

ASSEMBLY, No. 3146

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

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District 37 (Bergen)

Co-Sponsored by:

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SYNOPSIS

Requires State employees to be trained in disability law and etiquette.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/5/2020)

1 AN ACT concerning disability etiquette training for State employees
2 and supplementing Title 11A of the New Jersey Statutes.

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

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7 1. a. The State Treasurer, in consultation with the
8 Commissioner of Human Services, shall:

9 (1) develop a training program that is designed to inform all
10 State employees about the laws, and the rules of etiquette, that are
11 applicable to the treatment and accommodation of individuals with
12 intellectual, developmental, or other mental or physical disabilities;
13 and

14 (2) regularly revise and update the training program developed
15 pursuant to paragraph (1) of this subsection, as necessary to
16 maintain consistency with current law and practice in this area.

17 b. At a minimum, the training program developed pursuant to
18 this section shall include instruction on:

19 (1) the import and substance of the “Americans with Disabilities
20 Act,” 42 U.S.C. s.12101 et seq.;

21 (2) the methods and approaches that can be used to reasonably
22 accommodate the needs of individuals with disabilities; and

23 (3) the proper etiquette that is to be used by State employees
24 when working or otherwise interacting with individuals with
25 disabilities.

26 c. The training program developed under this section shall be
27 made available to, and implemented by, each State government
28 employer no later than one year after the effective date of this act.

29 d. (1) A State government employer shall administer the
30 training program developed pursuant to this section to all of its
31 employees. In the case of an individual who is employed before the
32 training program is implemented, as provided by subsection c. of
33 this section, the employer shall administer the training to the
34 individual no later than 180 days after the training program is
35 implemented pursuant to subsection c. of this section, and
36 biennially thereafter. In the case of an individual who becomes
37 employed after the training program is implemented pursuant to
38 subsection c. of this section, the employer shall administer the
39 training to the individual no later than 180 days after hiring, and
40 biennially thereafter.

41 (2) Within five days after a State employee completes initial or
42 biennial refresher training, as required by this subsection, the
43 employee shall file with the employer a certification stating that the
44 employee has completed the requisite training. The employer shall
45 take appropriate action to ensure that such certifications are timely
46 filed, in accordance with this paragraph; shall retain a copy of each
47 such certification for the duration of the employee’s employment;

1 and shall forward a copy of any such certification to the State
2 Treasurer or the Commissioner of Human Services, upon request.

3 e. The State Treasurer, in consultation with the Commissioner
4 of Human Services, shall adopt rules and regulations, pursuant to
5 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
6 et seq.), as may be necessary to implement the provisions of this
7 section.

8 f. As used in this section:

9 "State government employer" or "employer" means a State
10 department or agency, or any other service or entity that is operated
11 by any branch of State government.

12 "State employee" or "employee" means a person who is
13 employed by a State government employer, and who is classified as
14 a member of the career service, the senior executive service, or the
15 State unclassified service, as those services are defined by
16 N.J.S.11A:3-1 et seq. and the State's Civil Service Commission.

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18 2. This act shall take effect immediately.
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21 STATEMENT

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23 This bill would require the State Treasurer (who has the
24 authority, under law, to establish training programs for State
25 employees) to work in consultation with the Commissioner of
26 Human Services to: 1) develop a training program to inform all
27 State employees about the laws, and the rules of etiquette, that are
28 applicable to the treatment and accommodation of individuals with
29 intellectual, developmental, or other mental or physical disabilities;
30 and 2) regularly revise and update the training program in order to
31 maintain consistency with current law and practice in this area.

32 At a minimum, the bill would require the training program to
33 include instruction on: 1) the import and substance of the
34 "Americans with Disabilities Act," 42 U.S.C. s.12101 et seq.; 2) the
35 methods and approaches that can be used to reasonably
36 accommodate the needs of individuals with disabilities; and 3) the
37 proper etiquette that is to be used by State employees when working
38 or otherwise interacting with individuals with disabilities.

39 The training program is to be made available to, and
40 implemented by, each State government employer no later than one
41 year after the bill's effective date, and each State government
42 employer is to administer the training program to all of its
43 employees. Individuals who are employed prior to the
44 implementation of the training program will be required to complete
45 the training no later than 180 days after the training program is
46 implemented, and biennially thereafter. Individuals who become
47 employed after the training program is implemented will be
48 required to complete the training no later than 180 days after hiring,

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1 and biennially thereafter. Each employee will be required to file a
2 certification with the employer stating that the employee has
3 completed the training, and the employer will be required to retain
4 those certifications and forward them to the State Treasurer or the
5 Commissioner of Human Services, upon request.