



U.S. Office of Special Counsel
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OFFICE OF SPECIAL COUNSEL FILES COMPLAINT FOR DISCIPLINARY ACTION AGAINST NEW JERSEY STATE EMPLOYEE FOR HATCH ACT VIOLATION

FOR IMMEDIATE RELEASE

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WASHINGTON, DC/November 17, 2009 – On November 16, 2009, the U.S. Office of Special Counsel (OSC) filed a complaint for disciplinary action against an employee of the New Jersey Department of Children and Families, Division of Child Behavioral Health Services.

OSC's complaint, filed with the U.S. Merit Systems Protection Board (MSPB), charges the employee with violating the Hatch Act by being a candidate for public office in a partisan election on two occasions. OSC alleges that the employee was a candidate in the November 2008 general election for Borough Council in Rocky Hill, New Jersey, and the 2009 primary and general elections for New Jersey General Assembly, District 16, while employed in a Hatch Act covered position. OSC also alleges that at the time of the employee's candidacies, he knew about the Hatch Act's restrictions on political activity. Despite having been warned by OSC in 2006 that he was covered by the Hatch Act and was thus prohibited from being a candidate for partisan public office, the employee became a candidate on two subsequent occasions. Therefore, OSC alleges, the employee's removal from his employment is warranted.

The Hatch Act restricts the political activity of individuals principally employed by state, county, or municipal agencies who have duties in connection with programs financed in whole or in part by federal loans or grants. An employee covered by the Act is prohibited from being a candidate for public office in a partisan election. If the MSPB finds that a Hatch Act violation warrants removal, the employee may be removed by his employing agency. Alternatively, the employing agency may be required to forfeit federal funding in an amount equal to the employee's salary for two years.

OSC is an independent investigative and prosecutorial agency with jurisdiction to enforce the Hatch Act. OSC is authorized to provide advisory opinions on the Hatch Act and enforces the provisions of the Act by investigating allegations of violations and filing petitions for disciplinary action such as the one described above. For more information, visit our website at www.osc.gov or call 1-800-85-HATCH.