

## **CIVIL SERVICE**

### **CIVIL SERVICE COMMISSION**

#### **Classification, Services, and Compensation**

##### **Notice of 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; 29

U.S.C. §§ 201, et. seq.

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

Effective Date:

New Expiration Date:

**Take notice** that pursuant to *N.J.S.A.* 52:14B-5.1 and *N.J.A.C.* 1:30-6.4, the rules at *N.J.A.C.* 4A:3 were 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 amendment.

Subchapter 1 of *N.J.A.C.* 4A:3 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).

Subchapter 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).

Subchapter 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).

Subchapter 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).

Subchapter 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) and *N.J.A.C.* 1:30-6.4(h), *N.J.A.C.* 4A:3 is readopted and shall continue in effect for a seven-year period.