

1499 US Highway One, North, 3rd Floor Rahway, New Jersey, 07065 www.ucimprovementauthority.org (732) 382-9400 (732) 382-5862 fax

Resolution No.	61-2015	Date:	September 2, 2015	5

RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE ADOPTION OF PAID AND UNPAID TIME OFF POLICIES

APPROVED AS TO FORM: Lisa M. da Silva, RMC Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS
[] YES [] NO TONNE REQUIRED
UNION COUNTY IMPROVEMENT AUTHORITY

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Resolution No.	. <u>61-2015</u>	Date:	August 5, 2015
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RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE ADOPTION OF PAID AND UNPAID TIME OFF POLICIES

WHEREAS, the Authority's maintains policies for the operation of the Authority; and

WHEREAS, the Authority proposes to adopt paid and unpaid time off policies of the Authority as presented and attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Union County Improvement Authority as follows:

- 1) The above recitals are incorporated herein as if fully set forth at length.
- 2) This Board hereby approves and adopts the Authority's paid and unpaid time off policies, which are attached hereto as Exhibit A.
- 3) This Board hereby directs the Clerk to distribute the policies to all Commissioners of the Authority and the Executive Director for their review and acknowledgment.
- 4) This Resolution shall take effect immediately.

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PAID HOLIDAYS POLICY

POLICY STATEMENT: The UCIA provides employees with paid time off on legal holidays.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract, and to all officials, including Commissioners and Alternate Commissioners.

PROCEDURES FOR IMPLEMENTATION:

A. The UCIA celebrates the following as paid holidays:

New Year's Day
Martin Luther King's Birthday
Lincoln's Birthday
President's Day
Good Friday
Memorial Day
Independence Day
Labor Day
Columbus Day
General Election Day
Veteran's Day
Thanksgiving Day;
Day after Thanksgiving
Christmas Day

Generally, when a paid holiday falls on a Saturday, it is observed on the preceding Friday. Generally, when a paid holiday falls on a Sunday, it is observed on the following Monday.

B. Eligibility and Payment

- 1. Full-time employees receive a day off with pay on holidays.
 - a. Part-time employees who are scheduled to work twenty (20) hours or more but less than thirty (35) hours per week shall be granted holiday pay if the holiday falls on a regularly scheduled work day.

- b. The amount of holiday pay a part-time employee will receive depends on the number of hours the part-time employee otherwise would have been scheduled to work on the holiday.
- 2. Paid time off for holidays shall not count as hours worked for purposes of calculating eligibility for overtime.
- 3. In order to be eligible for holiday pay, employees must work the regular work day before and after the holiday or be on paid sick leave, authorized vacation or compensation day, scheduled day off or jury duty on those days. The same applies to employees where a holiday falls immediately before, on, or immediately after their scheduled day off.
- 4. Employees eligible for overtime pay, who are required to work on a holiday, shall receive time and one-half in pay for the actual hours worked plus a compensatory day off with pay, to be taken within thirty (30) calendar days of the holiday. In lieu of the above, at the UCIA's option, employees working on holidays may be paid double time and one-half with no compensatory days off.
- 5. If an employee calls in sick the day before or after a holiday, he/she must present to his/her supervisor a doctor's note referring to the specific day. Failure to produce a doctor's note will result in the loss of the holiday pay.
- 6. Holidays that fall within approved vacation leave will be charged to holiday pay if the employee otherwise would have been required to work the Holiday.

C. Religious Holidays

- 1. Employees may use accrued vacation leave, personal days or compensatory time for observance of religious holidays not listed above.
- 2. Employees with no accrued vacation, personal days, or compensatory time may request an unpaid leave of absence in order to observe their holiday(s).
- 3. Employees shall not use sick leave for observance of religious holidays.

ENFORCEMENT/IMPLEMENTATION: The Executive Director and supervisors are responsible for implementing and enforcing this Policy. Any violation of this Policy may result in disciplinary action, up to and including termination from employment.

Approved: September 2, 2015 by resolution 61-2015

VACATION POLICY

POLICY STATEMENT: The UCIA believes it is important for employees to take vacation each year in order to refresh themselves and perform their work duties with greater focus and energy. Therefore, the UCIA grants paid vacation benefits to employees and encourages employees to use their vacation benefits.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

A. Vacation Accruals

- 1. Generally, new employees shall receive one (1) working day of vacation for the initial month of employment if they begin work on the 1st through the 8th day of the calendar month, and one-half (½) working day if they begin on the 9th through the 23rd of the month. New employees who begin work after the 23rd of the month shall receive no vacation for the initial month of employment. After the initial month of employment, the following schedule applies:
 - a. After the initial month of employment and up to the end of the first calendar year, one (1) working day for each full month of service;
 - b. From the beginning of the first full calendar year of employment and up through eight (8) years of continuous service, thirteen (13) working days per calendar year;
 - c. After eight (8) years of continuous service and up through ten (10) years of continuous service, fourteen (14) working days;
 - d. After ten (10) years of continuous service and up through fifteen (15) years of continuous service, seventeen (17) working days;
 - e. After fifteen (15) years of continuous service and up through twenty (20) years of continuous service, nineteen (19) working days;
 - f. After twenty (20) years of continuous service and up through twenty-five (25) years of continuous service, twenty-one (21) working days;
 - g. After twenty-five (25) years of continuous service, twenty-six (26) working days.

- 2. Part-time employees who regularly work twenty (20) hours or more and less than thirty (35) hours per week shall be granted a pro-rated amount of paid vacation leave in accordance with the actual number of hours worked and the above schedule.
- 3. Employees shall accrue vacation leave during the first ninety (90) days of employment, but no vacation time may be taken during a new employee's initial probationary period, except in case of emergency, and with the approval of the Executive Director or designee.
- 4. Beginning the first full calendar year of employment, annual paid vacation leave shall be credited at the beginning of each calendar year in anticipation of continued employment based on years of continuous service, as detailed above. This is considered a pay advance to the employee, which will be prorated in the event of any termination or separation from employment based on the percentage of the year the employee worked prior to separation.
- 5. Continuous service for purposes of vacation leave calculation shall mean employment with the UCIA without actual interruption due to resignation, retirement or removal. Periods of employment before and after a suspension or leave without pay shall be considered continuous service. However, the period of time on a suspension or a leave without pay, except for military leave, shall not be included in calculating years of continuous service.
- 6. Employees on a suspension or a leave without pay, except for military leave, do not earn vacation leave for the period of the leave or suspension.

B. Using Vacation Benefits

- 1. Employees must submit requests for vacation leave of five (5) consecutive days or less, in writing to the Executive Director through the employee's supervisor no later than one (1) full week prior to the commencement of vacation.
- 2. Employees must submit requests for vacation leave of five (5) consecutive days or more, in writing, to the Executive Director through the employee's supervisor at least thirty (30) days prior to the commencement of vacation.
- 3. Each supervisor is required to review vacation requests and submit his/her written recommendations to the Executive Director.
- 4. All requests will be reviewed by the Executive Director or his/her designee, and his/her determination to approve, modify or deny will be final.
- 5. Requests made on shorter notice may be granted for emergencies on a case-by-case basis, subject to the approval of the Executive Director or his/her designee.
- 6. Vacation assignments normally will be based on a first request, first approval basis and on work schedules. If requests are received simultaneously, seniority will be the deciding factor.

- 7. Paid time off for vacation shall not count as hours worked for purposes of calculating eligibility for overtime.
- 8. An employee who becomes sick or injured while on vacation leave and who becomes hospitalized on an in-patient basis, is permitted to charge the days attributable to the hospitalization to sick leave. The employee must supply verification of the illness or injury and hospitalization.
- 9. If a member of an employee's family dies while the employee is on vacation, the employee is permitted to charge up to five (5) days (or three (3) days, depending on the employee's relationship to the deceased) of absence attributable to the funeral or bereavement as funeral leave, in accordance with the Funeral Leave policy set out in the appropriate Policy.

C. Unused Vacation Leave

- 1. Employees are encouraged to take all vacation leave in the calendar year in which it is earned, however
 - a. Employees may carry their unused vacation leave for one (1) year only.
 - b. At the sole discretion of the UCIA, requests to use vacation leave which is carried from one (1) year to the next may not be granted if it may cause or contribute to insufficient staffing or otherwise unduly interrupt the UCIA's operations.
 - c. Vacation time for the months of November and December shall be scheduled with the employee's supervisor no later than October 15th.
 - d. Vacation leave not taken by the end of the second calendar year is forfeited, regardless of whether the UCIA denied a request to use such vacation time.
 - e. Employees who carry vacation leave from one (1) year to the next do so at their own risk.
- 2. Employees may elect to "sell back" up to one (1) week of unused vacation time per year subject to approval by the Executive Director. An employee wishing to do so shall notify his/her Department Head, and if the request is approved, the employee shall receive payment at his/her regular base rate of pay for the days in the final pay period of the year.

D. Vacation Purchase

1. Employees may elect to purchase up to fifteen (15) days of vacation time per year subject to approval by the Executive Director. An employee wishing to do so shall notify his/her Department Head and request approval. An employee's application will be reviewed on a case by case basis.

- 2. Vacation days can be purchased as follows:
 - a. Three (3) days pay for five (5) days vacation; and
 - b. Six (6) days pay for ten (10) days vacation; and
 - c. Nine (9) days pay for fifteen (15) days vacation.
- 3. To be eligible, employees must be "non-essential" and one (1) full year of earned vacation time must be utilized prior to the use of any purchased vacation time.
- 4. Once enrolled, an employee will not be able to modify their purchase. In addition, all time must be paid off before an employee may participate again.
- 5. Time purchased will be paid through payroll deductions at the minimum rate of three and one-half (3.5) hours pay per pay period, or at a higher rate per pay period at the employee's request, until monies owed are paid.
- 6. Time purchased will be credited to the employee when payments are complete.

E. Termination of Employment

- 1. Upon termination of employment for any reason, unused earned vacation time will be compensated at a full base pay rate. Earned vacation time will be prorated in the event of any termination or separation from employment based on the percentage of the year employed prior to separation.
- 2. Upon the death of an employee, unused earned vacation leave shall be paid to the employee's estate.
- 3. Employees, who leave the UCIA's employ and who have used more vacation time than they earned for their final year of employment, shall have the dollar value of that excess vacation used deducted from their final paycheck or otherwise will be obligated to reimburse the UCIA for the value of the excess vacation time used.
- 4. Vacation leave credits shall not accrue after an employee has resigned or retired although his or her name may be retained on the payroll until exhaustion of vacation or other compensatory leave.

ENFORCEMENT/IMPLEMENTATION: The Executive Director and supervisors are responsible for implementing and enforcing this Policy. Violations of this Policy may result in denial of a request to use vacation time.

Approved: September 2, 2015 by resolution 61-2015 Revised:

PERSONAL PAID LEAVE POLICY

POLICY STATEMENT: The UCIA provides paid Personal Leave Days to employees to use when they need a day off from work to attend to personal business, including religious holidays, when the UCIA is open.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

A. Earning Personal Days

- 1. Full-time employees will receive three (3) paid personal days per calendar year as of January 1st in anticipation of continued employment.
- 2. Newly hired employees are eligible for personal days during the first year of their employment as follows:
 - a. One day after four (4) months of employment;
 - b. One additional day after eight (8) months of employment;
 - c. One final day may be granted during the tenth through twelfth months of employment.
- 3. There shall be no carryover of unused personal time from year to year.

B. Using Personal Days

- 1. Employees must submit requests for use of personal day(s), in writing to the Executive Director through the employee's supervisor at least forty-eight (48) hours days in advance.
- 2. Each supervisor is required to review the request and submit his/her written recommendations to the Executive Director.
- 3. All requests will be reviewed by the Executive Director or his/her designee, and his/her determination to approve, modify or deny will be final.
- 4. Requests made on shorter notice may be granted for emergencies on a case-by-case basis, subject to the approval of the Executive Director or his/her designee.

- 5. Paid time off for personal days shall not count as hours worked for purposes of calculating eligibility for overtime.
- 6. Part-time employees will be paid a pro-rata amount of hours for each personal day used, based on the percentage of full-time hours regularly scheduled and worked each week.

ENFORCEMENT/IMPLEMENTATION: The Executive Director and all supervisors are responsible for implementation of this Policy. Violations of this Policy may result in denial of requests to use personal days.

Approved: September 2, 2015 by resolution 61-2015

SICK LEAVE POLICY

POLICY STATEMENT: The UCIA provides paid sick leave benefits for employees who need to be absent from work due to their own medical condition.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

A. Accrual of Sick Leave Benefits

- 1. New full-time UCIA employees shall receive one (1) day of sick leave for the initial month of employment if they begin work on the 1st through the 8th day of the calendar month and one-half working day if they begin on the 9th through the 23rd day of the month.
 - a. Employees who begin to work after the 23rd of the month are not entitled to any sick leave for that initial calendar month.
 - b. After the initial month of employment and up to the end of the first calendar year, employees shall be credited with one (1) day of sick leave for each month of service.
- 2. After the first calendar year of service, employees shall receive fifteen (15) days of sick leave at the beginning of each calendar year in anticipation of continued employment.
- 3. Part-time employees shall be entitled to a proportionate amount of sick leave based on the percentage of full-time hours regularly scheduled.
- 4. Unused sick leave shall accumulate from year to year without limit. Sick days cannot be accrued while an employee is on an unpaid leave of absence or suspension.
- 5. Sick leave shall not accrue after an employee has resigned or retired even if his/her name is retained on the payroll until exhaustion of vacation or other compensatory leave.

B. Use of Sick Time

1. In all instances, employees claiming entitlement to sick leave may be required to submit medical verification regardless of the number of days absent. Failure to submit requested medical verification will result in denial of paid sick leave and may also result in discipline up to and including discharge.

- 2. Employees who leave work due to illness will be paid for the hours actually worked and charged sick leave for the balance of that day. Non-exempt employees, who have no sick leave, and who leave work due to illness, will be paid only for the hours actually worked that day.
- 3. Employees who have exhausted their sick leave will be docked for any additional days absent in that calendar year.
- 4. Employees who resign, are dismissed, or laid off and have used more sick days than they earned, shall have the value of the excess sick leave deducted from their last paycheck or otherwise be obligated to reimburse the UCIA for the value of the excess sick leave used.
- 5. Paid time off for sick leave shall not count as hours worked for purposes of calculating eligibility for overtime.

C. Abuse of Sick Leave

- 1. Sick leave is a benefit and is intended to act like insurance in the event an employee is unable to work due to illness or injury. Employees shall not abuse their sick leave benefits.
- 2. Abuse of sick leave includes, but is not limited to, using sick leave when the employee is not ill, as well as chronic, excessive and other inappropriate patterns of absence.
- 3. Employees who are on an unpaid leave for fifteen (15) or more working days of a month for any reason, are not eligible to earn benefit time such as sick days and vacations days for that month.

D. Sick Leave Call-in Procedure

- 1. In the event of absence due to illness or injury, all employees must notify their supervisor no later than fifteen (15) minutes after the start of their normal reporting time on each day of absence.
 - a. If necessary, employees may notify their direct supervisor through a voice mail or email, provided that the employee does a follow-up contact with their supervisor within four (4) hours after the start of their normal reporting time.
 - b. In the event of an unforeseen emergency which prevents an employee from complying with the above requirements, the employee still must notify the Executive Director and/or Authority Clerk as soon as is possible.
- 2. Employees who fail to timely notify the Executive Director and/or Authority Clerk will be denied sick leave and may be subject to disciplinary action.

ENFORCEMENT/IMPLEMENTATION: Supervisors are responsible for administering this Policy. Employees who abuse of sick leave or who fail to comply with the Sick Leave Call-in Procedure may be subject to discipline up to and including termination from employment.

Approved: September 2, 2015 by resolution 61-2015

FUNERAL LEAVE POLICY

POLICY STATEMENT: The UCIA provides funeral leave as paid time off benefits for eligible employees, who experience the death of a close family member.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

- A. The purpose of funeral leave is to allow eligible employees to take time off to make arrangements for and attend the funeral of a close family relative (as defined below) without loss of pay.
- B. Full-time employees may be granted up to five (5) consecutive days of paid funeral leave following the death of the employee's spouse, civil union partner, domestic partner, or child.
- C. Full time employees may be granted up to three (3) consecutive days of paid funeral leave following the death of the employee's parent, sister, brother, grandparent, parent-in-law, grandchild, or a relative residing at the employee's household.
- D. Employees who regularly work less than thirty-five (35) hours per week may be granted a proportionate amount of paid funeral leave.
- E. If a close family member of a full-time employee dies while the employee is on vacation, the employee is permitted to charge up to three (3) days absence attributable to the funeral or bereavement as funeral leave instead of vacation. For purposes of this provision, an employee's close family members shall include any family relation identified in either paragraph B or C above.
- F. In the UCIA's sole discretion, with the recommendation of the Executive's Director, the definition of immediate family may be expanded and the period of leave, with or without pay, may be extended, where appropriate.
- G. Employees may be required to submit proof of the death of the close family member. Such proof can include a note from a doctor, funeral director, minister or other religious official, or a copy of the newspaper death announcement. Time spent on funeral leave will not count as hours worked for purposes of calculating eligibility for overtime.

ENFORCEMENT/IMPLEMENTATION: The Executive Director and supervisors are responsible for implementing and enforcing this Policy. Any violation of this Policy, including but not limited to a false report of a death, shall result in denial of funeral leave pay and disciplinary action, up to and including termination from employment.

Approved: September 2, 2015 by resolution 61-2015

JURY DUTY POLICY

POLICY STATEMENT: The UCIA provides paid leave for full-time employees called to juror service.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

- A. Full-time employees who are called to serve as jurors in any federal or state court shall receive full pay from the UCIA for all time spent on jury duty during the employee's normal work day, subject to the terms of this Policy.
 - 1. Any fees received by full-time employees for jury duty, excluding travel allowances, must be paid to the UCIA.
 - 2. Upon returning to work following juror service, full-time employees must submit proper documentation for each day served to the Authority Clerk in order to receive pay for jury duty leave.
- B. Full-time employees summoned for jury duty must provide to their supervisor with the initial summons/notice from the court showing when and where the employee is to report for jury duty, within three (3) business days of receipt.
 - 1. For each day served, the full-time employee must get a notice from the court and present same to their immediate supervisor upon returning to work.
- C. Part-time employees are not eligible to receive payment for jury service, however, part-time employees will be granted time off without pay to attend jury service, provided they provide their supervisor with the initial summons/notice from the court showing when and where the employee is to report for jury duty, within three (3) business days of receipt.
- D. All employees, who are released from jury duty after spending less than four (4) hours on jury duty, must report to work for the balance of the work day.
 - 3. If an employee is excused from jury duty earlier than the original dates established to serve, the employee is required to return to work, with the proper documentation.
 - 4. If for any reason an employee is required to serve longer than the original days scheduled, it is the employee's responsibility to notify his/her supervisor of the extension.

E. Time spent on jury duty will not count as hours worked for purposes of calculating eligibility for overtime.

ENFORCEMENT/IMPLEMENTATION: The Executive Director and supervisors are responsible for implementing and enforcing this Policy. Any violation of this Policy shall result in denial of paid jury duty benefits and disciplinary action, up to and including termination from employment.

Approved: September 2, 2015 by resolution 61-2015

PAID FAMILY LEAVE INSURANCE POLICY

POLICY STATEMENT: Through a program administered by the State of New Jersey, all employees may be eligible to collect up to six (6) weeks of Paid Family Leave Insurance in any rolling twelve (12) month period, if they need to be absent from work to care for an immediate family member with a Serious Health Condition or to bond with a child following birth or adoption.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

- A. Family Leave Insurance is a wage loss protection program that provides partial wage replacement to all eligible employees.
 - 1. Employees need not be eligible for Family leave under the UCIA's Family and Medical Leave Policy to qualify for Family Leave Insurance.
- B. A Serious Health Condition is defined as stated in the Family and Medical Leave Policy, but generally requires that the family member be receiving ongoing treatment by a doctor, and be hospitalized or receiving similar treatment such that the individual is unable to work or attend school.
- C. An employee who intends to claim Family Leave Insurance benefits to bond with a newly born or adopted child must give the UCIA thirty (30) days notice prior to the start of the family leave, or their Family Leave Insurance benefits will be reduced by two (2) weeks (as required by law), unless the time of the leave is unexpected or the time of the leave changes for unforeseeable reasons. Employees should submit their written notice to the Executive Director.
- D. An employee, who intends to take a family leave of absence and claim Family Leave Insurance benefits to participate in providing care for a family member with a Serious Health Condition, must give the UCIA reasonable and practicable prior notice, unless the time of the leave is unexpected or the time of the leave changes for unforeseeable reasons. Employees should submit their written notice to the Executive Director.
- E. An employee who intends to take the family leave of absence on an intermittent basis to care for an immediate family member must give the UCIA a minimum of fifteen (15) days prior written notice, submitted to the Executive Director.
- F. Eligible employees may apply for Paid Family Leave Insurance benefits, which will be calculated at approximately 2/3 of weekly base pay, up to a maximum set by law, following a one-week waiting period.

- G. Paid Family Leave Insurance is funded through employee contributions deducted from weekly pay, similar to unemployment and state temporary disability benefits. Employees should contact the Executive Director for application forms.
- H. Even if an employee qualifies for Paid Family Leave Insurance benefits, the law does not guarantee employees any time off nor does it ensure that an employee's position will be protected while receiving Paid Family Leave Insurance benefits. All leaves of absence are subject to the terms of the UCIA's Family and Medical Leave Policy.

DEFINITIONS: The following definition applies for purposes of Family Leave Insurance only:

A. "Immediate Family Member" means an employee's parent, spouse, civil union partner, or domestic partner, or the child of an employee's civil union partner or domestic partner, child (under age 19), step-child or foster child.

ENFORCEMENT/IMPLEMENTATION: The Authority Clerk may assist employees who wish to apply for Paid Family Leave, however, this benefit is administered by the State of New Jersey, Department of Labor and Workforce Development.

Approved: September 2, 2015 by resolution 61-2015

MILITARY LEAVE POLICY

POLICY STATEMENT: The UCIA provides military leave in accordance with applicable state and federal law.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

A. Any employee, who receives a notification calling him/her to military service (active or reserves) for which the employee will want or need to take a military leave of absence, the employee must provide his/her supervisor with such notification within three (3) business days of receipt. Any employee who fails to provide such notification may be denied the protections of military leave or have the military leave delayed. Supervisors receiving a notification of military service from an employee immediately should forward it to the Executive Director.

B. Military Reservists

- 1. Any permanent or full-time temporary employee, who is a member of the organized reserve of the United States Army, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, Coast Guard, or other affiliated organization, including the National Guard of other states, shall be entitled to a leave of absence without loss of pay or time, on all work days on which he/she is engaged in any period of Federal active duty, up to thirty (30) work days in any calendar year.
- 2. A military leave of absence is in addition to the employee's regular vacation or other accrued leave.
 - a. Any leave of absence for Federal active or reserve duty that extends for more than thirty (30) work days will be without pay but the employee will continue to accrue seniority as if continuously employed.
 - b. A full-time temporary employee who has served under such temporary appointment for less than one (1) year will receive military leave without pay but without loss of time.

C. New Jersey Organized Militia

1. Any full time employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which he/she shall be engaged in State or Federal active duty, up to ninety (90) work days in any calendar year.

Any leave of absence for such duty in excess of ninety (90) work days will be without pay but without loss of time.

D. Reinstatement

To be reinstated by the UCIA following a military leave of absence, without loss of privileges or seniority, the employee must report for duty with the UCIA within the time required by law following release from active duty under honorable circumstances.

- 1. Employees who take military leave are required to:
 - a. Provide the UCIA with proper advanced notice of the leave;
 - b. Apply for reinstatement within the time required by law;
 - c. Have a creditable military record including completion of all required training and full-time service and be discharged under honorable conditions.
- 2. Employees should notify the Executive Director to apply for reinstatement.
- E. On return from a military leave of absence, the employee will be reinstated as required by law.

ENFORCEMENT/IMPLEMENTATION: The Executive Director is responsible for implementing and enforcing this policy. Failure to comply with the requirements stated in this Policy above may jeopardize an employee's reemployment rights.

Approved: September 2, 2015 by resolution 61-2015

LEAVE OF ABSENCE POLICY LEAVE WITHOUT PAY

POLICY STATEMENT: Employees may be granted unpaid leaves of absence for good and substantial reasons.

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

- A. Employees may be granted a leave of absence without pay for good and substantial reasons, which may include, but are not limited to, education, personal and medical (including pregnancy/childbirth or care for a sick child under age 19), where the employee does not qualify under the UCIA's Family and Medical Leaves of Absence Policy.
- B. Unpaid leave will not granted for an employee to participate in paid training to prepare for other employment or to engage in other employment. Any employee participating in such activities during an approved unpaid leave may be discharged.
- C. Requests for unpaid leave and extensions of existing unpaid leave must be initiated by written request to the Executive Director prior to the start of the leave, or prior to the expiration of a leave if an extension is sought.
 - 1. In the case of a medical leave request, appropriate medical documentation and an examination by a UCIA physician may be required.
 - 2. Before being granted an unpaid medical leave, employees will be required to exhaust all accrued sick leave, vacation time and personal days. Employees seeking such leave must first refer to the Family and Medical Leave of Absence Policy.
 - 3. Before being granted an unpaid personal leave, employees will be required to exhaust all accrued paid leave time other than accrued sick leave.
- D. Employees who are going on unpaid leave must arrange with the Authority Clerk to continue payments for medical insurance, life insurance, or other benefits that the employee otherwise would pay through payroll deductions. Failure to arrange for and to make timely payment may result in lapse of coverage or termination of benefits.
- E. Employees on unpaid leaves of absence do not earn vacation, sick or personal leave for the period of the leave, including any month for which he/she is on unpaid leave for fifteen (15) or more working days.

- 1. Unless governed by a separate Policy, or otherwise under Federal or State law, employees do not accrue continued service time for purposes of seniority and calculating annual vacation time entitlement while on an unpaid leave of absence.
- F. Employees seeking to return from an unpaid leave of absence must contact the Executive Director to arrange for a reinstatement to active employment, including pay, benefits and other programs, which may have been affected by the leave. Failure to notify the Executive Director may result in a delay in returning to work and cause other hardships for the employee.
 - 1. Before permitting employees to return to work following an unpaid leave of absence for medical reasons under this Policy, the UCIA requires that employees provide a fitness-for-duty report from the treating health care provider and present this report to the Executive Director.
 - 2. The report must state that the employee is able to resume working without restrictions or must list any restrictions the health care provider finds relative to the employee's ability to perform the essential functions of his/her position.
 - 3. An employee may not return to work following a medical leave under this Policy unless and until he/she submits a fitness-for-duty report to the Executive Director.
 - 4. Employees, who do not arrange for continued health insurance coverage and who return to work from an unpaid medical or personal leave under this Policy, must arrange to reestablish health insurance coverage by contacting the UCIA's Authority Clerk and completing a health benefits enrollment form.
 - 5. The UCIA Authority Clerk is responsible for assisting employees who wish to reenroll in the UCIA's group health insurance program following completion of an unpaid leave of absence under this Policy.
- G. All unpaid leaves of absence are for a specific period of time. An employee who does not return to work following the expiration of an unpaid leave of absence will be marked absent without leave for each day the employee does not report to work. An employee who is absent without leave for five (5) consecutive work days will be considered to have resigned not in good standing, and will be not be eligible for reemployment.
- H. Unpaid leaves of absence may be granted at the sole discretion of the UCIA Board with a recommendation of the Executive Director.

ENFORCEMENT/IMPLEMENTATION: The Executive Director is responsible for implementing and enforcing this Policy. Any violation of this Policy shall result in denial of a request for leave and disciplinary action, up to and including termination from employment.

Approved: September 2, 2015 by resolution 61-2015

MEDICAL AND FAMILY LEAVES OF ABSENCE POLICY

POLICY STATEMENT: The UCIA provides medical and family leaves of absence to eligible employees. In order to be eligible for medical or family leave, employees must have been employed by the UCIA for at least twelve (12) consecutive months, must have worked a sufficient number of hours (as detailed below), and must request to take a leave of absence because of one or more of the qualifying events described below. The UCIA implements this Policy in accordance with the applicable provisions of the federal Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA).

APPLICATION: This Policy applies to all full-time and part-time employees (including officers) of the Union County Improvement Authority (the "UCIA"), except to the extent limited by a collective bargaining agreement or an individual employment contract.

PROCEDURES FOR IMPLEMENTATION:

MEDICAL LEAVE

A. Eligibility

- 1. In order to be eligible for a medical leave of absence, an employee must have been employed by the UCIA for at least twelve (12) consecutive months, must have worked at least 1250 hours in the twelve (12) months immediately prior to the first day of leave, and must be suffering from a Serious Health Condition (as defined at the end of this Policy) which renders them unable to work (including workers' compensation injuries).
- 2. Eligible employees may request up to twelve (12) weeks of unpaid medical leave in any rolling twelve (12) month period, determined as of the date the leave starts or is requested to start.

B. Procedure

- 1. Eligible employees are required to give notice thirty (30) days prior to the anticipated first day of leave, except in emergency situations, when notice must be given as soon as possible.
 - a. Except in emergency circumstances, if an eligible employee fails to request leave at least thirty (30) days in advance, the starting date of the leave may be delayed.
 - b. Eligible employees seeking medical leave will be required to submit a written request and a Medical Certification from a licensed physician or other

qualified health care provider documenting the Serious Health Condition. Forms are available from the Executive Director.

- c. Any employee who fails to submit a signed and completed Medical Certification form may be denied medical leave or delayed in starting their medical leave.
- d. Employees should submit their requests and their medical certifications to the Executive Director for processing.
- e. If an employee is absent from work for five (5) consecutive days due to medical illness, the employee's supervisor must notify the Executive Director. If the Authority Clerk confirms that the employee has not submitted a request for medical leave, the Executive Director or designee will send the necessary paperwork to the employee to allow him/her to request a medical leave.

C. Duration of Medical Leave

- 1. Medical leave may be taken:
 - a. consecutively (multi-day or multi-week increments),
 - b. intermittently (separate blocks of time due to a single qualifying reason); or
 - c. as reduced leave (leave schedule that temporarily reduces an eligible employee's usual number of hours per workday or work week, generally from full-time to part-time)
- 2. The duration and form of medical leave will be subject to medical necessity as determined by a health care provider.
- 3. An employee who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to disrupt unduly the UCIA's business operations.
- 4. The total intermittent leave related to any Serious Health Condition must not exceed twelve (12) months, and the employee must provide thirty (30) days prior notice, or as much notice as is reasonable and practical under the circumstances.
- D. Continuation of Medical Benefits During Medical Leave
 - 1. Throughout an approved medical leave of absence, the UCIA will continue medical insurance coverage for employees under the same terms that the UCIA provides medical insurance coverage to active employees. Employees must make arrangements with the Authority Clerk and make timely payment of their share of the premium cost while on leave.

- 2. At the sole discretion of the UCIA or as required by law, eligible employees may be granted additional leave with or without continuation of health care coverage.
- 3. Seniority rights do not accrue during an unpaid medical leave, but upon return from medical leave, an employee will be credited with all seniority earned prior to the leave.

E. Salary Continuation During Medical Leave

- 1. Medical leaves of absence are unpaid, however, employees must use available sick leave starting from the first day of absence and, thereafter, may use available vacation, and personal days.
- 2. Employees on medical leave also may be eligible and should apply for Temporary Disability Benefits provided through the State of New Jersey if their medical condition was not work-related, but only after exhausting all available sick leave benefits. (See the UCIA Policy on Temporary Disability Benefits and Supplemental Disability Benefits.)
- 3. Eligible employees absent due to a work-related injury or illness may be placed on medical leave simultaneous with receiving workers' compensation benefits.
- 4. Employees do not earn/accrue additional sick, vacation or personal days during an unpaid medical leave, even if they are receiving temporary disability or workers' compensation benefits during such leave. Employees will not be paid for holidays occurring during a medical leave of absence.

F. Return from Medical Leave

- 1. Employees are expected to return to work on their scheduled return to work date. Employees are requested to give prior notice to the Executive Director of their intent to return from medical leave.
- 2. If an employee needs to extend the medical leave or if an employee is able to return early from a medical leave, he/she should submit the request to the Executive Director within two (2) business days of learning of the need for an extension or of the ability to return to work early.
- 3. Before permitting employees to return to work following a medical leave of absence, the UCIA requires that the employee provide a fitness-for-duty report from the treating health care provider.
 - a. The report must state that the employee is able to resume working without restrictions or must list any restrictions the health care provider finds relative to the employee's ability to perform the essential functions of his/her position.
- 4. An employee may not return to work unless and until he/she submits a fitness-for-duty report to the Executive Director.

5. If an employee fails to return to work upon the scheduled expiration of a medical leave of absence for reasons other than a documented continuing Serious Health Condition, the UCIA will treat the eligible employee's failure to return as a voluntary resignation without notice, and will terminate the employee's employment. In such case, the UCIA also may exercise its right to recover from the employee the amount of the premium cost which it paid for the employee's health insurance coverage during the term of the medical leave.

G. Return to Work Rights

- 1. Employees taking an approved medical leave of absence will be entitled to reinstatement to their former position, or to another position of substantially equivalent compensation, benefits, status and responsibility, if they return from the leave on the agreed upon date (including any approved extension), and the entire medical leave lasts no more than twelve (12) weeks.
- 2. If an approved leave lasts longer than twelve (12) weeks, then the UCIA may return the eligible employee to the former position, if available or another position of substantially equivalent compensation, benefits, status and responsibility, if such a position is available at the time the employee is available to return from leave and the employee is qualified for the position.
- 3. Upon return from an approved medical leave, an employee will be subject to any benefit modifications applicable to other employees while the employee was on leave, if the employee otherwise would have been subject to the benefit modification if he/she was actively working rather than on medical leave.
- 4. Employees who do not arrange for continued health insurance coverage during a medical leave and who return to work following a family leave should arrange to reestablish health insurance coverage by completing a health benefits enrollment form. UCIA's Authority Clerk shall have responsibility for assisting employees who return to work following a family leave and wish to reestablish health insurance benefits.
- 5. In the event an employee's position is eliminated while he/she is on an approved medical leave of absence and he/she otherwise would be subject to layoff, he/she may be laid off at the conclusion of the leave.
- 6. An additional exception exists for certain "key" employees of the UCIA who may not be guaranteed reinstatement if their absence will cause grievous economic harm to the UCIA.
 - a. Under the Federal Family and Medical Leave Act, a "key" employee is a salaried employee who is among the 10% highest-paid UCIA employees.
 - b. The UCIA will notify "key" employees of their status, and of the implications of their status, at the time they request medical leave.

FAMILY LEAVE

A. Eligibility

- 1. In order to be eligible for family leave, employees must have been employed by the UCIA for at least twelve (12) consecutive months, must worked at least 1000 hours in the twelve (12) months immediately prior to the first day of leave, and the purpose of the requested leave must satisfy one of the following conditions:
 - a. care for a newly born child or a child newly placed for adoption or foster care, or
 - b. care for an immediate family member (parent, parent in-law, child, spouse, civil union partner) suffering from a Serious Health Condition which renders the immediate family member unable to work, attend school, or to care for him/herself.
- 2. Eligible employees may request up to twelve (12) weeks of unpaid family leave in any rolling twelve (12) month period, determined as of the date the leave starts or is requested to start.
- 3. Eligibility for family leave is determined as of the date the leave starts or is requested to start and looks back at the prior twelve (12) month period.
- 4. Eligibility and procedural requirements may be different for employees taking family leave to care for an immediate family member who is a member of the US Armed Forces (see Military Caregiver Leave below).

B. Procedure

- 1. Eligible employees are required to give notice thirty (30) days prior to the anticipated first day of leave, except in emergency situations, when notice must been given as soon as possible.
- 2. Except in emergency circumstances, if an eligible employee fails to request leave at least thirty (30) days in advance, the starting date of the leave may be delayed and, if the leave is to bond with a new child, the employee's benefits under the NJ Paid Family Leave Insurance automatically will be reduced by two (2) weeks as required by law (see Policy on Paid Family Leave Insurance).
- 3. Eligible employees seeking family leave to care for an immediate family member must submit to the Executive Director a written request and a Medical Certification form completed by the family member's doctor or other health care provider, documenting the Serious Health Condition.
- 4. Employees should submit their requests and their medical certifications (when leave is other than to care for a new child) to the Executive Director for processing.

5. Any employee who fails to submit a signed and completed Medical Certification form may be denied family leave or delayed in starting family leave.

C. Duration of Family Leave

- 1. Family leave may be taken:
 - a. consecutively (multi-day or multi-week increments),
 - b. intermittently (separate blocks of time due to a single qualifying reason); or
 - c. as reduced leave (leave schedule that temporarily reduces an eligible employee's usual number of hours per workday or work week, generally from full-time to part-time)
- 2. The duration and form of family leave to care for an immediate family member with a Serious Health Condition will be subject to medical necessity as determined by the health care provider.
- 3. An employee who requests intermittent or reduced leave to care for an immediate family member shall make a reasonable effort to schedule such leave so as not to disrupt unduly the UCIA's operations.
- 4. The total intermittent family leave related to any Serious Health Condition must not exceed twelve (12) months, and the employee must provide thirty (30) days prior notice, or as much notice as is reasonable and practical under the circumstances.
- 5. Leave to care for a new child may be consecutive, intermittent or reduced, but intermittent or reduced leave requires approval of the UCIA and will not automatically be granted.
 - a. Leave to care for a new child must commence within the first year of the child's life or placement.
- 6. If a husband and wife both are UCIA employees, they may be limited to a combined total of twelve (12) weeks of family leave during any 12-month period if either spouse takes a leave to care for the employee's parent with a Serious Health Condition, for the birth of the employee's child, or to care for the child after the birth, or for placement of a child with the employee for adoption or foster care or to care for the child after placement ("combined purposes").
 - a. The amount of leave available to both the husband and wife in a twelve (12) month period for medical leave or to care for a spouse or child with a Serious Health Condition would be twelve (12) weeks minus the amount of time taken by that employee for the combined purposes during the same twelve (12) month period.

D. Continuation of Medical Benefits During Family Leave

- 1. Throughout an approved family leave of absence, the UCIA will continue medical insurance coverage for employees under the same terms that the UCIA provides medical insurance coverage to active employees. Employees must make arrangements with the Authority Clerk and make timely payment of their share of the premium cost while on leave.
- 2. At the sole discretion of the UCIA or as required by law, eligible employees may be granted additional leave with or without continuation of health care coverage.
- 3. Seniority rights do not accrue during an unpaid family leave, but upon return from family leave, an employee will be credited with all seniority earned prior to the leave.

E. Salary Continuation During Family Leave

- 1. Family leaves of absence are unpaid, however, employees may apply for paid family leave insurance benefits under the New Jersey Family Leave Insurance Act. (See the UCIA's Policy on Paid Family Leave Insurance.)
- 2. Employees must use available personal days and vacation starting from the first day of absence and continuing for up to the first two weeks of family leave before collecting paid family leave insurance benefits.
- 3. If the family leave continues after the paid family leave insurance benefits are exhausted, then employees must use all available personal days, floating holidays and vacation days until those benefits are exhausted or the family leave ends, whichever happens sooner. If family leave continues after the employee exhausts all paid family leave benefits, personal days and floating holidays, then the balance of the family leave will be unpaid
- 4. Employees do not earn/accrue additional vacation, sick or personal days during an unpaid family leave.
- 5. Employees will not be paid for holidays occurring during a family leave of absence.

F. Return From Family Leave

- 1. Employees are expected to return to work on their scheduled return to work date. Employees are requested to give prior notice to the Executive Director of their intent to return from family leave.
- 2. If an employee needs to extend the family leave, he/she must make every effort to submit the request to the Executive Director at least two (2) weeks prior to the scheduled return date, and no less than seven (7) calendar days before the scheduled return to work date.

- a. Requests to extend family leave beyond twelve (12) weeks are granted only at the discretion of the UCIA and only under limited circumstances.
- 3. If an employee fails to return to work upon the scheduled expiration of a family leave of absence, the UCIA will treat the employee's failure to return as a voluntary resignation without notice and will terminate his/her employment. In such case, the UCIA also may exercise its right to recover from the employee the amount of the premium cost which it paid for the employee's health insurance coverage during the term of the family leave.

G. Return to Work Rights

- 1. Employees taking an approved family leave of absence will be entitled to reinstatement to their former position, or to another position of substantially equivalent compensation, benefits, status and responsibility, if they return from the leave on the agreed upon date (including any approved extension), and the entire family leave lasts no more than twelve (12) weeks.
- 2. If an approved family leave lasts longer than twelve (12) weeks, then the UCIA may return the eligible employee to the former position, if available, or another position of substantially equivalent compensation, benefits, status and responsibility, if such a position is available at the time the employee is available to return from leave and the employee is qualified for the position.
- 3. Upon return from an approved family leave, an eligible employee will be subject to any benefit modifications applicable to other employees while the employee was on leave, if the employee otherwise would have been subject to the benefit modification if he/she was actively working rather than on family leave.
- 4. Employees who do not arrange for continued health insurance coverage during a family leave and who return to work following a family leave should arrange to reestablish health insurance coverage by completing a health benefits enrollment form. UCIA's Authority Clerk shall have responsibility for assisting employees who return to work following a family leave and wish to reestablish health insurance benefits.
- 5. In the event an employee's position is eliminated while he/she is on an approved family leave of absence and he/she otherwise would be subject to layoff, he/she may be laid off at the conclusion of the leave.
- 6. An additional exception exists for certain "key" employees of the UCIA who may not be guaranteed reinstatement if their absence will cause grievous economic harm to the UCIA.
 - a. Under the FMLA, a "key" employee is a salaried employee who is among the 10% of the highest-paid UCIA employees, or, under the NJFLA only, among the highest seven (7) or 5% in base salary.

b. The UCIA will notify "key" employees of their status, and of the implications of their status, at the time they request family leave.

H. Military Caregiver Leave

- 1. An employee may request up to twenty-six (26) weeks of Family Leave to care for who is his/her spouse, son, daughter, parent, or next of kin, who is a member of the U.S. Armed Forces, including a member of the National Guard or Reserves ("covered service member"), and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- 2. In order to qualify for Military Caregiver Leave, the employee must meet the must have been employed by the UCIA for at least twelve (12) consecutive months, and worked at least 1250 hours in the twelve (12) months immediately prior to the first day of leave.
- 3. Employees must submit a written request that includes a certification to support his/her request for leave to care for a covered service member with a serious injury or illness. Employees can obtain a copy of the form (WH-385) from the Executive Director or on the U.S. Department of Labor's website at http://www.dol.gov/whd/forms/WH-385.pdf.
- 4. Qualifying employees also may request up to twenty-six (26) weeks of Military Caregiver Leave for "any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces in support of a contingency operation." Employees must submit a written request that includes a certification to support his/her request for leave because of a qualifying exigency. Employees can obtain a form (WH-384) from the Executive Director or on the U.S. Department of Labor's website at http://www.dol.gov/whd/forms/WH-384.pdf.
- 5. Because Military Caregiver Leave is a form of Family Leave, employees absent from work on an approved Military Caregiver Leave, will have the same rights and restrictions regarding Continuation of Medical Benefits During Family Leave, Salary Continuation During Family Leave, Return From Family Leave, and Return to Work Rights, and the Definitions, as stated in this Policy relative to employees taking other forms of approved Family Leave.
- I. Additional Conditions Applicable to both Medical and Family Leaves of Absence
 - 1. Outside Employment Employees are prohibited from accepting new full-time employment while absent on an approved family or medical leave of absence. This requirement does not preclude an employee who had a job outside of the UCIA prior to starting his/her leave of absence from continuing that employment.
 - 2. Confidentiality of Records Records and documents relating to medical certifications or medical histories of employees and/or their family members will be

maintained as confidential medical records and kept in employee health files, separate from the general personnel files.

3. Non-Retaliation - No employee will be subject to retaliation or any negative employment action as a result of requesting or taking family or medical leave under this Policy or as a result of testifying or reporting any actual violation of this Policy or the law.

DEFINITIONS: The following definition is applicable to both Medical and Family Leave, including Military Caregiver Leave:

- A. "Serious Health Condition" means an illness, injury, impairment or physical or mental condition that leaves the individual unable to perform the essential functions of his/her job (or leaves a child unable to attend school) and involves one of the following:
 - 4. Hospital Care inpatient care (e.g., overnight stay) in a hospital or other medical care facility including any period of incapacity or treatment in connection with the inpatient care;
 - 5. Absence Plus Treatment a period of incapacity of more than three (3) consecutive calendar days that involves either treatment two (2) or more times by a health care provider or treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment, such as physical therapy and a medication regiment;
 - 6. Pregnancy any period of incapacity due to pregnancy or for prenatal care;
 - 7. Chronic Conditions Requiring Treatment a chronic condition which requires periodic visits for treatment by a health care provider, which continues over an extended period and may cause episodic periods of incapacity, such as asthma, diabetes, epilepsy or clinical depression;
 - 8. Permanent Long-term Condition Requiring Supervision a period of incapacity which is permanent or long-term for which treatment may not be effective, such as strokes or terminal cancer; or
 - 9. Multiple Treatments (Non-Chronic Conditions) a period of absence to receive multiple treatments from a health care provider for restorative surgery after an accident or injury, such as chemotherapy for cancer or dialysis for kidney disease.

A Serious Health Condition may include treatment for substance abuse but does not include absences due to an employee's use or abuse of alcohol or other controlled substances. Serious Health Condition does not include routine physical, eye or dental examinations.

ENFORCEMENT/IMPLEMENTATION: The Executive Director is responsible for implementing and enforcing this Policy. Any employee who violates any provision of this Policy may experience a delay in the effective date of their leave, denial of the request for leave,

or may be subject to disciplinary action, up to and including termination from employment if they violate the non-retaliation provisions of this Policy.

Approved: September 2, 2015 by resolution 61-2015