

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
ORDINANCE NO. 2018-11

AN ORDINANCE AMENDING CHAPTER 72, SECTION 72-6(B) OF THE CODE OF THE
TOWNSHIP OF LEBANON, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that Chapter 72, "Personnel Policies," Section 72-6B, Part-time Employees, shall be updated and amended to incorporate a new sick leave policy, recently passed by the State of New Jersey, effective October 29, 2018, which provides for mandatory sick leave for full and part-time employees in the State of New Jersey, as set forth in N.J.S.A. 34:11D-1.

WHEREAS, the Township of Lebanon is desirous to update its Municipal Code pertaining to Personnel Policies to conform with the laws of the State of New Jersey.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Lebanon, in the County of Hunterdon, that the Municipal Code of the Township of Lebanon pertaining to Personnel Policies, Section 72-6B, is hereby amended in the form attached hereto as Exhibit A, in order to incorporate N.J.S.A. 34:11D-1; and

BE IT FURTHER ORDAINED that this amendment shall be effective upon the date of adoption.

EXHIBIT A

DEFINITIONS

"Sick leave" shall mean paid leave that may be granted to an employee for any of the reasons set forth in N.J.S.A. 34:11D-1:

- (1) time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- (2) time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
- (3) absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member: medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
- (4) time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency,

- or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others; or
- (5) time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability

"Part-time Employee" shall mean a permanent employee that typically works less than 30 hours per week.

"Seasonal Employee" shall mean an employee that is employed for 120 calendar days or less during the calendar year.

All other definitions set forth in N.J.S.A. 34:11D-1 are incorporated herein by reference.

PART TIME EMPLOYEES

Part-time employees shall receive one hour of sick leave for every 30 hours worked. Part-time employees not covered by a collective bargaining agreement, are eligible for sick leave as set forth herein and to the extent required by N.J.S.A. 34:11D-1, *et seq.* Seasonal Employees (i.e. those hired for less than 120 consecutive calendar days in one calendar year) are not eligible for sick leave.

Existing part-time employees shall begin accruing sick leave time on October 28, 2018, and shall be able to use earned sick time as soon as it is accrued in at least half (1/2) day increments. New part-time employees shall be eligible to use earned sick leave beginning on the 120th calendar day after the employee commences employment.

Part-time employees shall be permitted to carry forward sick leave hours from one benefit year to the next. However, each part-time employee shall not be permitted to accrue, use in one benefit year, or carry forward from one benefit year to the next, more than 40 hours of earned sick leave.

Part-time employees shall not be entitled to compensation for unused sick time upon retirement. An employee, whether part-time or full-time, who has been terminated or discharged shall not be entitled to payment for unused sick leave. Should an employee voluntarily sever their employment with the Borough, or should they be terminated, they shall not receive monetary compensation for any unused sick time that they have accrued.