

**CHAPTER 346**  
**(CORRECTED COPY)**

**AN ACT** concerning recordkeeping and retention requirements of the Civil Service Commission on unclassified State employees, and amending N.J.S.11A:2-11 and supplementing Title 11A of the Revised Statutes.

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

C.11A:3-4.1 Rules, regulations concerning recordkeeping, record retention.

1. a. The Civil Service Commission, in consultation with the Bureau of Records Management in the Department of the Treasury and in accordance with federal and State law and regulation, shall promulgate rules and regulations concerning recordkeeping and record retention requirements related to the recruitment, selection, hiring, and employment records of persons in the State's unclassified service. The recordkeeping and record retention requirements shall include, at minimum, written and electronic records concerning job advertisements, job applications, resumes, background checks, screening tools and tests, interview notes and other records related to the decisions to hire or not hire a person, and records related to job title and compensation, training, reasonable accommodation requests, promotions, demotions, transfers, performance evaluations, disciplinary actions, and terminations.

b. A personnel form shall be completed and maintained for each unclassified State employee. At minimum, the personnel form shall include the following information:

- (1) the name of the unclassified employee;
- (2) the job title of unclassified employee;
- (3) direct supervisor or manager;
- (4) salary history;
- (5) date of employment offer;
- (6) date of hire;
- (7) the individual authorizing the hire or change of employment status; and
- (8) any notes on promotions, demotions, transfers, performance evaluations, disciplinary actions, and terminations.

Personnel forms shall be revised as needed to reflect any subsequent change or modification in the unclassified employee's employment status, salary, direct supervisor or manager, or legal name.

c. The recruitment, selection, hiring, and employment records of unclassified employees in any State agency shall be compiled by the human resources office, or an equivalent entity, of that State agency. Information from such records shall be provided to the Civil Service Commission upon request for recordkeeping and data collection purposes.

2. N.J.S.11A:2-11 is amended to read as follows:

Powers and duties of the commission.

11A:2-11. Powers and duties of the commission. In addition to other powers and duties vested in the commission by this title or any other law, the commission:

- a. (Deleted by amendment, P.L.2008, c.29);
- b. May appoint employees necessary to enforce or implement the provisions of this title. All employees of the commission whose principal duties relate to the enforcement or implementation of this title shall be confidential employees for the purposes of the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.);

- c. Shall maintain a management information system necessary to carry out the provisions of this title;
- d. Shall have the authority to audit payrolls, reports or transactions for conformity with the provisions of this title;
- e. Shall plan, evaluate, administer and implement personnel programs and policies in State government and political subdivisions operating under this title;
- f. Shall establish and supervise the selection process and employee performance evaluation procedures;
- g. (Deleted by amendment, P.L.2008, c.29);
- h. Shall set standards and procedures for review and render the final administrative decision on a written record or after recommendation by an independent reviewer assigned by the commission from classification, salary, layoff rights and in the State service noncontractual grievances;
- i. May establish pilot programs and other projects for a maximum of one year outside of the provisions of this title;
- j. Shall provide for a public employee interchange program pursuant to the "Government Employee Interchange Act of 1967," P.L.1967, c.77 (C.52:14-6.10 et seq.) and may provide for an employee interchange program between public and private sector employees;
- k. (Deleted by amendment, P.L.2008, c.29);
- l. (Deleted by amendment, P.L.2008, c.29);
- m. Shall establish and consult with advisory boards representing political subdivisions, personnel officers, labor organizations and other appropriate groups;
- n. Shall make an annual report to the Governor and Legislature and all other special or periodic reports as may be required. The annual report shall indicate the number of persons, by title, who, on March 31, June 30, September 30, and December 31 of each year, held appointments to positions in the senior executive service and the number of noncareer employees by title, who, on those same dates, held appointments in positions in the senior executive service;
  - o. Shall have the authority to assess costs for special or other services;
  - p. (Deleted by amendment, P.L.2008, c.29); and
  - q. Shall, pursuant to P.L.2019, c.346 (C.11A:3-4.1 et al.), promulgate standardized recordkeeping and record retention requirements concerning the recruitment, selection, hiring, and employment records of persons in the State unclassified service.

3. This act shall take effect immediately.

Approved January 13, 2020.