

**ASSEMBLY, No. 2739**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Assemblywoman NANCY F. MUNOZ**

**District 21 (Morris, Somerset and Union)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**SYNOPSIS**

Requires law enforcement agencies, correctional facilities, and State Parole Board to adopt maternity policies.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/24/2020)**

1   **AN ACT** concerning maternity policies and supplementing Titles 27  
2       and 30 of the Revised Statutes and Title 40A of the New Jersey  
3       Statutes.

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

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8       1.   a.   Every State, county, county park, and municipal police  
9       department or law enforcement agency, and educational institution  
10      that appoints police officers pursuant to P.L.1970, c.211 (C.18A:6-  
11      4.2 et seq.), and every county sheriff's office and county  
12      correctional facility shall adopt a maternity policy applicable to  
13      law enforcement officers who present proof of pregnancy.

14      b.   For the purposes of this section, "law enforcement officer"  
15      means a person whose public duties include the power to act as an  
16      officer for the detection, investigation, apprehension, arrest, and  
17      conviction of or detention of offenders against the laws of this  
18      State.

19  
20      2.   The New Jersey Transit Police Department shall adopt a  
21      maternity policy that complies with the provisions of section 5 of  
22      P.L.   c.   (C.    ) (pending before the Legislature as this bill) and  
23      is applicable to police officers who present proof of pregnancy.

24  
25      3.   Every State correctional facility and juvenile facility  
26      operated by the Juvenile Justice Commission that employs adult or  
27      juvenile corrections officers or juvenile detention officers shall  
28      adopt a maternity policy applicable to officers who present proof of  
29      pregnancy. Any maternity policy adopted shall comply with the  
30      provisions of section 5 of P.L.   c.   (C.    ) (pending before the  
31      Legislature as this bill).

32  
33      4.   The State Parole Board shall adopt a maternity policy that  
34      complies with the provisions of section 5 of P.L.   c.   (C.    )  
35      (pending before the Legislature as this bill) and is applicable to  
36      parole officers who present proof of pregnancy.

37  
38      5.   A maternity policy adopted pursuant to sections 1 through 4  
39      of P.L.   c.   (C.    ) (pending before the Legislature as this bill)  
40      shall comply with applicable State and federal statutes, rules, and  
41      regulations and shall include, at minimum, the following:

42      a.   Protection from discrimination due to pregnancy, childbirth,  
43      or any related medical conditions.

44      b.   Procedures to ensure pregnant law enforcement officers,  
45      parole officers, and corrections officers receive treatment equal to  
46      other temporarily disabled officers.

47      c.   Procedures to modify full-duty assignments and to provide  
48      temporary, light-duty assignments, if and when medically indicated,

1 consistent with the operational requirements of the employer, and  
2 that take into consideration any specific restrictions identified by a  
3 pregnant officer's physician.

4 d. Exemption from any mandatory firearms qualification  
5 requirements during the pregnancy and until the officer is certified  
6 for full-duty status.

7 e. Procedures to provide for any uniform and equipment  
8 modifications, as necessary and feasible.

9  
10 6. This act shall take effect on first day of the seventh month  
11 next following enactment.

#### 12 13 14 STATEMENT

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16 This bill requires State, county, county park, and municipal  
17 police departments or law enforcement agencies, the New Jersey  
18 Transit police department, educational institutions that appoint  
19 police officers, county sheriff's offices, investigators, State and  
20 county correctional facilities, and the State Parole Board to adopt  
21 maternity policies applicable to uniformed members of the  
22 department, force or agency who present proof of pregnancy.

23 A maternity policy adopted pursuant to the bill's provisions is  
24 required to comply with applicable State and federal statutes, rules,  
25 and regulations. Additionally, the bill requires any maternity policy  
26 adopted pursuant to its provisions to include the following:

- 27 • protection from discrimination due to pregnancy, childbirth,  
28 or any related medical conditions;
- 29 • procedures to ensure pregnant law enforcement officers,  
30 parole officers, and corrections officers receive treatment  
31 equal to other temporarily disabled law enforcement officers  
32 and corrections officers;
- 33 • procedures to modify full-duty assignments and to provide  
34 temporary, light-duty assignments, if and when medically  
35 indicated, consistent with the operational requirements of the  
36 employer, and that take into consideration any specific  
37 restrictions identified by a pregnant law enforcement or  
38 corrections officer's physician;
- 39 • exemption from mandatory firearms qualification  
40 requirements during the pregnancy and until the law  
41 enforcement officer is certified for full-duty status; and
- 42 • procedures to provide for any uniform and equipment  
43 modifications, as necessary and feasible.