SENATE, No. 1803

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:
Senator M. TERESA RUIZ
District 29 (Essex)

SYNOPSIS

Requires State to reimburse counties for portion of holiday pay to county employees performing State services on certain holidays.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning county holiday pay, supplementing chapter 5 of Title 40A of the New Jersey Statutes, and amending N.J.S.40A:5-19.

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

1. (New section) a. For the purposes of this section:

"County employee" means and includes all employees and officers in service in any county, and of any county board, body, or commission maintained out of county funds, including laborers recognized as permanent laborers, whether paid on an hourly, daily, monthly, or annual basis.

"County holiday" means a paid holiday granted to county employees by a county, but does not include paid holidays granted to all State government employees each calendar year pursuant to section 25 of P.L.2008, c.89 (C.11A:6-24.1).

"Division" means the Division of Local Government Services in the Department of Community Affairs.

"Holiday pay" means cash compensation at a rate representing one and one-half times the employee's hourly rate of base salary.

"State service" means a service performed by a county employee on behalf of or in support of State government, which the employee would not be required to perform on paid holidays granted to all State government employees pursuant to section 25 of P.L.2008, c.89 (C.11A:6-24.1).

b. (1) A county shall compensate a county employee required to work on a county holiday no more than holiday pay, as defined in subsection a. of this section.

(2) Each year, a county shall submit an application to the division for reimbursement of amounts the county expended over the prior fiscal year for holiday pay attributable to the performance of State service on county holidays. The division shall review the application and, if approved, the State shall reimburse the county for amounts expended by the county, which exceed the base salary provided to a county employee if the county employee performed a State service during a county holiday.

c. For each local fiscal year in which the State reimburses a county for a portion of the holiday pay of a county employee performing a State service, pursuant to subsection b. of this section, the county shall deduct from its final appropriations for the next local fiscal year, upon which its permissible county tax levy is calculated, the amount which the State reimbursed the county for holiday pay.

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 <u>thus</u> is new matter.

d. In the budget of any county, revenues anticipated during the fiscal year from State reimbursements, pursuant to subsection b. of this section, may be included in the budget and shall be labeled as anticipated revenue. Revenues included in accordance with this subsection shall be available for expenditure by the county as and when received in cash during the fiscal year.

2. N.J.S.40A:5-19 is amended to read as follows:

40A:5-19. a. The governing body of any local unit may provide by ordinance for the manner in which and the time at which salaries, wages or other compensation for services shall be paid, and prescribe the form and manner in which checks upon the treasury shall be drawn and signed for that purpose.

b. The local unit may, by resolution, provide for the bi-weekly payment of the salaries, wages and compensation of officers and employees, both elective and appointive.

c. A county may submit an application to the Division of Local Government Services in the Department of Community Affairs for reimbursement for holiday pay, pursuant to section 1 of P.L. , c. (C.) (pending before the Legislature as this bill), in accordance with procedures specified by the division.

(cf: N.J.S.40A:5-19)

3. This act shall take effect immediately.

STATEMENT

This bill would require the State to reimburse counties for holiday pay provided to county employees performing a service in aid of State government on certain holidays. Under this bill, a county would compensate a county employee required to work on a county holiday with holiday pay at a rate representing no more than one and one-half times the employee's hourly rate of base salary. The county would provide the holiday pay to its employee in the current fiscal year. In the next fiscal year, the State would reimburse the county for the portion of the holiday pay that exceeds the base salary of the county employee. The county would be eligible for reimbursement if the county employee performed a service in furtherance of a State government service on a day that the county recognizes as a paid holiday, but the State does not recognize as a paid holiday. Counties may list reimbursements provided for in this bill as anticipated revenue in the next year’s budget, available for expenditure by the county as and when received in cash during the fiscal year.