

ORDINANCE NO. 5-11

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AMENDING AND SUPPLEMENTING CHAPTER 61 OF THE CODE OF THE TOWNSHIP ENTITLED SALARIES AND COMPENSATION; PERSONNEL POLICIES WITH THE INCLUSION OF A NEW SECTION 61-42. ENTITLED "SICK LEAVE POLICY AND PROCEDURE GOVERNING CERTAIN FULL-TIME EMPLOYEES RECLASSIFIED TO PART-TIME EMPLOYMENT"

WHEREAS, it is the intention of the Township Committee to set forth a policy and procedure governing the use of earned and accrued sick leave for certain full-time Township civilian employees who have been reclassified to part-time status.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

Section 1. Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies, is hereby amended and supplemented with the inclusion of a new Section 61-42, entitled "Sick Leave Policy and Procedure Governing Certain Full-Time Employees Reclassified to Part-Time Employment" as follows:

"Section 61-42.

A. This Section applies only to full-time employees of the Township (1) who's positions of employment are reduced to part-time status by the Township for reasons of economy, and (2) who, at the time of said reduction to part-time status, have accumulated, unused sick time on record with the Township, and (3) who continue in employment with the Township in part-time status without a break in service. Township employees not meeting these three criteria are not eligible for the benefits set forth in this Section.

B. Eligible full-time civilian employee reclassified to part-time employment as defined in Paragraph A, above, shall be permitted to utilize his/her earned and accrued sick leave for a duration of three (3) or more days if he/she experiences one of the following events: a long-term illness, a non-work related injury, surgical procedures, or convalescence resulting from a serious sickness or disease.

C. Within five (5) business days of returning to work, the employee shall submit a physician's certificate setting forth in full the reason or reasons why the employee needed to take three (3) or more days of sick leave time. A doctor's note simply stating that the employee can return to work shall not be unacceptable. Failure to produce the required physician's certification within the time frame set forth herein shall result in any use of earned and accrued sick time being forfeited by the employee.

D. A employee shall not be permitted to access their sick leave bank in the event of an illness that is one (1) or two (2) days in duration.

E. In accordance with the Township's procedures governing the recordation of vacation and sick leave, the reclassified employee shall complete the prescribed "Daily Sick and Vacation Leave Report" form and submit it along with the physician's certificate to the Department of Administration immediately upon return to work.

F. For purposes of this Section, each part-time day of absence shall be assessed one day from the accumulated sick time of the eligible employee.

G. Eligible full-time civilian employee reclassified to part-time employment as defined in Paragraph A, above, shall accrue no additional sick time while they continue to serve in part-time status, and shall otherwise be subject to the prohibition against the provision of paid sick leave to part-time employees, except as set forth herein."

Section 2. Chapter 61 of the Code of the Township entitled Salaries and Compensation; Personnel Policies, Section 61-28, entitled, Calculation of Terminal Leave for Full-Time Employees, is hereby amended and supplemented as follows:

Section 61-28, Paragraph A, is hereby amended by the addition of the following sentence, "Former full-time employees who's positions have been reduced to part-time status shall not be eligible for terminal leave."

Section 3. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 4. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 5. This ordinance shall take effect in accordance with the law.**

**TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY**

**DATE OF INTRODUCTION: February 10, 2011**

**DATE OF ADOPTION: February 24, 2011**

**NOTICE OF INTRODUCTION**

**NOTICE IS HEREBY GIVEN,** That the foregoing Ordinance was submitted in writing at a meeting of the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, held on the 10<sup>th</sup> day of February, 2011, introduced and read by title and passed on first reading and the Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on the 24<sup>th</sup> day of February, 2011, at 8:30 o'clock in the evening prevailing time, at the Municipal Building, 1000 Route 10, Whippany, in said Township of Hanover, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

**JOSEPH A. GIORGIO, TOWNSHIP CLERK  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY**

**DATED: February 17, 2011**