



State of New Jersey
DEPARTMENT OF CORRECTIONS
WHITTLESFY ROAD
PO Box 863
TRENTON, NJ 08625-0863

CHRIS CHRISTIE
Governor

KIM GUADAGNO
 Lt. Governor

GARY M. LANIGAN
Commissioner

June 29, 2010

Scott Derby, President
New Jersey Law Enforcement Commanding Officers Association
P.O. Box 121
Fairton, New Jersey 08320

RE: Outside Activity and Secondary Employment Advisory

Dear Mr. Derby:

Please be advised that Section III of the Department's Outside Activity and Employment Policy prohibits those employees who are classified as peace officers under N.J.S.A. 2A:154.4 from working in liquor-licensed establishments in any capacity within the jurisdictional boundaries of the State of New Jersey.

An employee of a liquor licensee means a person who performs services in connection with the operation of the licensed business. The term "employee" includes people who are included on the payroll of the licensee whether on duty or not, persons who perform services on or about the licensed premises pursuant to a contract (independent contractor) and who are not included on the licensee's payroll, and even people who are not paid for their work or services, including, but not limited to, family members who may be temporarily operating the business while the owner is away from the premises. N.J.A.C. 13:2-44.1(b)(2).

Based on the language contained in the policy, peace officers within the Department are prohibited from working directly for a liquor-licensed establishment or for working for a third-party contractor who provides services to or for a liquor-licensed establishment. Employment by or with any contractor that provides security, event security, parking lot security, door services or any other type of service to a liquor-licensed establishment is also prohibited by Section III.

Any employee in violation of this section will be subject to disciplinary action.

Very truly yours,

A handwritten signature in black ink, appearing to read "J Malinowski".

Jennifer Malinowski, Ethics Liaison Officer
Office of Employment Relations

*Scott Derby, President
New Jersey Law Enforcement Commanding Officers Association
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JM

c: Mark Cranston, Chief of Staff
Grace Rogers, Assistant Commissioner of Operations
Robert Paterson, Director of Operations
Bettie Norris, Director of Operations
Bruce Hauck, Director of Operations
Kenneth C. Green, Director, Office of Employee Relations
Ethics File