

2019-27
RESOLUTION OF THE TOWNSHIP OF
FRANKLIN, COUNTY OF HUNTERDON, STATE
OF NEW JERSEY, TO APPOINT CHRISTINE
BURKE, MUNICIPAL CLERK FOR THE
TOWNSHIP OF FRANKLIN.

WHEREAS, the Township of Franklin wishes to appoint Christine Burke as the Municipal Clerk for the Township of Franklin; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Franklin hereby appoints Christine Burke as the Franklin Township Municipal Clerk as follows:

- **Date of Hire:** May 13, 2019
- **Term:** 3 year term (May 13, 2019 thru May 13, 2022)
- **Salary:** Annual salary of \$53,500.00
- **Hours of work:** Per Franklin Township policy manual (adopted 9/11/14).

ARTICLE VII
Hours and Holidays

7.1. Hours of Work.

- A. The official hours of operation for municipal offices shall be as follows. These may be amended occasionally to accommodate special circumstances or emergency situations on recommendation of the Department Head with the approval of the TOWNSHIP COMMITTEE.
- (1) Department of Public Works: 7:00-3:30, Monday - Friday
- (2) Police Department: (Records) 8:00-4:00, Tuesday - Thursday
- (3) Municipal Departments: 8:00-4:00, Monday - Friday
- B. The regular hours of work for Township employees will be 37.5 hours for non-DPW and 40 hours for DPW, unless otherwise specified at the time of employment or by the Township.
- C. An uninterrupted one-half hour per day for lunch shall be allowed each employee. The lunch schedule shall be set by the Department Head to assure maximum possible coverage of department business. Should an employee's lunch period be interrupted by work activities, the lunch period shall be extended by sufficient time to ensure that the employee has the benefit of a full thirty minutes of time for lunch. To minimize the probability of interruptions, employees should not eat lunch at their desk or workstations. Employees will not eat meals at their desks in view of the public. This subsection does not apply to Police Department personnel working shift work.

- D. Each employee is expected to report to work on time. The employee's Department Head shall report recurring or chronic tardiness to the Township Committee and shall record it in the employee's personnel file. The employees shall make up all time lost because of tardiness or other unexcused reason. If an employee expects to be late or absent for any reason, be it excused or unexcused, the employee shall notify his/her supervisor or the Administration Office no later than their normal starting time, and thereafter report to work as promptly as possible.

7.3. Holidays.

- A. The following shall be observed as paid holidays:

1. New Year's Day
2. Washington's Birthday
3. Good Friday
4. Memorial Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Election Day (This is a floating holiday for anyone who works in addition to Clerk)
9. Veteran's Day
10. Thanksgiving Day
11. Friday after Thanksgiving Day
12. Christmas Day

Holidays that are national holidays shall be celebrated on the day designated by the federal government. In all other cases when a paid holiday falls on a Sunday, the following Monday shall be observed as that holiday. When a paid holiday falls on a Saturday, the preceding Friday will be observed as that holiday.

- B. In the event a paid holiday is observed while an employee is on vacation, the holiday will not be charged as a vacation day. Similarly, if a paid holiday occurs while an employee is on sick leave, the holiday will not be charged against his/her sick leave.
- A. Permanent full time and permanent part time employees working over twenty-eight hours a week are eligible for paid holidays. Permanent part time employees will only receive this benefit if regularly scheduled to work on the day the holiday falls.

ARTICLE VIII
Vacations, Leaves of Absence, Benefits
For Full-Time and Part-Time Employees

8.1. Vacations for Full-Time Employees.

- A. Employees who are scheduled to work thirty-seven (37) hours or more per week on a permanent basis are eligible for paid vacation days.
 - (1) New employees shall accrue vacation days during the calendar year in which they are hired as follows:
 - (a) One (1) day of vacation for each month completed. For purposes of this policy, a person who begins working before the 15th of the month shall be credited for a full month's service, for a maximum of 6 days for the first year of employment.
 - (2) On the January 1 immediately after completion of the calendar year in which they were hired, eligible employees shall receive an annual vacation day allotment. The length of an employee's subsequent annual vacation day allotments shall be determined by the employee's length of continuous service:
 - (a) For the first five (5) consecutive full-calendar years of service -- ten (10) days.
 - (b) For the sixth (6) through tenth (10) consecutive full-calendar years of service -- fifteen (15) days.
 - (c) For the eleventh (11) through fifteenth (15) consecutive full-calendar years of service--twenty 20 days.
 - (d) For the sixteenth (16) through twenty (20) consecutive full-calendar years of service-- twenty-five (25) days.
- B. Part-time, seasonal, and temporary employees are not eligible for paid vacation.
- C. No employee shall be permitted to use vacation leave before the completion of six (6) months of regular service.
- D. Vacation time shall be approved by Department Heads only after they have determined that days are available and will not interfere with department operations, and may be taken in units of full or half days. The Township Committee shall approve vacation time for Department Heads.

- E. Requests for vacation time in excess of two (2) consecutive weeks must be approved by the Township Committee.
- F. Not more than ten (10) unused vacation days may be carried over to the next calendar year. If the carried-over days are not used in that next year, they are lost.
- G. At the time of separation from service, employees in good standing shall be entitled to be paid for unused vacation days pursuant to F. above. Employees shall not otherwise be paid for unused vacation days.
- E. Although temporary, part-time and seasonal employees are not eligible for paid vacation days, they may take unpaid vacation with the approval of the Department Head or Township Committee.

8.2 Personal Days

- A. All full time employees shall receive three (3) personal days of absence. These three (3) days are for employees to conduct personal business which cannot be conducted except during normal business hours.
 - (1) Personal days shall not be accumulated (i.e. carried from year to year).
 - (2) Personal days shall not be used as vacation or sick days.
 - (3) Personal days may only be taken in full day increments.

8.3. Sick Leave.

The Township's obligation, if any, to hold an employee's position while out due to illness or injury is governed by the Family & Medical Leave Act of 1993 and NJ Family Leave Act and is not enlarged by this policy. Accordingly, the payment of sick leave benefits does not bar the Township from filling an employee's position.

- A. As used in this section, "sick leave" means paid leave used for a purpose authorized by subsection C. Full-time employees are eligible for sick leave. Part-time, temporary and seasonal employees are not eligible for sick leave.
- B. Eligible employees earn one day of paid sick leave for each month of completed service for a maximum of 10 earned per year. An employee who begins working on or before the fifteenth of the month shall receive sick day credit for that month.
 - (1) For full-time employees (i.e., those scheduled to work thirty-seven (37) hours or more per week on a permanent basis), a "sick day" equals one workday.
 - (2) Sick leave shall not be accrued during an unpaid leave.

C. Paid sick leave may be used in the following circumstances:

- (1) The employee is absent because of a personal sickness or injury by reason of which the employee is unable to perform the usual duties of his/her position. Sick leave is also authorized when a member of the employee's immediate family (spouse, child or parent) requires the employee's presence due to illness or injury. NOTE: Compensation during a work-related sickness or injury is governed by the provisions of workers compensation.
- 2) The employee is exposed to contagious disease by reason of which the employee is placed under quarantine by a duly constituted health authority.

Paid sick leave cannot be used for other purposes. Accordingly, it cannot be used as a substitute for, or as an extension of, paid vacation or personal leave.

D. Paid sick leave cannot be used in units of less than one (1/2) day.

E. An employee who is absent on sick leave for more than three (3) consecutive working days, may be required to provide a statement from the employee's attending physician indicating that he/she has received treatment and is fit to return to work.

F. Where an employee's pattern of sick time use suggests an abuse of this benefit, the Township reserves the right to require a doctor's note for absences of any duration. Inability to provide a doctor's note when requested may result in disciplinary action.

Examples of patterns suggesting abuse include, but are not limited to, the following:

- (1) Repetitive use of one sick day each month.
- (2) Repetitive use of sick days on particular days -- for example, Mondays or Fridays.
- (3) Repetitive use of sick days during weeks when overtime is earned, or is expected to be earned.

G. Unused sick leave can be carried over from year to year and capped at a maximum of 90 days for all employees to be used in the event of a catastrophic illness.

8.4. Compensation for Work-Related Illness or Injury.

The Township's obligation, if any, to hold an employee's position while out due to illness or injury is governed by the Family & Medical Leave Act of 1993 and NJ Family Leave Act and is not enlarged by this policy. Accordingly, the payment of worker's compensation differential benefits does not bar the Township from filling the employee's position.

A. Employees who have become ill or injured through work-related exposures or accidents shall be entitled to a worker's compensation differential benefit. An employee eligible for this benefit shall be paid the difference between their worker's compensation support

payments and their net (i.e., take-home) pay for a regular workday. This benefit will be for up to six months.

- B. An employee may request from the Township Committee for additional paid days, up to six months, under this policy. Such requests must be in writing and must be submitted before the employee's differential benefit is exhausted. The employee's request will not be considered unless it is supported by the recommendation of their Department Head, and will not be granted absent extraordinary circumstances such as an outstanding record of uninterrupted service or unique knowledge of the position. The final decision shall be left to the discretion of the Township Committee.
- C. When doubt exists as to whether an injury or illness is eligible for Workers' Compensation, the time will be treated as sick time until a determination is made. If determination is made that the illness or injury was a Workman's Compensation case, adjustments will be made to records.

8.5. Bereavement Leave.

A. Immediate Family.

Upon the death of a member of an employee's immediate family, the employee may be excused from work for up to three (3) consecutive days including the day of the funeral for the purpose of attending to family affairs. Immediate family is defined as mother, father, spouse, child, stepchild, siblings, current mother-in-law, current father-in-law, grandchildren and grandparents.

B. Other Relatives.

For uncle, aunt, nephew, niece, brother-in-law, sister-in-law, or cousin of the first degree, and corresponding relatives of the employee's spouse, bereavement leave shall be limited to the date of the burial.

C. Other.

Additional days may be approved, upon request, by the TOWNSHIP COMMITTEE. Employees shall use other paid time (vacation, sick) for additional days. Such approval shall not be unreasonably withheld.

8.6. Jury Duty.

A full-time employee shall be granted necessary time off without loss of pay when summoned to perform jury duty as prescribed by law. The employee shall not be excused from work for more days than those of such duty performed. The employee shall notify the employer immediately upon receiving notice of jury service and subsequently shall furnish evidence that he/she performed the service for which the leave was requested. In the event the employee is excused

from jury service at or before 12:00 noon on any day, he/she shall return to work. The employee will remit any payment received for jury duty to the Township.

8.7. Military Leave.

Employees shall be granted military leave in accordance with the law upon presenting appropriate documentation to the Township.

8.8 General Time-Off.

The Mayor may close the Municipal Offices and declare General Time-Off under unusual or extreme circumstances affecting the health, safety, and welfare of employees. For permanent employees, General Time-Off shall be paid provided it occurs while the employee is scheduled to work.

8.9 Unpaid Leave of Absence.

- A. An employee who is not eligible for or has exhausted all of their paid time-off or Family Leave may be granted an extended unpaid leave of absence at the discretion of the Township.
- B. An employee shall not accrue any benefits or seniority during an unpaid leave of absence. Benefits include accumulation of sick days, personal days and vacation days. In the event an employee is on unpaid leave at the beginning of the year (January), personal and vacation days will not be accumulated until the employee returns to work. The cost of health benefits shall be borne by the employee when the duration of the leave is greater than three (3) months. The continuance of all other benefits shall be available only to the extent required by Federal, State and/or Local law or regulations.
- C. A request for an unpaid leave of absence must be in writing and must set forth a proposed start date, return date, and reasons for the request. The request must be submitted to the Township Committee. The request will not be considered unless supported by the recommendation of the employee's Department Head.
- D. When a request is granted, the Township shall fix a start date and return date and communicate same to the employee.
- E. In the event an employee needs to extend his/her unpaid leave of absence, the employee shall submit a written request for an extension to his/her Department Head at least 10 days before the original return date. The Department Head shall forward the request to the Township Committee with a recommendation to grant or deny the extension. Extensions shall not be granted absent exceptional circumstances.
- F. An employee who leaves his/her position before the scheduled start date or fails to return on the scheduled return date shall be deemed to have abandoned their position and to have resigned from the service of the Township.
- G. An employee who accepts another position outside of Township employment while on an unpaid leave of absence shall be deemed to have resigned their position with the Township.

- H. An unpaid leave of absence shall be granted only for good and sufficient reason and only when such leave will not interfere with or disrupt Township business and is consistent with the best interests of the Township.

CERTIFICATION

This is to certify the above is a true copy of a Resolution adopted by the Township Committee of the Township of Franklin at a meeting of said Township Committee conducted on May 9, 2019


Catherine Innella, Deputy Municipal Clerk