SENATE, No. 1864

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Extends from six to 12 months compensation program for injured law enforcement officers and other employees.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning injured law enforcement officers and certain other employees and amending P.L.2017, c.93.

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

1. Section 1 of P.L.2017, c.93 (C.34:15-37.1) is amended to read as follows:

1. Any State **[**corrections**]** correctional police officer, juvenile corrections officer, or juvenile detention officer who, in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by the inmates or detainees under the officer's custody or charge shall continue to receive full wages for up to **[**six**]** 12 months or until the officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to **[**six**]** 12 months so long as the injured officer remains a State **[**corrections**]** correctional police officer, juvenile corrections officer, or juvenile detention officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

(cf: P.L.2017, c.93, s.1)

2. Section 2 of P.L.2017, c.93 (C.34:15-37.2) is amended to read as follows:

2. Any parole officer who, while in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by an adult or juvenile parolee under the officer's supervision shall continue to receive full wages for up to **[**six**]** 12 months or until the parole officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is

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.

sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to [six] 12 months so long as the injured officer remains a parole officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

(cf: P.L.2017, c.93, s.2)

3. Section 3 of P.L.2017, c.93 (C.34:15-37.3) is amended to read as follows:

3. Any State Human Services police officer, State conservation officer, State park police officer, Palisades Interstate Park officer appointed pursuant to R.S.32:14-21, or full-time campus police officer appointed by a county college or four-year public institution of higher education pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) who, while in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault during the arrest or transportation of a suspect or other person in the officer's custody shall continue to receive full wages for up to [six] 12 months or until the officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

Any senior, recruit, or assistant supervising medical security officer working under the authority of the Department of Human Services who, in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by a patient or resident who requires medical security shall continue to receive full wages for up to [six] 12 months or until the officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to [six] 12 months so long as the injured officer remains a State Human Services police officer, State conservation officer, State park police officer, Palisades Interstate Park officer, campus police officer, or medical security officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and

effect during the time that officer is receiving supplemental payments pursuant to this section.
(cf: P.L.2017, c.93, s.3)

4. Section 4 of P.L.2017, c.93 (C.34:15-37.4) is amended to read as follows:

4. Any civilian employee who directly works with or teaches inmates or detainees in a State correctional facility, juvenile correctional facility, or juvenile detention center who, in the course of performing the employee's official duties, suffers serious bodily injury as the direct result of an assault by the inmates or detainees with whom the employee works or teaches shall continue to receive full wages for up to ⟦six⟧ 12 months or until the employee begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured employee shall receive regular supplemental payments from the employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured employee at the time of the injury. The supplemental payments authorized under this section shall continue for up to ⟦six⟧ 12 months so long as the injured employee remains employed by the State correctional facility, juvenile correctional facility, or juvenile detention center and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured employee under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that employee is receiving supplemental payments pursuant to this section.
(cf: P.L.2017, c.93, s.4)

5. Section 5 of P.L.2017, c.93 (C.34:15-37.5) is amended to read as follows:

5. Any probation officer who, while in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by a person placed on probation who is under the officer's supervision shall continue to receive full wages for up to ⟦six⟧ 12 months or until the probation officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to ⟦six⟧ 12 months so long as the injured officer

remains a probation officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

(cf: P.L.2017, c.93, s.5)

6. This act shall take effect immediately.

STATEMENT

This bill extends from six to 12 months a compensation program for certain law enforcement officers and certain civilian employees who suffer serious bodily injury as direct result of an assault by the inmates, detainees, or certain other individuals under their custody, care, or supervision.

P.L.2017, c.93 (C.34:15-37.1 et seq.) established a compensation program for State correctional police officers, juvenile corrections officers, juvenile detention officers, probation officers, State Human Services police officers, State conservation officers, State park police officers, Palisades Interstate Park officers, full-time campus police officers, certain medical security officers, certain civilian employees, and parole officers who suffer serious bodily injury as the result of an assault by the inmates, detainees, or certain other individuals under their custody, care, or supervision.

Under the program, injured officers and employees are entitled to their full salary from their employer for up to six months or until the start of their workers' compensation payments, whichever occurs first. Once their workers' compensation payments begin, the injured officers and employees are entitled to regular supplemental payments from their employer for up to six months.

Under the bill, injured officers and employees would be entitled to their full salary from their employer for up to 12 months or until workers' compensation payments begin. An injured officer or employee would then receive supplemental payments for 12 months.