

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5294

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Labor Committee reports favorably Assembly Bill No. 5294.

Persons with significant disabilities are an underrepresented and overlooked segment of the labor pool for consideration in public employment. The State should establish a fast track hiring and advancement employment opportunity program for qualified persons with significant disabilities. The program would enable appointing authorities to more effectively and efficiently hire, promote, retain, and advance qualified individuals whose physical or mental impairments impact their ability to participate in the competitive hiring and promotion process within the State workforce.

Under the bill, the Civil Service Commission, in consultation with the Division of Equal Employment Opportunity and Affirmative Action, will establish a fast track authority for hiring and promoting persons with significant disabilities. The guidelines may include a person who:

- was or is currently a client of the Division of Vocational Rehabilitation Services in the Department of Labor and Workforce Development;

- meets the eligibility requirements to receive Social Security Disability Insurance or Supplemental Security Income on the basis of a disability, including a person who is eligible to participate in the federal Ticket to Work program authorized under the Social Security Administration;

- qualifies for appointment under the Office of Personnel Management, Schedule A Excepted Service Hiring on the basis of a disability;

- qualifies for programs administered by the Division of Developmental Disabilities or the Division of Mental Health and Addiction Services in the Department of Human Services;

- meets the eligibility requirements for services, supports, or benefits under a program for disabled veterans administered by the federal Veterans Administration or the State; or

- meets the eligibility requirements for services, supports, or benefits under a program administered by an agency of the State that has been determined comparable to a program described above.

Under the hiring and promotion process, a person with significant disabilities may be appointed to an unclassified service position, or a

noncompetitive temporary position or noncompetitive permanent position in the career service of civil service, in accordance with the provisions of the bill and Title 11A of the New Jersey Statutes.

The appointing authority will accept as proof of a significant disability a letter or other official certification from the Division of Rehabilitation Services that the individual meets the specified criteria as a person with significant disabilities.

The appointing authority may, with the approval of the Civil Service Commission, convert a temporary appointment to a permanent appointment when it is determined that the person provided the required proof of eligibility and is likely to succeed in the performance of the duties of the position.

The bill also requires the appointing authority to provide a temporary employee with progress reports during the working test period, and a final progress report at the end of the working test period will be provided to the employee, the division, and the commission, as is currently provided in the civil service regulations.

The bill further provides that if a person with significant disabilities applies for a position in the State workforce in accordance with this bill and is denied an interview for appointment, the person will be permitted to request an interview. The appointing authority must provide the candidate with a good faith interview and the request for an interview will be kept confidential. The request must be in writing and include proof of eligibility and qualification for appointment.