

11: 9-17.1

**LEGISLATIVE HISTORY CHECKLIST**

**NJSA:** 11:9-17.1

(Public employees--appointed under waiver of examination - allow retroactive promotions and salary adjustments)

**LAWS OF:** 1983

**CHAPTER:** 319

**Bill No:** S3223

**Sponsor(s):** Foran

**Date Introduced:** March 30, 1983

**Committee:** **Assembly:** State Government, Civil Service, Elections, Pensions and Veteran Affairs

**Senate:** -----

**Amended during passage:** NO Substituted for A3598 (not attached since identical to S3223)

**Date of Passage:** **Assembly:** July 11, 1983

**Senate:** April 25, 1983

**Date of Approval:** August 30, 1983

**Following statements are attached if available:**

**Sponsor statement:** YES

**Committee statement:** **Assembly** YES

**Senate** NO

**Fiscal Note:** NO

**Veto Message:** NO

**Message on Signing:** YES

**Following were printed:**

**Reports:** NO

**Hearings:** NO

SENATE, No. 3223  
STATE OF NEW JERSEY

INTRODUCED MARCH 30, 1983

By Senator FORAN

(Without Reference)

AN ACT concerning promotional appointments during service credit periods granted on the basis of waiver of examination and supplementing P. L. 1981, c. 204.

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

1 1. A person granted a waiver of examination pursuant to sec-  
2 tion 3 of P. L. 1981, c. 204 (C. 11:9-17), who is permitted to be  
3 employed by the President and is entitled to a service credit for  
4 temporary or emergency employment as if it had been permanent,  
5 full-time employment, shall also be granted a promotional appoint-  
6 ment as the President determines would have been reasonably  
7 attained during the service credit period and receive the salary  
8 differential between the salary paid the individual during the  
9 temporary or emergency employment and the salary commensurate  
10 with the promotion from the date established by the President  
11 for the promotion.

1 2. This act shall take effect immediately and expire 30 days after  
2 enactment.

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STATEMENT

This bill gives the President of the Civil Service Commission discretion to grant retroactive promotional appointments and salary adjustments to employees who have been granted waivers of examination and are entitled to credit for temporary or emergency employment as if it had been permanent, full-time employment, if the President determines that such promotional appointments would have been attained during the service credit period.

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ASSEMBLY STATE GOVERNMENT, CIVIL SERVICE,  
ELECTIONS, PENSIONS AND VETERANS AFFAIRS  
COMMITTEE

STATEMENT TO  
**SENATE, No. 3223**

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**STATE OF NEW JERSEY**

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DATED: JUNE 23, 1983

The sponsor's statement explains the provisions of this bill:

This bill gives the President of the Civil Service Commission discretion to grant retroactive promotional appointments and salary adjustments to employees who have been granted waivers of examination and are entitled to credit for temporary or emergency employment as if it had been permanent, full-time employment, if the President determines that such promotional appointments would have been attained during the service credit period.

The bill would expire 30 days after enactment.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: CARL GOLDEN

TUESDAY, AUGUST 30, 1983

Governor Thomas H. Kean today signed legislation clearing the way for a wounded Vietnam veteran to win a promotion and receive retroactive salary payments which he had been denied because of a quirk in Civil Service regulations.

The legislation, S-3223, was sponsored by Senator Walter E. Foran, R-Hunterdon, and permits the President of the Civil Service Commission to grant a retroactive promotion and salary adjustment to Robert Braun of Titusville, who is currently employed as an auditor in the State Division of Taxation.

"Mr. Braun has been caught up in a truly unique situation," Kean said. I am delighted to be able, with the stroke of a pen, to slice through the kind of red tape which has kept Mr. Braun from attaining what is rightfully and properly his."

Braun, who holds two Purple Hearts and a Bronze Star for bravery in Vietnam, has been serving in a provisional status in the Division of Taxation because his war injuries have impaired his ability to take a formal written examination.

He has, however, won a college degree and has passed a Civil Service examination, but has not received permanent classification status. In addition, he has consistently received job performance evaluations ranging from satisfactory to outstanding.

"With the signing of this bill, Mr. Braun will receive permanent status and qualify for the same benefits as all other state employees," Kean said.

- more -

ROBERT BRAUN

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TUESDAY, AUGUST 30, 1983

The Governor pointed out that the legislation is designed to address the problem faced by Braun and that it will expire 30 days after enactment.

"This legislation is clear and convincing evidence that government can, indeed, be moved; that it can, indeed, overcome the seemingly endless frustrations caused by red tape and regulations, and that it does, indeed, care for the individual," Kean said.

"Mr. Braun has served his country in the military and we owe him a debt of gratitude for that service," the Governor said. "He is now serving the people of the State as their employee and the very least we can do is assure he will be able to continue that service."

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