

[First Reprint]

ASSEMBLY, No. 3312

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 12, 2018

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SYNOPSIS

Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on September 24, 2018, with amendments.

(Sponsorship Updated As Of: 1/14/2020)

1 AN ACT concerning the policy of the Legislature regarding sexual
2 harassment and supplementing Title 52 of the Revised Statutes.

3

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

6

7 1. a. ¹**【The】** Each House of the¹ Legislature ¹and the Office of
8 Legislative Services¹ shall adopt and maintain a policy that:
9 prohibits sexual harassment by members, officers, and employees of
10 the Legislature; requires compliance with the policy; requires that
11 appropriate measures be taken to ensure that prohibited conduct
12 does not occur; and provides procedures for the reporting,
13 investigation, final determination, remediation, and discipline of
14 prohibited conduct. The policy shall include provisions regarding
15 confidentiality, retaliation, and false accusations.

16 The ¹**【Legislature shall adopt the】**¹ policy ¹shall be adopted¹ in
17 any manner deemed appropriate ¹by the presiding officer of each
18 House and the executive director of the Office of Legislative
19 Services, as appropriate¹.

20 The policy ¹, whether a separate policy adopted independently by
21 each House and the Office of Legislative Services, or as one policy
22 adopted jointly thereby,¹ shall apply to all members of the
23 Legislature, and all officers and employees, including supervisors
24 and managers, of the partisan staff offices, district offices, Office of
25 Legislative Services, Office of Clerk of the General Assembly, and
26 Office of the Secretary of the Senate ¹, as appropriate¹. The policy
27 ¹adopted by the Office of Legislative Services¹ shall apply to any
28 agency, board, bureau, or commission within or created by the
29 Legislative Branch.

30 b. The policy ¹**【adopted by the Legislature】**¹ shall be
31 distributed ¹**【by the director of human resources of the Office of**
32 **Legislative Services】**¹ to all members, officers, and employees to
33 whom it applies. Initially, the policy shall be distributed to current
34 members, officers, and employees within 60 calendar days of the
35 effective date of this section ¹, unless a policy that conforms with
36 subsection a. of this section was distributed within 180 days
37 preceding enactment of this act, P.L. , c. (pending before the
38 Legislature as this bill)¹. Thereafter, the policy shall be distributed
39 to a member, officer, or employee within five business days of
40 taking office or commencing employment. Any member, officer, or
41 employee to whom the policy is distributed shall acknowledge
42 receipt thereof in writing ¹to the presiding officer of each House or
43 to the executive director of the Office of Legislative Services, as

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:

¹Assembly ABU committee amendments adopted September 24, 2018.

1 appropriate, or a designee thereof,¹ within 10 business days of
2 receipt. ¹**【All acknowledgements of receipt shall be submitted**
3 **directly to the director by members, officers, and employees.】**¹

4 c. The ¹**【director of human resources of the Office of**
5 **Legislative Services shall review the】**¹ policy shall be reviewed¹ at
6 least once every two years ¹**【and shall make such modifications as**
7 **the director deems necessary. The director shall notify in writing**
8 **the Legislative Services Commission, the President and Minority**
9 **Leader of the Senate, and the Speaker and Minority Leader of the**
10 **General Assembly whenever any modification is made to the**
11 **policy. The director may elect to submit recommended**
12 **modifications to the Legislature for adoption】** . Modifications shall
13 be adopted¹ in the same manner as provided for the adoption of the
14 policy. The ¹**【director shall distribute the】**¹ policy as modified
15 shall be distributed¹ to all members, officers, and employees to
16 whom it applies within 30 calendar days of modification. Members,
17 officers, and employees shall acknowledge in writing ¹to the
18 presiding officer of each House or to the executive director of the
19 Office of Legislative Services, as appropriate, or a designee
20 thereof,¹ the receipt of the modified policy within 10 business days
21 of receipt.

22 d. The director of human resources of the Office of Legislative
23 Services shall prepare and maintain an online training program on
24 ¹**【the】** any¹ policy adopted ¹**【by the Legislature and as modified by**
25 **the director or the Legislature】**¹. Each member, officer, and
26 employee to whom the policy applies shall complete the online ¹or
27 another approved¹ training ¹**【no later than April 1 of every even-**
28 **numbered year,】** program, as determined by the presiding officer of
29 each House and by the executive director of the Office of
30 Legislative Services, as appropriate, no less than once every two
31 years,¹ and shall submit a certification denoting completion thereof.
32 A member of the Legislature shall submit the certification of
33 completion for the member and the member's district office staff to
34 the executive director ¹, or a designee thereof,¹ in the partisan staff
35 office of the member's House and political party. Officers and
36 employees of a partisan staff office shall submit the certification of
37 completion to the executive director of that office ¹, or a designee
38 thereof¹. Officers and employees of the Secretary of the Senate and
39 of the Clerk of the General Assembly shall submit the certification
40 of completion to the Secretary and Clerk, as appropriate. Officers
41 and employees of the Office of Legislative Services shall submit the
42 certification of completion to the director of human resources of
43 that office. Members, officers, and employees of any agency, board,
44 bureau, or commission within or created by the Legislative Branch
45 for whom a person has not already been designated to receive the
46 certification of completion pursuant to this subsection shall submit

1 the certification to the director of human resources of the Office of
2 Legislative Services.

3 ¹Each executive director and the Secretary and Clerk shall then
4 submit those certifications of completion to the director of human
5 resources in the Office of Legislative Services along with a list of
6 those members, officers, and employees who have not completed
7 the training or submitted a certification.¹ All certifications of
8 completion shall be public information.

9 e. The Office of Legislative Services shall publish ¹the any
10 adopted¹ policy on the official website of the Legislature, ¹and
11 include along with¹ the contact information for its human
12 resources office ¹along with the policy¹.

13

14 2. This act shall take effect on the first day of the third month
15 next following enactment, but such anticipatory administrative
16 action may be taken in advance as shall be necessary for the
17 implementation of this act.