

O-15-19

**AN ORDINANCE AMENDING CHAPTER 40, ARTICLE I, SECTION 9 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF WHARTON, COUNTY
OF MORRIS, STATE OF NEW JERSEY**

BE IT ORDAINED by the Governing Body of the Borough of Wharton that Chapter 40 Personnel, Article I Personnel Regulations, Section 9 Sick leave of the revised general ordinances of the Borough of Wharton is hereby amended as follows:

Chapter 40. Personnel

Article I. Personnel Regulations

§ 40-9. Sick leave.

A. Absence due to personal injury, illness or disability will be considered to have occurred when a full-time, permanent part-time or part-time Borough employee is incapacitated through sickness or injury to a degree that makes it impossible to perform the duties of the position, or is quarantined by a physician because of exposure to a contagious disease. The department head or Borough Administrator may require that any absence in excess of three consecutive work days be certified by a written statement of the attending physician. In addition, the Borough Administrator may require that any employee absent in excess of three consecutive work days be examined by the Borough physician. In cases of extended illness, disability, or a pattern of absences, the employee shall furnish such reports or medical certificates of his condition as may be required by his department head, or the Borough Administrator may require that any such employee be examined by the Borough physician prior to returning to work, in order to determine his fitness to perform the requirements of his position.

B. Any employee who is injured in the performance of duty shall immediately report the accident to his supervisor and shall complete a form provided for such reports. The completed accident report forms shall then be submitted immediately to the Borough Administrator.

C. All full-time employees not covered by the Police Collective Bargaining Unit or Teamsters' contracts shall be entitled to 10 days sick leave per year at the rate of 10/12 of a day per month commencing January 1. All permanent part-time employees working a minimum of 30 hours per week, 12 months per year who are not members of the DPW or FOP bargaining units shall be entitled to paid sick time on a pro rata basis ***or in accordance with the New Jersey Paid Sick Leave Law (P.L. 2018, Ch.10), whichever is greater.*** Sick time for permanent part-time employees shall not be accumulated. ***A new employee shall not be granted sick leave during the initial three months of employment, unless such request is accompanied by a physician's certificate.***

D. At retirement in good standing, after 15 years or more of total service, full-time employees not covered by the Police Collective Bargaining Unit or Teamsters contract will

be compensated for unused accumulated sick leave not to exceed, however, 100 days based upon the individual's regular rate of pay at the time of retirement, provided that sick leave shall be paid on the basis of the following schedule and provided that in no event shall such compensation exceed the maximums allowed:

- (1) After 15 years' continuous service: 30% maximum \$2,500.
- (2) After 20 years' continuous service: 40% maximum \$3,000.
- (3) After 25 years' continuous service: 50% maximum \$3,500.

~~E. Any employee who exceeds 10 years of service, and then is promoted to a managerial position after 1990, will be able to keep his/her accumulated sick leave up to a maximum of 100 days.~~

E. Part time employees shall receive paid sick leave in accordance with the New Jersey Paid Sick Leave Law (P.L. 2018, Ch.10).

F. Full time employees and permanent part-time employees who work less than ~~the~~ 35 hours per week shall receive vacation, sick, and personal time on a prorated basis using their average work week hours as the numerator and ~~the~~ 35 hours as the denominator. In the event that the prorating will result in time measurements less than 30 minutes, the prorating will be rounded up to the next thirty-minute time measurement.

~~G. Crossing guards will be entitled three sick days per year and may not accumulate them from year to year.~~

First Reading: October 7, 2019
Second Reading: October 21, 2019

BOROUGH OF WHARTON

ATTEST:

Gabrielle Evangelista,
Borough Clerk

WILLIAM J. CHEGWIDDEN,
MAYOR