

5:37-11
MUNICIPAL, COUNTY AND AUTHORITY EMPLOYEES DEFERRED
COMPENSATION PLANS - ENFORCEMENT

5:37-11.1 Compliance

The employer and contractor shall comply with the provisions of this chapter. Any employer or contractor deemed by the Director to be in noncompliance shall be notified by certified mail to appear before the Director, or designee. Notice shall be given at least 14 days prior to the date of the appearance and shall detail the nature of the alleged non-compliance. Failure to appear shall result in appropriate penalties pursuant to N.J.A.C. 5:37-11.4.

5:37-11.2 Director determination

No later than 10 days after an appearance required by N.J.A.C. 5:37-11.1, the Director shall issue a written determination on the issue of regulatory compliance. A copy of the determination shall be forwarded by certified mail to the employer or contractor, as appropriate.

5:37-11.3 Grace period

A Director determination of non-compliance shall result in the immediate commencement of a 60 day grace period. During this time, the employer or contractor shall rectify all items of non-compliance to the satisfaction of the Director.

5:37-11.4 Penalties

Failure to satisfactorily address non-compliance during the grace period shall result in the immediate ineligibility of a contractor to qualify for Division approval of any additional deferred compensation plans. In addition, the Director may take such other actions as provided for by law.