EXECUTIVE ORDER No. 145

WHEREAS, There is a justified need in State government for certain employees to function on an intermittent, part-time or temporary basis to respond to projects of limited duration, seasonal work, or to situations involving fluctuating workloads, including emergency response activities; and

WHEREAS, State agencies have the inherent authority to appoint intermittent, part-time and temporary employees to adequately respond to the particular needs indigenous to the statutory responsibilities of those agencies; and

WHEREAS, In response to various agency employment needs, an umbrella Special Services category for intermittent, part-time and temporary employees has existed in State government for over approximately 30 years, where workers are generally paid on an hourly basis without uniform fringe benefits and without adequate planning or control; and

WHEREAS, Although joint regulations promulgated by the Departments of Civil Service and the Treasury in 1983 set forth definitions for Special Services employees, there is still a potential for misuse of this worker category and from time to time judicial and administrative complaints involving Special Services have been filed with the Superior Court, and various State and federal agencies; and

WHEREAS, Although there is clear legislative and regulatory authority for a bona fide employment of intermittent, part-time and temporary employees in State government, this permissible area must be more clearly defined and monitored, with each department held responsible for the appropriate use of such employees; and

WHEREAS, A reasonable and practical mechanism and implementation plan should be devised to deal with intermittent, part-time and temporary employees; and

WHEREAS, In keeping with this Administration’s high priority for reform of the Civil Service system there must be established a
viable process for handling intermittent, part-time and temporary employment with maximum agency flexibility;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. The Departments of Treasury and Civil Service shall jointly determine uniform policy and guidelines to provide that intermittent, part-time and temporary employees, like other State workers, have their initial hiring and terms of employment regulated by the Department of Civil Service and that job categories are established and these workers placed either in the classified or unclassified service.

2. The Department of Civil Service shall establish a uniform policy for vacation, sick and other types of leave, on a pro rata basis where necessary, for intermittent, part-time and temporary employees in positions in either the classified or unclassified service.

3. The Departments of Civil Service and Treasury shall monitor the use of intermittent, part-time and temporary employees through payroll procedures and other means to ensure that these employee designations are used to meet a justified employment need.

4. The Division of Pensions shall establish uniform regulations and guidelines providing standards of eligibility for enrollment for intermittent, part-time and temporary employees in the pension system.

5. The Departments of Civil Service and Treasury and the Division of Pensions shall adopt necessary policies, guidelines and regulations to implement the terms of this Executive Order and provide for a phase-out period, not exceeding 24 months from the effective date of this Executive Order, of the Special Services designation. The Department of Civil Service will be primarily responsible for the review and allocation of job categories and the setting of pay rates as part of the State Compensation Plan, as well as incentive pay provisions, where appropriate. The Department of Civil Service shall also establish no-range positions in the State Compensation Plan, where appropriate to meet the State's need to recruit physicians or other health care professionals to
serve the institutional population on either an intermittent, part-time or temporary basis. A Civil Service designation shall be established for specific titles where the work assignment is determined to be on an intermittent basis. The Departments of the Treasury and Civil Service shall be responsible for monitoring on an ongoing basis the justification for the length of the project or specific work assignment requiring the use of an intermittent, part-time or temporary employee and the duration of such employment.

6. The Departments of Civil Service and Treasury shall establish guidelines to encourage departments to consider available and appropriate alternatives to State employment designations, such as contract, consultant or voucher procedures for intermittent, part-time and temporary functions.

7. In devising and implementing the plan set forth herein, the Departments of Civil Service and Treasury will work closely with the other departments in the Executive Branch to ensure that the individual requirements of those departments are identified and met to achieve an appropriate level of personnel flexibility.

8. The Departments of Civil Service and Treasury are authorized to call upon and receive from any department, office, division or agency of the State such data, information, personnel or support services as they deem necessary to discharge their responsibilities under this Order.

9. This Order shall take effect immediately.

Issued August 26, 1986.

EXECUTIVE ORDER No. 146

WHEREAS, Major initiatives relating to drunk driving, mandatory seat belt usage, improved highways, increased law enforcement, and a continual upgrading of the acute care network have resulted in a reduction in fatal accidents in New Jersey; and

WHEREAS, The recent initiation of helicopter services to bring persons more quickly to lifesaving procedures is a significant addition to the State's emergency medical services programs; and

WHEREAS, It is our intention to use these beginnings and to build in New Jersey the most comprehensive network of emergency medical services for persons with emergency needs;