

11:22-34.1

LEGISLATIVE HISTORY CHECKLIST

(Civil Service--Promotional lists--local
--extend life of list during period of
hiring freeze)

NJSA 11:22-34.1

LAWS 1980

CHAPTER 134

Bill No. S1252 (Substituted for A1942 (not attached since identical to S1252))

Sponsor(s) Caufield

Date Introduced April 28, 1980

Committee: Assembly -----

Senate County and Municipal Government

Amended during passage Yes
according to Governor's recommendations

~~No~~ Amendments denoted by
asterisks.

Date of Passage: Assembly July 28, 1980

Re-enacted 10-6-80

Senate June 26, 1980

Re-enacted 9-29-80

Date of approval Oct. 27, 1980

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly ~~Yes~~ No

Senate Yes ~~No~~

Fiscal Note ~~Yes~~ No

Veto Message Yes ~~No~~

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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SENATE, No. 1252

STATE OF NEW JERSEY

INTRODUCED APRIL 28, 1980

By Senator CAUFIELD

Referred to Committee on County and Municipal Government

AN ACT concerning eligibility lists for positions and employments in certain counties, municipalities and school districts and supplementing Title 11 of the Revised Statutes.

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

1 1. When the commission has established ***[an]*** *a promotional**
2 eligibility list for a position or employment in the service of a
3 county, municipality or school district which has adopted the pro-
4 visions of Title 11 (Civil Service) of the Revised Statutes and which
5 has adopted an ordinance, resolution, rule or regulation temporarily
6 barring promotions ***[or additional hiring]*** for economic reasons,
7 the list shall remain in effect for the established term of eligibility
8 and for ****[the period of time for which **[the]** **such** ordinance,**
9 **resolution, rule or regulation was in effect]**** *1 year beyond its*
10 *original expiration date***. An officer or employee included on an
11 eligibility list so extended shall be eligible for appointment notwith-
12 standing that the officer or employee may have been demoted or
13 temporarily demoted for reasons of economy during the period
14 that ***[the]*** **such** ordinance, resolution, rule or regulation was
15 in effect.

1 2. This act shall take effect immediately.

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

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1 1. When the commission has established an eligibility list for a
2 position or employment in the service of a county, municipality or
3 school district which has adopted the provisions of Title 11 (Civil
4 Service) of the Revised Statutes and which has adopted an
5 ordinance, resolution, rule or regulation temporarily barring pro-
6 motions or additional hiring for economic reasons, the list shall
7 remain in effect for the established term of eligibility and for the
8 period of time for which the ordinance, resolution, rule or regula-
9 tion was in effect. An officer or employee included on an eligibility
10 list so extended shall be eligible for appointment notwithstanding
11 that the officer or employee may have been demoted or temporarily
12 demoted for reasons of economy during the period that the ordi-
13 nance, resolution, rule or regulation was in effect.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to require the Civil Service Commission to extend the term of an eligibility list for any position or employment in a county, municipality or school district which has imposed a temporary freeze on hiring or promotions for economic reasons. The term of the eligibility list would be extended for a period equal to the duration of the freeze. Such an extension would provide assurance to individuals seeking new jobs or promotions who have already successfully passed qualifying examinations and been placed on eligibility lists that they will be entitled to the same rights and privileges they would have received if the freeze on hiring and promotions had not been established.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE No. 1252

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 1980

Senate Bill No. 1252 would require the Civil Service Commission to extend the term of a promotional eligibility list for any position or employment in a county, municipality or school district which has imposed a temporary freeze on promotions for economic reasons. The term of the eligibility list would be extended for a period equal to the duration of the freeze. Such an extension would provide assurance to individuals seeking promotions who have already successfully passed qualifying examinations and been placed on eligibility lists that they will be entitled to the same rights and privileges they would have received if the freeze on promotions had not been established.

The Senate committee at the request of the sponsor amended the bill to make it apply only to promotional lists. The sponsor believed that application of the legislation to initial appointment lists would make it extremely difficult to administer, and that the real hardship in these freeze situations is for those qualified individuals who find their career progress within the local department or agency blocked as a result of economic circumstances beyond their control.

September 22, 1980

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

SENATE BILL NO. 1252 (OCR)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 1252 (OCR) with recommended amendments.

This bill would require the Civil Service Commission to extend the term of a promotional eligibility list for any position or employment in a county, municipality or school district which has imposed a temporary freeze on promotions for economic reasons. The term of the eligibility list would be extended for a period equal to the duration of the freeze.

The Civil Service Commission is authorized by statute to set the term for eligibility lists for local jurisdictions at a minimum of one year and a maximum of three, N.J.S.A. 11:22-32. The limitations are intended to provide appointing authorities with employees who have current expertise. Extending the promotional eligibility list for years would likely result in less qualified candidates obtaining promotions.

I am persuaded, however, that strict adherence to the current law will unfairly affect certain municipal employees whose promotional eligibility lists will expire at the end of a two-year period. It is my understanding that such lists in the future will have a three-year life.

Accordingly, I herewith return Senate Bill No. 1252 (OCR) with the following recommended amendments:

Page 1, Section 1, Line 8: Delete "the period of time for which such ordinance," and insert "one year beyond its original expiration date"

Page 1, Section 1, Line 9: Delete "resolution, rule or regulation was in effect"

Respectfully,

/s/ BRENDAN BYRNE

GOVERNOR

Attest:

/s/ Harold L. Hodes

CLERK OF STATE, Secretary