred or reassignment shall not be adversely affected by the transfer or reassignment. The employee shall retain all rights within the title, job classification, and job assignment from which the employee was transferred or reassigned. The employee shall accrue seniority rights for the job title, job classification, and for the job assignment from which the employee was transferred or reassigned for the period of the transfer or reassignment.

The consent of the employee shall not be required for the transfer or reassignment to occur.

The Civil Service Commission shall provide such guidance for the purposes of this section as the commission shall deem appropriate for its implementation. The provisions of this section shall not apply to
an employee holding a public safety title and job assignment, as
determined pursuant to guidance issued by the commission.

No provision of a collective negotiation agreement entered into
after the effective date of this act, P.L. , c. (pending before the
Legislature as this bill), shall contravene the provisions of this
section.

The provisions of this section providing authority for the transfer
or reassignment of an employee shall be in addition to any other
authority provided by law, regulation, or otherwise that permits the
transfer or reassignment of employees by an appointing authority.

2. This act shall take effect immediately.

STATEMENT

This bill permits an employee of the State, or of a political
subdivision of the State that has adopted the provisions of Title 11A
of the New Jersey Statutes, who is in the classified service or
unclassified service of the civil service to be transferred or reassigned
by the appointing authority during the period of a state of emergency
or public health emergency declared by the Governor to another job
assignment that is within or outside of the employee’s job title and
that is within the employee’s organizational unit or department or
that is in another organizational unit or department.

If the appointing authority decides to transfer or reassign an
employee, the appointing authority can order the transfer or
reassignment only when the workforce needs of the organizational
unit or department within which or to which the employee is
transferred or reassigned have been adversely impacted by the events
that caused the state of emergency or public health emergency to be
declared by the Governor. The transfer or reassignment must be for
the sole purpose of responding to, mitigating, or recovering from the
adverse impact, including but not limited to the processing of
applications from members of the public for benefits which has been
adversely impacted.

The transfer or reassignment will be for a temporary period of no
more than 30 consecutive or intermittent days.

The seniority rights, the accumulated leave balances, salary steps,
promotional rights, and other substantive rights, within the job title,
job classification, and job assignment from which the employee was
transferred or reassignment will not be adversely affected by the
transfer or reassignment.

The consent of the employee will not be required for the transfer
or reassignment to occur.

The provisions of this bill will not apply to an employee holding
a public safety title and job assignment.