

ASSEMBLY, No. 4648

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 14, 2020

Sponsored by:

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

SYNOPSIS

Increases days of paid military leave for certain public employees who serve in United States Reserves.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning paid military leave for certain members of the
2 United States Reserves and amending R.S.38:23-1 and
3 P.L.2001, c.351.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.38:23-1 is amended to read as follows:

9 38:23-1. a. A permanent or full-time temporary officer or
10 employee of the State or of a board, commission, authority or other
11 instrumentality of the State, or of a county, school district or
12 municipality, who is a member of the organized reserve of the
13 Army of the United States, United States Naval Reserve, United
14 States Air Force Reserve or United States Marine Corps Reserve, or
15 other organization affiliated therewith, including the National
16 Guard of other states, shall be entitled, in addition to pay received,
17 if any, as a member of a reserve component of the Armed Forces of
18 the United States, to leave of absence from his or her respective
19 duty without loss of pay or time on all work days on which he or
20 she shall be engaged in any period of Federal active duty, provided,
21 however, that such leaves of absence shall not exceed **[30]** 90 work
22 days in any calendar year. Such leave of absence shall be in
23 addition to the regular vacation or other accrued leave allowed such
24 officer or employee. Any leave of absence for such duty in excess
25 of **[30]** 90 work days shall be without pay but without loss of time.

26 b. Notwithstanding subsection a. of this section, a full-time
27 temporary officer or employee who has served under such
28 temporary appointment for less than one year shall receive for the
29 service hereinabove described leave without pay but without loss of
30 time.

31 (cf: P.L.2001, c.351, s.1)

32

33 2. Section 4 of P.L.2001, c.351 (C.52:13H-2.1) is amended to
34 read as follows:

35 4. In accordance with the provisions of Article VIII, Section II,
36 paragraph 5 of the New Jersey Constitution, upon application for
37 reimbursement by a county or municipal governing body or a board
38 of education to the State Treasurer for reimbursement and approval
39 of the application by the Director of the Division of Budget and
40 Accounting, reimbursement shall be made by the State for any costs
41 incurred as a result of the provisions of P.L.2001, c.351 and as a
42 result of the amendment to R.S.38:23-1, P.L. , c. (C.) (pending
43 before the Legislature as this bill).

44 (cf: P.L.2001, c.351, s.4)

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46 3. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

STATEMENT

Under current law, a public employer provides a paid leave of absence for federal active duty to public employees who are members of the Reserves of the United States military, including the National Guard of other states. Current law requires the employer to provide paid leave for 30 work days per year. Leave after 30 work days is provided without pay.

This bill entitles a public employee who is a member of the Reserves of the United States military, including the National Guard of other states, to 90 work days of paid leave for federal active duty. Leave after 90 work days will be provided without pay.

This change will match the benefit currently given to an officer or employee of a State agency, county, school district, or municipality who is a member of the National Guard or other component of the organized militia of New Jersey, which is 90 work days per year.

The bill also provides that any costs incurred as a result of the provisions of the bill will be reimbursed by the State upon application for reimbursement by a local employer to the State Treasurer and approval of the application by the Director of the Division of Budget and Accounting.