

11A:6-2

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 270
NJSA: 11A:6-2 (Local government employees—accumulating vacation leave)
BILL NO: S2710 (Substituted for A4023)

SPONSOR(S): Turner and Martin

DATE INTRODUCED: November 8, 2001

COMMITTEE: **ASSEMBLY:** Appropriations
SENATE: State Government

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** December 17, 2001
SENATE: December 6, 2001

DATE OF APPROVAL: December 26, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

S2710

SPONSORS STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

A4023

SPONSORS STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT:

ASSEMBLY: Yes

Identical to Assembly Statement to S2710

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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NEWSPAPER ARTICLES: No

SENATE, No. 2710

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Senator ROBERT J. MARTIN

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Allows State or local government employee having duties related to state of emergency to accumulate vacation leave until used or compensation is paid therefore.

CURRENT VERSION OF TEXT

As introduced.



S2710 TURNER, MARTIN

2

1 AN ACT concerning vacation leave of certain public employees having
2 duties related to a state of emergency and amending N.J.S.11A:6-2
3 and 11A:6-3.

4

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

7

8 1. N.J.S.11A:6-2 is amended to read as follows:

9 11A:6-2. Vacation leave; full-time State employees. Vacation
10 leave for full-time State employees in the career and senior executive
11 service shall be at least:

12 a. Up to one year of service, one working day for each month of
13 service;

14 b. After one year and up to five years of continuous service, 12
15 working days;

16 c. After five years and up to 12 years of continuous service, 15
17 working days;

18 d. After 12 years and up to 20 years of continuous service, 20
19 working days;

20 e. Over 20 years of continuous service, 25 working days; and

21 f. Vacation not taken in a given year because of business demands
22 shall accumulate and be granted during the next succeeding year only;
23 except that vacation leave not taken by an employee in the career,
24 senior executive, or unclassified service in a given year because of
25 duties directly related to a state of emergency declared by the
26 Governor shall accumulate until, pursuant to a plan approved by the
27 employee's appointing authority and the Commissioner of Personnel,
28 the leave is used or the employee is compensated for that leave.

29 (cf: N.J.S.11A:6-2)

30

31 2. N.J.S.11A:6-3 is amended to read as follows:

32 11A:6-3. Vacation leave; full-time political subdivision employees.
33 Vacation leave for full-time political subdivision employees shall be at
34 least:

35 a. Up to one year of service, one working day for each month of
36 service;

37 b. After one year and up to 10 years of continuous service, 12
38 working days;

39 c. After 10 years and up to 20 years of continuous service, 15
40 working days;

41 d. After 20 years of continuous service, 20 working days; and

42 e. Vacation not taken in a given year because of business demands
43 shall accumulate and be granted during the next succeeding year only;

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 except that vacation leave not taken in a given year because of duties
2 directly related to a state of emergency declared by the Governor may
3 accumulate at the discretion of the appointing authority until, pursuant
4 to a plan approved by the employee's appointing authority and the
5 Commissioner of Personnel, the leave is used or the employee is
6 compensated for that leave.

7 (cf: N.J.S.11A:6-3)

8

9 3. This act shall take effect immediately.

10

11

12

STATEMENT

13

14 This bill would allow vacation leave which a State or local
15 government employee is unable to use because of duties related to a
16 state of emergency declared by the Governor to accumulate until,
17 pursuant to a plan approved by the employee's appointing authority
18 and the Commissioner of Personnel, the leave is used or the employee
19 is compensated for the leave. Under existing law, vacation leave
20 which is not used during the year in which it is earned or the next
21 succeeding year is forfeited.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2710

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 29, 2001

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 2710.

Under existing law, vacation leave which is not used by a State or local government employee during the year in which it is earned or during the next succeeding year is forfeited. This bill would allow vacation leave, which an employee is unable to use because of duties related to a state of emergency declared by the Governor, to accumulate until the leave is used or the employee is compensated for the leave pursuant to a plan established by the employee's appointing authority and approved by the Commissioner of Personnel.

The committee amended the bill to specify that the plan will not be subject to collective negotiation or collective bargaining and to delineate the unclassified service from the career and senior executive service

[First Reprint]

SENATE, No. 2710

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Senator ROBERT J. MARTIN

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

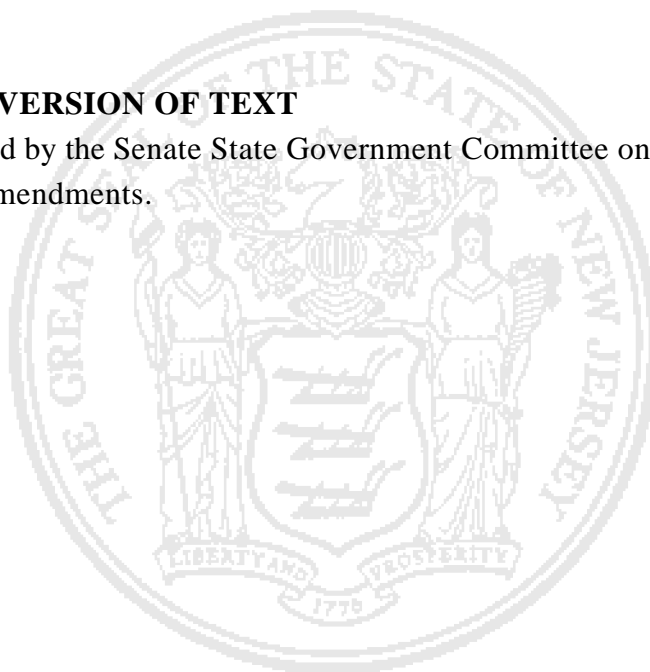
Assemblymen Malone and Asselta

SYNOPSIS

Allows State or local government employee having duties related to state of emergency to accumulate vacation leave until used or compensation is paid therefore.

CURRENT VERSION OF TEXT

As reported by the Senate State Government Committee on November 29, 2001, with amendments.



(Sponsorship Updated As Of: 12/18/2001)

1 AN ACT concerning vacation leave of certain public employees having
2 duties related to a state of emergency and amending N.J.S.11A:6-2
3 and 11A:6-3.

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

7
8 1. N.J.S.11A:6-2 is amended to read as follows:

9 11A:6-2. Vacation leave; full-time State employees. Vacation
10 leave for full-time State employees in the career and senior executive
11 service shall be at least:

12 a. Up to one year of service, one working day for each month of
13 service;

14 b. After one year and up to five years of continuous service, 12
15 working days;

16 c. After five years and up to 12 years of continuous service, 15
17 working days;

18 d. After 12 years and up to 20 years of continuous service, 20
19 working days;

20 e. Over 20 years of continuous service, 25 working days; and

21 f. Vacation not taken in a given year because of business demands
22 shall accumulate and be granted during the next succeeding year only;
23 except that vacation leave not taken by an employee in the career
24 ¹[.]and¹ senior executive ¹[, or unclassified]¹ service in a given year
25 because of duties directly related to a state of emergency declared by
26 the Governor shall accumulate until, pursuant to a plan ¹[approved]
27 established¹ by the employee's appointing authority and ¹approved by¹
28 the Commissioner of Personnel, the leave is used or the employee is
29 compensated for that leave¹, which shall not be subject to collective
30 negotiation or collective bargaining¹.

31 ¹g. Vacation not taken in a given year because of business demands
32 shall accumulate and be granted during the next succeeding year only;
33 except that vacation leave not taken by an employee in the unclassified
34 service in a given year because of duties directly related to a state of
35 emergency declared by the Governor shall accumulate until, pursuant
36 to a plan established by the employee's appointing authority and
37 approved by the Commissioner of Personnel, the leave is used or the
38 employee is compensated for that leave, which shall not be subject to
39 collective negotiation or collective bargaining. Nothing in this
40 subsection shall affect any rights to vacation leave which is subject to

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSG committee amendments adopted November 29, 2001.

1 collective negotiation or collective bargaining.¹

2 (cf: N.J.S.11A:6-2)

3

4 2. N.J.S.11A:6-3 is amended to read as follows:

5 11A:6-3. Vacation leave; full-time political subdivision employees.

6 Vacation leave for full-time political subdivision employees shall be at
7 least:

8 a. Up to one year of service, one working day for each month of
9 service;

10 b. After one year and up to 10 years of continuous service, 12
11 working days;

12 c. After 10 years and up to 20 years of continuous service, 15
13 working days;

14 d. After 20 years of continuous service, 20 working days; and

15 e. Vacation not taken in a given year because of business demands
16 shall accumulate and be granted during the next succeeding year only;
17 except that vacation leave not taken in a given year because of duties
18 directly related to a state of emergency declared by the Governor may
19 accumulate at the discretion of the appointing authority until, pursuant
20 to a plan ¹[approved] established¹ by the employee's appointing
21 authority and ¹approved by¹ the Commissioner of Personnel, the leave
22 is used or the employee is compensated for that leave¹, which shall not
23 be subject to collective negotiation or collective bargaining¹.

24 (cf: N.J.S.11A:6-3)

25

26 3. This act shall take effect immediately.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2710

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Assembly Appropriations Committee reports favorably Senate Bill No. 2710 (1R).

Senate Bill No. 2710 (1R) allows vacation leave, which a State or local government employee is unable to use because of duties related to a state of emergency declared by the Governor, to accumulate until the leave is used or the employee is compensated for the leave pursuant to a plan established by the employee's appointing authority and approved by the Commissioner of Personnel. The plan will not be subject to collective negotiation or collective bargaining.

Under existing law, vacation leave which is not used by a State or local government employee during the year in which it is earned, or during the next succeeding year, is forfeited.

As reported, this bill is identical to Assembly Bill No. 4023, as also reported by the committee.

FISCAL IMPACT:

No fiscal information was provided on this legislation.

ASSEMBLY, No. 4023

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED DECEMBER 6, 2001

Sponsored by:

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Monmouth and Ocean)

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Allows State or local government employee having duties related to state of emergency to accumulate vacation leave until used or compensation is paid therefore.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning vacation leave of certain public employees having
2 duties related to a state of emergency and amending N.J.S.11A:6-2
3 and 11A:6-3.

4

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

7

8 1. N.J.S.11A:6-2 is amended to read as follows:

9 11A:6-2. Vacation leave; full-time State employees. Vacation
10 leave for full-time State employees in the career and senior executive
11 service shall be at least:

12 a. Up to one year of service, one working day for each month of
13 service;

14 b. After one year and up to five years of continuous service, 12
15 working days;

16 c. After five years and up to 12 years of continuous service, 15
17 working days;

18 d. After 12 years and up to 20 years of continuous service, 20
19 working days;

20 e. Over 20 years of continuous service, 25 working days; and

21 f. Vacation not taken in a given year because of business demands
22 shall accumulate and be granted during the next succeeding year only;
23 except that vacation leave not taken by an employee in the career and
24 senior executive service in a given year because of duties directly
25 related to a state of emergency declared by the Governor shall
26 accumulate until, pursuant to a plan established by the employee's
27 appointing authority and approved by the Commissioner of Personnel,
28 the leave is used or the employee is compensated for that leave, which
29 shall not be subject to collective negotiation or collective bargaining.

30 g. Vacation not taken in a given year because of business demands
31 shall accumulate and be granted during the next succeeding year only;
32 except that vacation leave not taken by an employee in the unclassified
33 service in a given year because of duties directly related to a state of
34 emergency declared by the Governor shall accumulate until, pursuant
35 to a plan established by the employee's appointing authority and
36 approved by the Commissioner of Personnel, the leave is used or the
37 employee is compensated for that leave, which shall not be subject to
38 collective negotiation or collective bargaining. Nothing in this
39 subsection shall affect any rights to vacation leave which is subject to
40 collective negotiation or collective bargaining.

41 (cf: N.J.S.11A:6-2)

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

Matter underlined thus is new matter.

1 2. N.J.S.11A:6-3 is amended to read as follows:

2 11A:6-3. Vacation leave; full-time political subdivision employees.
3 Vacation leave for full-time political subdivision employees shall be at
4 least:

5 a. Up to one year of service, one working day for each month of
6 service;

7 b. After one year and up to 10 years of continuous service, 12
8 working days;

9 c. After 10 years and up to 20 years of continuous service, 15
10 working days;

11 d. After 20 years of continuous service, 20 working days; and

12 e. Vacation not taken in a given year because of business demands
13 shall accumulate and be granted during the next succeeding year only;
14 except that vacation leave not taken in a given year because of duties
15 directly related to a state of emergency declared by the Governor may
16 accumulate at the discretion of the appointing authority until, pursuant
17 to a plan established by the employee's appointing authority and
18 approved by the Commissioner of Personnel, the leave is used or the
19 employee is compensated for that leave, which shall not be subject to
20 collective negotiation or collective bargaining.

21 (cf: N.J.S.11A:6-3)

22

23 3. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 Under existing law, vacation leave which is not used by a State or
29 local government employee during the year in which it is earned, or
30 during the next succeeding year, is forfeited. This bill would allow
31 vacation leave, which an employee is unable to use because of duties
32 related to a state of emergency declared by the Governor, to
33 accumulate until the leave is used or the employee is compensated for
34 the leave pursuant to a plan established by the employee's appointing
35 authority and approved by the Commissioner of Personnel. The plan
36 will not be subject to collective negotiation or collective bargaining.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4023

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4023.

Assembly Bill No. 4023 allows vacation leave, which a State or local government employee is unable to use because of duties related to a state of emergency declared by the Governor, to accumulate until the leave is used or the employee is compensated for the leave pursuant to a plan established by the employee's appointing authority and approved by the Commissioner of Personnel. The plan will not be subject to collective negotiation or collective bargaining.

Under existing law, vacation leave which is not used by a State or local government employee during the year in which it is earned, or during the next succeeding year, is forfeited.

As reported, this bill is identical to Senate Bill No. 2710 (1R), as also reported by the committee.

FISCAL IMPACT:

No fiscal information was provided on this legislation.

P.L. 2001, CHAPTER 270, *approved December 26, 2001*
Senate, No. 2710 (*First Reprint*)

1 **AN ACT** concerning vacation leave of certain public employees having
2 duties related to a state of emergency and amending N.J.S.11A:6-2
3 and 11A:6-3.

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

7
8 1. N.J.S.11A:6-2 is amended to read as follows:

9 11A:6-2. Vacation leave; full-time State employees. Vacation
10 leave for full-time State employees in the career and senior executive
11 service shall be at least:

12 a. Up to one year of service, one working day for each month of
13 service;

14 b. After one year and up to five years of continuous service, 12
15 working days;

16 c. After five years and up to 12 years of continuous service, 15
17 working days;

18 d. After 12 years and up to 20 years of continuous service, 20
19 working days;

20 e. Over 20 years of continuous service, 25 working days; and

21 f. Vacation not taken in a given year because of business demands
22 shall accumulate and be granted during the next succeeding year only;
23 except that vacation leave not taken by an employee in the career
24 ¹[.]and¹ senior executive ¹[. or unclassified]¹ service in a given year
25 because of duties directly related to a state of emergency declared by
26 the Governor shall accumulate until, pursuant to a plan ¹[approved]
27 established¹ by the employee's appointing authority and ¹approved by¹
28 the Commissioner of Personnel, the leave is used or the employee is
29 compensated for that leave¹, which shall not be subject to collective
30 negotiation or collective bargaining¹.

31 ¹g. Vacation not taken in a given year because of business demands
32 shall accumulate and be granted during the next succeeding year only;
33 except that vacation leave not taken by an employee in the unclassified
34 service in a given year because of duties directly related to a state of
35 emergency declared by the Governor shall accumulate until, pursuant
36 to a plan established by the employee's appointing authority and
37 approved by the Commissioner of Personnel, the leave is used or the
38 employee is compensated for that leave, which shall not be subject to
39 collective negotiation or collective bargaining. Nothing in this
40 subsection shall affect any rights to vacation leave which is subject to

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSG committee amendments adopted November 29, 2001.

1 collective negotiation or collective bargaining.¹

2 (cf: N.J.S.11A:6-2)

3

4 2. N.J.S.11A:6-3 is amended to read as follows:

5 11A:6-3. Vacation leave; full-time political subdivision employees.

6 Vacation leave for full-time political subdivision employees shall be at

7 least:

8 a. Up to one year of service, one working day for each month of
9 service;

10 b. After one year and up to 10 years of continuous service, 12
11 working days;

12 c. After 10 years and up to 20 years of continuous service, 15
13 working days;

14 d. After 20 years of continuous service, 20 working days; and

15 e. Vacation not taken in a given year because of business demands
16 shall accumulate and be granted during the next succeeding year only;

17 except that vacation leave not taken in a given year because of duties

18 directly related to a state of emergency declared by the Governor may

19 accumulate at the discretion of the appointing authority until, pursuant

20 to a plan ¹[approved] established¹ by the employee's appointing

21 authority and ¹approved by¹ the Commissioner of Personnel, the leave

22 is used or the employee is compensated for that leave¹, which shall not

23 be subject to collective negotiation or collective bargaining¹.

24 (cf: N.J.S.11A:6-3)

25

26 3. This act shall take effect immediately.

27

28

29

30

31 _____
32 Allows State or local government employee having duties related to
33 state of emergency to accumulate vacation leave until used or
compensation is paid therefore.

CHAPTER 270

AN ACT concerning vacation leave of certain public employees having duties related to a state of emergency and amending N.J.S.11A:6-2 and 11A:6-3.

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

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

Vacation leave; full-time State employees.

11A:6-2. Vacation leave; full-time State employees. Vacation leave for full-time State employees in the career and senior executive service shall be at least:

- a. Up to one year of service, one working day for each month of service;
- b. After one year and up to five years of continuous service, 12 working days;
- c. After five years and up to 12 years of continuous service, 15 working days;
- d. After 12 years and up to 20 years of continuous service, 20 working days;
- e. Over 20 years of continuous service, 25 working days;
- f. Vacation not taken in a given year because of business demands shall accumulate and be granted during the next succeeding year only; except that vacation leave not taken by an employee in the career and senior executive service in a given year because of duties directly related to a state of emergency declared by the Governor shall accumulate until, pursuant to a plan established by the employee's appointing authority and approved by the Commissioner of Personnel, the leave is used or the employee is compensated for that leave, which shall not be subject to collective negotiation or collective bargaining; and

g. Vacation not taken in a given year because of business demands shall accumulate and be granted during the next succeeding year only; except that vacation leave not taken by an employee in the unclassified service in a given year because of duties directly related to a state of emergency declared by the Governor shall accumulate until, pursuant to a plan established by the employee's appointing authority and approved by the Commissioner of Personnel, the leave is used or the employee is compensated for that leave, which shall not be subject to collective negotiation or collective bargaining. Nothing in this subsection shall affect any rights to vacation leave which is subject to collective negotiation or collective bargaining.

2. N.J.S.11A:6-3 is amended to read as follows:

Vacation leave; full-time political subdivision employees.

11A:6-3. Vacation leave; full-time political subdivision employees. Vacation leave for full-time political subdivision employees shall be at least:

- a. Up to one year of service, one working day for each month of service;
- b. After one year and up to 10 years of continuous service, 12 working days;
- c. After 10 years and up to 20 years of continuous service, 15 working days;
- d. After 20 years of continuous service, 20 working days; and
- e. Vacation not taken in a given year because of business demands shall accumulate and be granted during the next succeeding year only; except that vacation leave not taken in a given year because of duties directly related to a state of emergency declared by the Governor may accumulate at the discretion of the appointing authority until, pursuant to a plan established by the employee's appointing authority and approved by the Commissioner of Personnel, the leave is used or the employee is compensated for that leave, which shall not be subject to collective negotiation or collective bargaining

3. This act shall take effect immediately.

Approved December 26, 2001.