

11A:6-1.1

**LEGISLATIVE HISTORY CHECKLIST**  
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(Furlough program-- State employees)

**NJSA:** 11A:6-1.1

**LAWS OF:** 1993 **CHAPTER:** 297

**BILL NO:** S339

**SPONSOR(S)** Bubba

**DATE INTRODUCED:** February 13, 1992

**COMMITTEE:** **ASSEMBLY:** State Government  
**SENATE:** State Government

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
First reprint enacted denoted by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** June 21, 1993  
**SENATE:** December 16, 1993

**DATE OF APPROVAL:** December 23, 1993

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes  
**SENATE:** Yes

**FISCAL NOTE:** Yes

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** Yes

**HEARINGS:** No

974.90 New Jersey. Legislature. Assembly. Select Committee on  
C582 Civil Service and Employee Benefits.  
1992c Report...May 21, 1992.  
Trenton, 1992. [see pp.9--attached]

974.90 New Jersey. Legislature. Assembly. Select Committee on  
C582 Civil Service and Employee Benefits.  
1992b Committee meeting, held 3-23-92, 4-9-92, 4-21-92, 4-2-92,  
4-14-92, 4-23-92. Trenton.

KBG:pp

[FIRST REPRINT]

SENATE, No. 339

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1992

By Senator BUBBA

1 AN ACT <sup>1</sup>[directing State appointing authorities to require their  
2 employees to take two days leave of absence per month  
3 without pay for a period of one year] concerning a voluntary  
4 furlough program for State employees and supplementing Title  
5 11A of the New Jersey Statutes<sup>1</sup>.  
6

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

9 1. <sup>1</sup>[Notwithstanding any law, rule or regulation to the  
10 contrary and without any loss of seniority for the purposes of  
11 Title 11A of the New Jersey Statutes, every State appointing  
12 authority shall require its employees to take two days leave of  
13 absence per month without pay for a period of one year after the  
14 effective date of this act.] The Commissioner of the Department  
15 of Personnel shall establish a voluntary furlough program for  
16 State employees under which days of leave without pay, singly or  
17 consecutively, may be taken. The seniority rights and health  
18 benefits coverage of an employee who participates in this  
19 furlough program shall continue and shall not be adversely  
20 affected by participation.<sup>1</sup>

21 2. <sup>1</sup>[The Merit System Board shall adopt and enforce rules to  
22 carry out the provisions of this act.] The Commissioner of the  
23 Department of Personnel shall promulgate, in accordance with  
24 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
25 et seq.), such rules and regulations as are necessary to effectuate  
26 the purposes of this act.<sup>1</sup>

27 3. This act shall take effect <sup>1</sup>[on the first day of the month  
28 which follows enactment and shall expire one year thereafter]  
29 immediately<sup>1</sup>.  
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35 Directs Commissioner of Personnel to establish a voluntary  
furlough program.

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSG committee amendments adopted April 15, 1993.

SENATE, No. 339

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1992

By Senator BUBBA

1 AN ACT directing State appointing authorities to require their  
2 employees to take two days leave of absence per month  
3 without pay for a period of one year.  
4

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

7 1. Notwithstanding any law, rule or regulation to the contrary  
8 and without any loss of seniority for the purposes of Title 11A of  
9 the New Jersey Statutes, every State appointing authority shall  
10 require its employees to take two days leave of absence per  
11 month without pay for a period of one year after the effective  
12 date of this act.

13 2. The Merit System Board shall adopt and enforce rules to  
14 carry out the provisions of this act.

15 3. This act shall take effect on the first day of the month  
16 which follows enactment and shall expire one year thereafter.  
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STATEMENT

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21 In order to lessen the possibility of layoffs, this bill provides  
22 that every State appointing authority shall require its employees  
23 to take two days leave of absence per month without pay for a  
24 period of one year. It is expected that passage of this legislation  
25 would save approximately \$20 million a month.  
26

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31 Directs State appointing authorities to require their employees to  
32 take two days leave of absence per month without pay for a  
period of one year.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 339

STATE OF NEW JERSEY

DATED: NOVEMBER 22, 1993

The Assembly State Government Committee reports favorably Senate, No. 339 (1R).

This bill directs the Commissioner of the Department of Personnel to establish a voluntary furlough program for State employees under which days of leave without pay, singly or consecutively, may be taken. The seniority rights and health benefits coverage of an employee who participates in this furlough program shall continue and shall not be adversely affected by participation.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 339**

with committee amendments

**STATE OF NEW JERSEY**

DATED: APRIL 5, 1993

The Senate State Government Committee reports favorably and with committee amendments Senate Bill No. 339.

This bill directs the Commissioner of the Department of Personnel to establish a voluntary furlough program for State employees under which days of leave without pay, singly or consecutively, may be taken. The seniority rights and health benefits coverage of an employee who participates in this furlough program shall continue and shall not be adversely affected by participation.

COMMITTEE AMENDMENTS

The committee amended the bill to direct the Commissioner of Personnel to establish a permanent voluntary furlough program for State employees instead of requiring the establishment of a temporary mandatory program.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]

SENATE, No. 339

STATE OF NEW JERSEY

DATED: December 3, 1993

Senate Bill No. 339 (1R) of 1992 directs the Commissioner of the Department of Personnel to establish a voluntary furlough program for State employees. The bill provides that furlough days can be taken singly or consecutively. In addition, the seniority rights and health benefits coverage of participating employees are continued and not adversely affected by participation.

The Office of Legislative Services (OLS) notes that the FY 1992 Appropriations Act established a voluntary furlough program for State employees which resulted in approximately \$6 million in salary savings to the State. The program was continued in fiscal year 1993, saving approximately \$7.1 million, and is being continued in fiscal year 1994. This bill would make the voluntary furlough program a permanent program authorized by law.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

- When necessary, layoffs should be done in a thoughtful and humane manner. Those in the higher management positions within their respective agencies must be responsible for designating those positions for layoffs that will have the least effect on the operations of State government. In accordance with the Civil Service Act (N.J.S.A. 11A:1-2c), merit is an essential quality that must be used to determine who should or should not be laid off.
- The Commissioner of Personnel should explore possibilities for further administrative revisions to the layoff procedures as may be achievable under his current authority, or for rule changes which he may recommend to the Merit System Board.
- Steps should be taken to limit the number of notices sent to those who will not be laid off.

### Furloughs

According to information provided by the Department of Personnel, as of April 13, 1992 a total of 3,602 State employees have taken 31,343 furlough days under the voluntary furlough program for an estimated savings of over \$4.1 million. The department states that it is on track to meet its goal of saving \$6 million by the end of the fiscal year. In addition to this tangible financial benefit to the taxpayers, the department notes that the program is beneficial to State employees who need time away from work for family care needs, furthering their education, or simply as additional vacation time. The department reports that most complaints received in connection with the program are from employees whose agencies have had to deny furlough requests for organizational or fiscal reasons.

In addition to the evidence that the program represents a benefit to the taxpayer, the committee finds that the voluntary furlough program is supported by the labor community and that there is interest among local public employers in having the option of offering the program to their employees.

### RECOMMENDATION:

- Steps should be taken to promote the expansion of the voluntary furlough program to local governments; in particular, the Legislature should consider mandating continued health coverage and service credit accrual for local employees participating in a voluntary furlough.

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Report