

SENATE, No. 1202

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Requires unpaid and paid leave for public employees who work for labor organization.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning unpaid and paid leave of absence for public
2 employees who perform work for labor organizations and
3 supplementing Title 18A of the New Jersey Statutes and
4 amending N.J.S.11A:6-12 and P.L.2005, c.368.

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

8
9 1. (New section) A school district shall grant an unpaid leave
10 of absence to any employee elected or appointed as an officer or
11 representative of a local, county or State labor organization which
12 represents, or is affiliated with a local, county or State labor
13 organization which represents, public employees of the school
14 district.

15 A school district shall grant a paid leave of absence to any such
16 employee, (1) provided the employer is reimbursed in advance for
17 compensation and benefit costs including retirement system
18 contributions and health benefit premiums or periodic charges paid
19 during the period of absence, or (2) in accordance with the terms of
20 a collective bargaining agreement.

21 The maximum period for such paid and unpaid leaves shall be a
22 subject of negotiation between the employer and union.

23
24 2. N.J.S.11A:6-12 is amended to read as follows:

25 11A:6-12. Leaves of absence for elected and appointed union
26 officials. An appointing authority **【may】** shall grant an unpaid
27 leave of absence to any employee elected or appointed as an officer
28 or representative of a local, county or State labor organization
29 which represents, or is affiliated with a local, county or State labor
30 organization which represents, public employees.

31 An appointing authority **【may】** shall grant a paid leave of
32 absence to any such employee, (1) provided the employer is
33 reimbursed in advance for compensation and benefit costs including
34 retirement system contributions and health benefit premiums or
35 periodic charges paid during the period of absence, or (2) in
36 accordance with the terms of a collective bargaining agreement.

37 The maximum period for such paid and unpaid leaves shall be a
38 subject of negotiation between the employer and union.

39 (cf: P.L.2005, c.368, s.1)

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41 3. Section 2 of P.L.2005, c.368 (C.40A:9-7.3) is amended to
42 read as follows:

43 2. Any employee, except a policeman or firefighter, elected or
44 appointed as an officer or representative of a local, county or State
45 labor organization which represents, or is affiliated with a local,

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.

1 county or State labor organization which represents, public
2 employees **【may】** shall be granted, by a county, municipality or
3 agency thereof, an unpaid leave of absence.

4 A county, municipality or agency thereof **【may】** shall grant a
5 paid leave of absence to any such employee, (1) provided the
6 employer is reimbursed in advance for compensation and benefit
7 costs including retirement system contributions and health benefit
8 premiums or periodic charges paid during the period of absence, or
9 (2) in accordance with the terms of a collective bargaining
10 agreement.

11 The maximum period for such paid and unpaid leaves shall be a
12 subject of negotiation between the employer and union.
13 (cf: P.L.2005, c.368, s.2)

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15 4. This act shall take effect immediately.

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18 STATEMENT

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20 Under current law, the State, or a county or municipality, may
21 grant an unpaid leave of absence to a public employee who is
22 elected or appointed as an officer of a labor organization that
23 represents public employees. Additionally, under current law, the
24 State, or a county or municipality, may grant a paid leave of
25 absence to such an employee, provided the public employer is
26 reimbursed in advance for compensation and benefit costs,
27 including retirement system contributions and health benefit
28 premiums or periodic charges paid during the period of absence, or
29 in accordance with the terms of a collective bargaining agreement.

30 This bill mandates that the State, a county or municipality grant
31 such unpaid or paid leave. This bill would codify an identical
32 provision for school districts.