TOWNSHIP OF RARITAN
HUNTERDON COUNTY, NEW JERSEY

ORDINANCE #18-8

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 2.102 ENTITLED "LEAVE POLICY FOR CERTAIN EMPLOYEES" BY AMENDING SECTION 2.102.010 ENTITLED "INTENT," SECTION 2.102.020 ENTITLED "ACCUMULATED LEAVE BENEFITS AS OF THE EFFECTIVE DATE OF THIS ORDINANCE," SECTION 2.102.030 ENTITLED "LEAVE BENEFITS AFTER THE EFFECTIVE DATE OF THIS ORDINANCE," AND SECTION 2.102.040 ENTITLED "EFFECT OF ORDINANCE ON CURRENT EMPLOYEES."

Section 1. Section 2.102.010 entitled "Intent" is amended as follows:

It is the intent of this Chapter 2.102, adopted by Ordinance No. 11-7 <u>and as amended by Ordinance No. 18-8</u>, to establish the policy for sick, vacation, personal and compensatory leave for employees not covered by Collective Negotiation Agreements.

Section 2. Section 2.102.020 entitled "Accumulated Leave Benefits as of the Effective Date of This Ordinance" is renamed "Accumulated Leave Benefits as of the Effective Date of Ordinance No. 11-7" and is amended as follows:

As of the effective date of [this] Ordinance No. 11-7, employees of the Township of Raritan who are not covered by Collective Negotiation Agreements, shall be paid for sick, vacation, personal and compensatory leave on the following basis:

A. Sick Leave.

1. At retirement, employees shall be paid thirty-five (35%) percent of the daily rate of pay in effect and for the number of days accumulated on the effective date of [this] Ordinance No. 11-7 for each accumulated day up to a maximum of two hundred (200) days.

2. At other separation of employment, except in the case of firing, employees shall be paid twenty-five (25%) percent of the daily rate of pay in effect and for the number of days accumulated on the effective date of [this] Ordinance No. 11-7 for each accumulated day up to a maximum of two hundred (200) days.

B. Vacation Leave. At separation of employment, employees shall receive payment for accumulated vacation leave. The calculation for the current year will be prorated based upon the number of months worked in the year and the allotment for that year.

C. Personal Leave. At separation of employment, employees shall receive payment for accumulated personal leave. The calculation for the current year will be prorated based upon the number of months worked in the year and the allotment for that year.

D. Compensatory Leave. At separation of employment, employees may receive payment for accumulated compensatory leave and/or use accumulated compensatory leave until the date of separation. Only the following titles shall accrue compensatory time and at the limits established by separate agreements or by other policies established by the Township Committee: Chief of Police, Superintendent of Public Works, Assistant Superintendent of Public Works, Township Engineer and Public Works Foreman. The use of accumulated compensatory leave at separation shall be at the discretion of the Township Committee in accordance with the personnel needs of the Township.

E. Statutory Limit on Compensation. Payment for accumulated sick and vacation leave shall not exceed the statutory amounts set forth in N.J.S.A. 40A:9-10.2 and N.J.S.A. 40A:9-10.3

Section 3. Section 2.102.030 entitled "Leave Benefits After the Effective Date of This Ordinance" is renamed "Leave Benefits" and is amended as follows:

After the effective date of this Ordinance No. 18-8 [Ordinance No. 11-7], the sick, vacation, personal and compensatory leave policy for employees of the Township of Raritan **who are not covered** by Collective Negotiation Agreements is as follows:

A. Sick Leave. [Sick] Unused sick leave shall accrue year to year. [be used in the year in which it is accrued and may not be carried to the succeeding year.]

B. Vacation Leave. Vacation leave shall be used in the year in which it is accrued and may not be carried to the succeeding year. However, a Township employee, who does not take all of the annual vacation leave that accrues after the effective date of this Ordinance because of Township business demands, may be allowed to carry up to one-half (1/2) of the accrued annual allotment of vacation leave only during the next succeeding year and upon the employee's written request to and written approval of that request by the Township Administrator. In the event that a medical condition restricts the use of vacation leave and would prohibit the employee from using at least one-half (1/2) of the vacation leave allotment, the employee, upon request to and approval of the Administrator, may carry over more than one-half (1/2) of the annual allotment into the succeeding year. Any vacation leave carried into the succeeding year because of medical conditions must be used no later than June 30, or lost.

C. Personal Leave. Personal leave shall be used in the year in which it is accrued and may not be carried to the succeeding year.

D. Compensatory Leave. Only the following employees shall accrue compensatory time and at the limits established by separate agreements or by other policies established by the Township Committee: Chief of Police, Superintendent of Public Works, Assistant Superintendent of Public Works, Township Engineer and Public Works Foreman. The use of accumulated compensatory leave at separation shall be at the discretion of the Township Committee in accordance with the personnel needs of the Township.

E. Statutory Limit on Compensation. Payment for accumulated sick and vacation leave shall not exceed the statutory amounts set forth in N.J.S.A. 40A:9-10.2 and N.J.S.A. 40A:9-10.3

Section 4. Section 2.102.040 entitled "Effect of Ordinance on Current Employees" is renamed "Effect on Current Employees" and is amended as follows:

A. This Ordinance No. 11-7, as amended and supplemented by Ordinance No. 18-8 fixes accumulated sick, vacation, personal and compensatory leave for Township employees as of the effective date of this Ordinance. For those employees subject to Section 2.102 of the Revised General Ordinances of the Township of Raritan, the ability to accumulate sick leave shall only commence upon the effective date of Ordinance No. 18-8 and is not retroactive.

B. This Ordinance will not serve to alter, modify or reduce the sick, vacation, personal or compensatory leave an employee accrued prior to the effective date of [this] Ordinance 11-7.

C. After the effective date of [this] Ordinance 11-7 as amended and supplemented by Ordinance 18-8, sick, vacation, personal and compensatory leave will not accrue unless otherwise stated in this Ordinance.

Section 5. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. The Ordinance shall take effect upon its adoption, passage and publication according to law.

Note to Codifier: language in brackets [ ] is to be deleted from the original text. Underlined language is new language to the original text.

Date Adopted: March 6, 2018

ATTEST:

Lisa Fania
Township Clerk

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN

Michael Mangin
Mayor