

Subchapter 4 sets forth the requirements of the Registry of Pinelands Development Credits, including its contents, availability to the public, and requirement of an annual report.

Subchapter 5 enumerates the criteria to be considered by the Board in the purchase of credits by the Bank itself, including the definition of a hardship and the per credit price to be paid by the Bank.

Subchapter 7 establishes procedures and requirements regarding the sale of Pinelands Development Credits owned by the Bank. The rules permit two methods for such sales: open bidding at a duly advertised auction or receipt of written, sealed bids. In addition, this subchapter establishes criteria that govern the Bank's conveyance of Pinelands Development Credits at no cost.

Subchapter 9 addresses amendment of these rules by the Board or by petition of an interested person.

Subchapters 6 and 8 are reserved.

The Pinelands Development Credit Bank Board has reviewed this chapter and has determined that the rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated and should be readopted without change. In accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for an additional seven years.

## CIVIL SERVICE

### (a)

#### CIVIL SERVICE COMMISSION

##### Notice of Readoption

##### Classification, Services, and Compensation

##### Readoption: N.J.A.C. 4A:3

Authority: N.J.S.A. 11A:2-6.d, 11A:2-11.h, 11A:3-1 through 7, and 11A:6-24; and 29 U.S.C. §§ 201 et seq.

Authorized By: Civil Service Commission, Deirdré L. Webster  
Cobb, Chairperson.

Effective Date: August 25, 2022.

New Expiration Date: August 25, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 4A:3 were scheduled to expire on April 20, 2024. The Civil Service Commission has reviewed N.J.A.C. 4A:3 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change.

N.J.A.C. 4A:3-1 establishes the allocations between the career and unclassified services (N.J.A.C. 4A:3-1.1 and 1.3), allocations between the competitive and noncompetitive divisions of the career service (N.J.A.C. 4A:3-1.2), and the appointment of unclassified secretaries and confidential assistants (N.J.A.C. 4A:3-1.4).

N.J.A.C. 4A:3-2 provides the rules for the Senior Executive Service in State service, including general provisions (N.J.A.C. 4A:3-2.1), designation (N.J.A.C. 4A:3-2.2), appointments (N.J.A.C. 4A:3-2.3), performance evaluations (N.J.A.C. 4A:3-2.4), compensation (N.J.A.C. 4A:3-2.5), benefits (N.J.A.C. 4A:3-2.6), and separation (N.J.A.C. 4A:3-2.9).

N.J.A.C. 4A:3-3 presents the rules for the Civil Service classification system, including classification of positions (N.J.A.C. 4A:3-3.1); establishment and administration of classification plans (N.J.A.C. 4A:3-3.2 and 3.3); assuring titles are appropriate to the duties performed (N.J.A.C. 4A:3-3.4); reclassification of positions (N.J.A.C. 4A:3-3.5); new titles (N.J.A.C. 4A:3-3.6); trainee, apprentice, recruit, and intern titles (N.J.A.C. 4A:3-3.7); the Police Assistant title in local service (N.J.A.C. 4A:3-3.7A); the Correctional Police Officer Apprentice title (N.J.A.C. 4A:3-3.7B); intermittent titles (N.J.A.C. 4A:3-8); and appeal procedures (N.J.A.C. 4A:3-3.9).

N.J.A.C. 4A:3-4 provides the rules for the compensation system, including general provisions (N.J.A.C. 4A:3-4.1); job evaluation

(N.J.A.C. 4A:3-4.2); job reevaluation requests and appeals (N.J.A.C. 4A:3-4.3); salary rates for initial appointments (N.J.A.C. 4A:3-4.4); anniversary dates related to compensation (N.J.A.C. 4A:3-4.5); anniversary dates related to non-pay status (N.J.A.C. 4A:3-4.6); pay adjustments, including lateral pay adjustments (N.J.A.C. 4A:3-4.8), advancement pay adjustments (N.J.A.C. 4A:3-4.9), demotional pay adjustments (N.J.A.C. 4A:3-4.10), and downward title reevaluation adjustments (N.J.A.C. 4A:3-4.11); movement of employees including from no-range or single rate titles to titles having salary ranges (N.J.A.C. 4A:3-4.12) and of employees to trainee titles from titles having higher pay rates (N.J.A.C. 4A:3-4.14); salaries, including for employees whose annual salaries are not on a step in their salary range (N.J.A.C. 4A:3-4.13), for employees appointed to tentative title positions (N.J.A.C. 4A:3-4.15), and for employees on military leave during a trainee period (N.J.A.C. 4A:3-4.16); salaries and anniversary dates for employees appointed from a special reemployment list (N.J.A.C. 4A:3-4.17) and from a regular reemployment list (N.J.A.C. 4A:3-4.18); other forms of compensation (N.J.A.C. 4A:3-4.19), retroactive pay (N.J.A.C. 4A:3-4.20), and salary overpayments (N.J.A.C. 4A:3-4.21).

N.J.A.C. 4A:3-5 provides the rules for overtime compensation for both State and local service, including general provisions and the distinction between compensation for State and local service (N.J.A.C. 4A:3-5.1), definitions (N.J.A.C. 4A:3-5.2), eligibility for overtime pay (N.J.A.C. 4A:3-5.3), criteria for exemption from the Fair Labor Standards Act (N.J.A.C. 4A:3-5.4), the applicability of the Fair Labor Standards Act (N.J.A.C. 4A:3-5.5), overtime compensation eligibility for employees in exempt positions (N.J.A.C. 4A:3-5.6), special circumstances including on-call employees, training time, travel, exceptional emergencies, and special project rate compensation (N.J.A.C. 4A:3-5.7), holiday pay (N.J.A.C. 4A:3-5.8), appointing authority responsibilities (N.J.A.C. 4A:3-5.9), and appeal procedures (N.J.A.C. 4A:3-5.10). N.J.A.C. 4A:3 also includes Appendix A, which is a chart that outlines overtime payment provisions.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 4A:3 is readopted and shall continue in effect for a seven-year period.

### (b)

#### CIVIL SERVICE COMMISSION

##### Notice of Readoption

##### Selection and Appointment

##### Readoption: N.J.A.C. 4A:4

Authority: N.J.S.A. 11A:2-6(d), 11A:4-1 et seq., 11A:7-13, 38:23A-2, 40A:9-1.3 through 1.10, 40A:14-9.9, 40A:14-10.1a, 40A:14-12, 40A:14-45, 40A:14-123.1a, 40A:14-127, 40A:14-127.1, and 40A:14-180; and P.L. 2008, c. 29.

Authorized By: Civil Service Commission, Deirdré L. Webster  
Cobb, Chairperson.

Effective Date: August 25, 2022.

New Expiration Date: August 25, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 4A:4 regarding selection and appointment for civil service positions were scheduled to expire on June 21, 2024. The Civil Service Commission has reviewed N.J.A.C. 4A:4 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change.

Subchapter 1 sets forth the types of appointments that may be made, and includes the following rules: N.J.A.C. 4A:4-1.1, Career service appointments; 4A:4-1.2, Senior executive service appointments; State service; N.J.A.C. 4A:4-1.3, Unclassified appointments; 4A:4-1.4, Conditional regular appointments. N.J.A.C. 4A:4-1.5 concerns provisional appointments and N.J.A.C. 4A:4-1.6 concerns interim appointments. N.J.A.C. 4A:4-1.7 concerns temporary appointments and N.J.A.C. 4A:4-1.8 deals with emergency appointments. N.J.A.C. 4A:4-1.9 concerns the return of employees to their permanent titles and involves

employees with permanent status who are returned to their permanent titles following a working test period in another title or following a conditional regular appointment, an interim appointment, or other specific types of finite, non-permanent appointments. N.J.A.C. 4A:4-1.10 concerns approval of appointments by the Civil Service Commission.

Subchapter 2 covers competitive examinations. N.J.A.C. 4A:4-2.1, Announcements and applications, concerns the process of announcing open competitive and promotional examinations and application filing requirements. N.J.A.C. 4A:4-2.2 sets forth the types of examinations that may be administered. N.J.A.C. 4A:4-2.3, Open competitive examinations, sets forth the criteria for announcing an open competitive examination, as well as minimum eligibility requirements. N.J.A.C. 4A:4-2.4, Promotional title scope: local service, concerns the method by which the titles are chosen, to which a promotional examination will be open in local service. N.J.A.C. 4A:4-2.5, Promotional title scope: State service, sets forth similar provisions pertaining to State service. N.J.A.C. 4A:4-2.6, Eligibility for promotional examination, concerns eligibility criteria for promotional tests apart from title scopes. N.J.A.C. 4A:4-2.7, Promotion upon waiver of competitive examination, concerns the circumstances under which a promotional examination may be waived.

N.J.A.C. 4A:4-2.8, Scheduling of examinations, concerns the scheduling of tests and the timely arrival of candidates at the test site. N.J.A.C. 4A:4-2.9, Make-up examinations, sets forth the criteria for administering make-up examinations, the method for requesting a make-up, and special circumstances affecting make-ups, such as the situations of employees on military leave or who have been the subject of disciplinary action. N.J.A.C. 4A:4-2.10, Conduct and security of examinations, sets forth basic procedures for test administration and necessary security measures. N.J.A.C. 4A:4-2.11, Residence standards, sets forth general principles concerning the establishment of a legal residence in the context of examinations requiring residence in a specific municipality or county or in the State of New Jersey. N.J.A.C. 4A:4-2.12, Professional qualifications substitution program, sets forth a mechanism by which some examination applicants may be able to substitute certain work experience for education required for examination eligibility purposes. N.J.A.C. 4A:4-2.13 is reserved.

N.J.A.C. 4A:4-2.14, Accommodation and waiver of examinations for persons with disabilities, sets forth procedures for reasonable accommodations for people with disabilities who wish to take a civil service examination and the circumstances under which a test may be waived for a person with disabilities. N.J.A.C. 4A:4-2.16, Retention and inspection of examination records, sets forth procedures for the retention of examination records and designates which records are open to public inspection and under what circumstances. N.J.A.C. 4A:4-2.17, Application processing fees, provides for examination application fees and exceptions to paying such fees.

Subchapter 3 concerns eligible lists. N.J.A.C. 4A:4-3.1, Types of eligible lists, sets forth the types of eligible lists that may be established, including open competitive, promotional, regular reemployment, police or fire reemployment, and special reemployment. N.J.A.C. 4A:4-3.2, Order of names on eligible lists, sets forth the procedures for ordering of names on the types of eligible lists indicated at N.J.A.C. 4A:4-3.1, and provides examples. N.J.A.C. 4A:4-3.3, Duration and cancellation of eligible lists, sets forth the duration of the different types of lists and the circumstances under which an eligible list may be cancelled. N.J.A.C. 4A:4-3.4, Revival of eligible lists, concerns the circumstances under which an eligible list may be revived. N.J.A.C. 4A:4-3.5, Consolidation of eligible lists, sets forth methods by which eligible lists may be consolidated under appropriate circumstances. N.J.A.C. 4A:4-3.6, Additions to eligible lists, sets forth the circumstances under which names may be added to an eligible list and the rights of an eligible whose name is added to a list. N.J.A.C. 4A:4-3.7, Priority of eligible lists, establishes the priority of the usage of the lists and identifies certain types of appointments that take priority over others. N.J.A.C. 4A:4-3.8, Correction of errors, sets forth the circumstances under which an error on a list may be corrected and the effect such a correction may have on other appointments and list certifications. N.J.A.C. 4A:4-3.9, Reemployment program for certain law enforcement officers and firefighters, sets forth the program established by statute, N.J.S.A. 40A:14-180, in which a municipality or a county with a police department, a fire department, or a

fire district may appoint laid off police officers and firefighters from other jurisdictions to fill vacancies. N.J.A.C. 4A:4-3.10, Procedures for reemployment program for certain law enforcement officers and firefighters, delineates the procedures for making such appointments and the rights that individuals receiving such appointments have.

Subchapter 4 governs certifications from eligible lists. N.J.A.C. 4A:4-4.1, Need for certification, sets forth the circumstances under which a certification of an eligible list may be requested. N.J.A.C. 4A:4-4.2, Issuance of certification, includes procedures for issuing a certification of a list, an appointing authority's entitlement to a complete certification and how that is defined, and the procedures to follow if a certification is not complete. N.J.A.C. 4A:4-4.3, Certification from appropriate lists, permits a certification to be issued for an appropriate title of the same or higher level, in the same or a related series, or from a common or a similar State or local service list under certain circumstances when an eligible list for a given title is either unavailable or incomplete. N.J.A.C. 4A:4-4.4, Limitation on number of times an eligible is certified, limits the number of times a non-veteran eligible can be certified to the same appointing authority from an open competitive list. N.J.A.C. 4A:4-4.5, Certifications limited to persons of a particular sex, religion, or national origin, permits a certification to be issued based on a bona fide occupational qualification. N.J.A.C. 4A:4-4.6, Eligibles on military leave, provides for the rights of eligibles on military leave, and the options of an appointing authority under those circumstances. N.J.A.C. 4A:4-4.7, Removal of names, itemizes valid causes for removal of an eligible's name from a list and the procedures followed in the list removal process. N.J.A.C. 4A:4-4.8, Disposition of a certification, sets forth the procedures to follow in making appointments from a certification. N.J.A.C. 4A:4-4.9, Date of appointment, sets forth the parameters within which the date of appointment from an eligible list may be set. N.J.A.C. 4A:4-4.10, Certification of additional eligibles, addresses a situation in which an eligible who accepts employment cannot begin work within three weeks or such other reasonable time as specified by the appointing authority.

Subchapter 5 pertains to working test periods. N.J.A.C. 4A:4-5.1, General provisions, defines the concept of the working test period. N.J.A.C. 4A:4-5.2, Duration, sets forth the duration of the working test period, which depends on whether the title is in State or local service, whether the working test period needs to be lengthened beyond its normal duration, and whether an eligible is appointed to an entry level law enforcement, correction officer, juvenile detention officer, or firefighter title. N.J.A.C. 4A:4-5.3, Progress reports, provides a schedule for the completion of working test period progress reports. N.J.A.C. 4A:4-5.4, Working test period appeals, permits an employee to appeal a separation at the end of the working test period due to unsatisfactory performance. N.J.A.C. 4A:4-5.5, Restoration to eligible list or former title, concerns an employee's right to be restored to an eligible list or former title upon separation during or at the end of a working test period.

Subchapter 6 pertains to examination and selection disqualification and appeals. N.J.A.C. 4A:4-6.1, Examination and selection disqualification, addresses the various grounds for disqualification from a test or from appointment of an applicant or eligible. N.J.A.C. 4A:4-6.2, Actions against disqualified persons, sets forth the measures that may be taken against a disqualified person, including rejection of an examination application, removal of an eligible's name from a list, and removal from employment, among other actions. N.J.A.C. 4A:4-6.3, Examination and selection appeals, sets forth the types of examination and selection appeals that an individual may file and the procedures that are to be followed in filing such appeals. N.J.A.C. 4A:4-6.4, Review of examination items, scoring and administration, sets forth the periods within which a test candidate may review a test paper and file a particular type of appeal and addresses examination security issues related to the review process. N.J.A.C. 4A:4-6.5, Medical and/or psychological disqualification appeals, concerns appeals by an eligible of his or her disqualification from appointment for medical or psychological reasons and sets forth the procedures to be followed in this appeal process. N.J.A.C. 4A:4-6.6, Disqualification appeals, sets forth the procedures for filing appeals other than those described in other rules.

Subchapter 7 concerns appointments and employee movements not covered in other subchapters. N.J.A.C. 4A:4-7.1, Transfers within the same governmental jurisdiction, covers permanent, temporary, and

emergency transfers of employees and sets forth procedures to follow in those instances. N.J.A.C. 4A:4-7.1A, Intergovernmental transfers, concerns the movement of a permanent employee between government jurisdictions operating under Title 11A and provides cross-references to other civil service rules regarding the effect of such movements on the various leave programs, seniority used for different purposes, and other aspects of the civil service system. N.J.A.C. 4A:4-7.2, Reassignments, defines employee reassignments. N.J.A.C. 4A:4-7.3, Relocation assistance: State service, governs financial assistance to permanent State employees who are transferred or reassigned to a new work location due to the movement of an office or a unit or the closing or phasedown in anticipation of a closing of a State operation; it is noted that such financial assistance is subject to available appropriations. N.J.A.C. 4A:4-7.4, Retention of rights, sets forth the rights retained by an employee who is permanently or temporarily transferred, receives an intergovernmental transfer, or is reassigned. N.J.A.C. 4A:4-7.5, Transfer during a working test period, sets forth limits on an employee transfer during a working test period and the employee's rights in this type of situation.

N.J.A.C. 4A:4-7.6, Lateral title change, defines the meaning of a lateral title change of an employee and includes procedures for determining whether the employee retains permanent status or must be appointed pending examination. N.J.A.C. 4A:4-7.7, Appeals, pertains to appeals that may be filed regarding transfers, reassignments, and lateral title changes. N.J.A.C. 4A:4-7.8, Voluntary demotion, defines the voluntary demotion of an employee and sets forth the parameters within which such a personnel action may be taken and the circumstances under which an employee who has been voluntarily demoted may return to his or her prior permanent title. N.J.A.C. 4A:4-7.10, Regular reemployment, governs the procedures by which a permanent employee may be appointed from a regular reemployment list or a police or fire reemployment list and provides when seniority commences in those situations. N.J.A.C. 4A:4-7.11, Transfer or combining of functions, governs the status of employees affected by a transfer or combining of functions between two or more civil service agencies or political subdivisions. N.J.A.C. 4A:4-7.12, Reinstatement following disability retirement, governs the rights of a permanent employee placed on disability retirement to return to work.

Pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 4A:4 is readopted and shall continue in effect for a seven-year period.

(a)

**CIVIL SERVICE COMMISSION**  
**Notice of Readoption**  
**Leaves, Hours of Work, and Employee Development**  
**Readoption: N.J.A.C. 4A:6**

Authority: N.J.S.A. 11A:2-6.d, 11A:3-7, 11A:6-1 through 11A:6-28, 18A:31-2, 30:4-178, 34:11B-1 et seq., 38:23-2, 38A:1-1, 38A:4-4, 40A:14-177, and 52:14-26.2; P.L. 2008, c. 29 and P.L. 2001, c. 351; 10 U.S.C. § 10101, 29 U.S.C. §§ 201 et seq., 29 U.S.C. §§ 2601 et seq., 38 U.S.C. §§ 4301 et seq., 38 U.S.C. §§ 4311 et seq., and 42 U.S.C. §§ 12101 et seq.; and 29 CFR 825.

Authorized By: Civil Service Commission, Deirdré L. Webster  
 Cobb, Chairperson.

Effective Date: August 25, 2022.

New Expiration Date: August 25, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 4A:6, which address leaves, hours of work, and employee development in the Civil Service, were scheduled to expire on November 15, 2023. The Civil Service Commission has reviewed N.J.A.C. 4A:6 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change.

Subchapter 1 pertains to leaves of absence for employees in State service and in political subdivisions. N.J.A.C. 4A:6-1.1, General provisions, includes special provisions regarding leaves of absence and

leave procedures in local service, as well as State and local appointing authority recordkeeping requirements, and other general leave provisions. N.J.A.C. 4A:6-1.2, Vacation leave, sets forth eligibility criteria for vacation leave in State and local service and other provisions concerning the use and accumulation of vacation leave. N.J.A.C. 4A:6-1.3, Sick leave, sets forth eligibility criteria for sick leave in State and local service and other provisions concerning the use and accumulation of sick leave. N.J.A.C. 4A:6-1.4, Sick leave procedures: State service, which is limited to State service, sets forth provisions regarding sick leave reporting, proof of illness or injury, special circumstances involving chronic or recurring illnesses, situations in which examination by a State doctor may be required, and recordkeeping requirements.

N.J.A.C. 4A:6-1.5, Vacation, administrative and sick leave adjustments: State service, another rule that is limited to State service, provides instances in which an employee's vacation, administrative, and sick leave entitlements must be adjusted due to an unpaid leave of absence, work week changes, and other similar circumstances. N.J.A.C. 4A:6-1.6 and 4A:6-1.7 will remain reserved.

Numerous other leaves, limited to State service, are provided for in succeeding rules: pregnancy-disability and child care leaves, N.J.A.C. 4A:6-1.8; administrative leave, N.J.A.C. 4A:6-1.9; leave without pay, N.J.A.C. 4A:6-1.10; education leave, N.J.A.C. 4A:6-1.14; leave for athletic competition, N.J.A.C. 4A:6-1.15; leave for emergency civilian duty, which includes American Red Cross disaster relief services, N.J.A.C. 4A:6-1.18; leave for jury duty, N.J.A.C. 4A:6-1.19; and leave to appear as a witness, N.J.A.C. 4A:6-1.20. Conversely, leave for elective office, N.J.A.C. 4A:6-1.17, is limited to local service, while military leave, N.J.A.C. 4A:6-1.11; leave for appointment by Governor, N.J.A.C. 4A:6-1.12; convention leave, N.J.A.C. 4A:6-1.13; and leave for union office, N.J.A.C. 4A:6-1.16; are available in both State and local service. Though limited to State service, the provisions at N.J.A.C. 4A:6-1.24, regarding school volunteer leave, permit local governments to establish their own school volunteer leave programs.

N.J.A.C. 4A:6-1.21, Family leave, sets forth provisions common to both the State and Federal family leave programs and provides useful examples regarding interaction between the two programs. N.J.A.C. 4A:6-1.21A is specific to State family leave, while N.J.A.C. 4A:6-1.21B addresses Federal family and medical leave. An appendix provides a chart that compares the major provisions of the two family leave programs.

The donated leave program, found at N.J.A.C. 4A:6-1.22, is available in State service (and in local governments that choose to participate) as set forth in the rule, and provides for the donation of sick and vacation leave to an employee suffering from a catastrophic health condition or injury, who has exhausted his or her paid leave benefits. The voluntary furlough program, found at N.J.A.C. 4A:6-1.23, establishes a program in which employees in State service, and those working for participating local governments, may have the opportunity, under the parameters set forth in the rule, to take a voluntary furlough from employment. The program has been used over the years to assist public agencies in achieving fiscal savings and to provide employees with the opportunity to provide child care or seek further education. Rules regarding school volunteer leave are included at N.J.A.C. 4A:6-1.24, which generally provide that State employees in the career, senior executive, or unclassified service shall be granted leave with pay, up to a maximum of 20 hours per calendar, to volunteer in an academically beneficial school activity.

Subchapter 2 concerns hours of work in State service. N.J.A.C. 4A:6-2.1, General provisions, provides in part that, in local service, appointing authorities may establish hours of work subject to applicable negotiations requirements. The criteria for determining work weeks are set forth at N.J.A.C. 4A:6-2.2 (for fixed work week job titles), 2.2A (for law enforcement job titles), and 2.3 (for non-limited job titles). N.J.A.C. 4A:6-2.4 addresses holidays, while N.J.A.C. 4A:6-2.5 concerns inclement weather or emergency conditions. Finally, variations in usual work hours are addressed at N.J.A.C. 4A:6-2.6 (flexitime programs), 2.7 (alternative work week programs), and 2.8 (adjusted hours of operation).

Subchapter 3 sets forth the eligibility requirements and procedures for obtaining Supplemental Compensation on Retirement (SCOR), a program in State service that provides for the payment of compensation for half the value of a retiring employee's accumulated sick leave up to a maximum