

TOWNSHIP OF PENNSAUKEN

RESOLUTION AUTHORIZING SELECT KEY MANAGERIAL EMPLOYEES THE
RIGHT TO SELL UNUSED VACATION TIME

WHEREAS, N.J.S.A. 11A:6-3 provides a limitation on the accrual of vacation time for civil service municipalities for certain senior employees and provides that a senior employee of a local government who does not take vacation in a given year because of business demands shall be granted that accrued leave only during the next succeeding year. Thus, a senior employee is permitted to accrue two years' worth of vacation. See In re Twp. of Mount Holly, P.E.R.C. No. 2011-41, 36 N.J.P.E.R. ¶164, 2010 PERC LEXIS 295 (2010); see also Newark, P.E.R.C. No. 2021-02, 2020 NJ PERC LEXIS 114 at 10; and

WHEREAS, Local Finance Notice -LFN 2008-10 states that the positions covered by the 2007 law generally include positions that involve executive decision-making or are senior management of the organization whose hiring or appointment requires approval of a governing body; and

WHEREAS, Local Finance Notice- LFN 2007-28 also addresses the accrual of vacation leave, restating the statutory requirements that all vacation leave of covered employees must be used in the year it was earned, unless it was not used due to "business demands." This leave can then be carried forward to the subsequent year. When this form of carry-forward leave is available, for accounting purposes, the old leave is used first; and

WHEREAS, this Resolution hereby recognizes and memorializes a benefit given to certain key managerial employees of the Township of Pennsauken that permits specific key managerial employees the right and privilege to annually sell back all or a portion of unused vacation time allocated to each employee each calendar year; and

WHEREAS, the key managerial employees given this benefit are the Township Administrator, Director of Regulatory Services, Director of Municipal Services, Chief of Police and Fire Chief; and

WHEREAS, such consideration is granted in light of the work schedules for the above key managerial employees who are often unable to enjoy the utilization of the benefit of vacation time due to the demands of their positions; and

WHEREAS, the presence of these key managerial employees at the work place provides a valuable benefit to the day-to-day operations of the Township and its many residents and employees.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken that in order to attract and retain quality and qualified personnel in these key managerial positions, the Township Committee of the Township of Pennsauken does hereby deem this benefit fair and in the best interest of the Township and the good operation and protection of persons and property under the care of the Pennsauken Municipal Government.

BE IT FURTHER RESOLVED that the key managerial employees listed above may choose either to accrue vacation time to the next year, consistent with N.J.S.A. 11A:6-3 or to receive a payout at the end of the year for any and all accrued and unused vacation time in that year. The key managerial employees may not receive a payout for any vacation time accrued from any prior years.

TOWNSHIP OF PENNSAUKEN

Pamela Scott-Forman, RMC
Township Clerk

Adopted:

4882-1412-7428, v. 1