

SENATE, No. 1949

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Senator JOSEPH P. CRYAN
District 20 (Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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.

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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).

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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.

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

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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.