

# SENATE, No. 513

## STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 6/17/2016)**

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

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

7  
8 1. (New section) a. For the purposes of this section:

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

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

18 “Division” means the Division of Local Government Services in  
19 the Department of Community Affairs.

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

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

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

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

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

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

7  
8 2. N.J.S.40A:5-19 is amended to read as follows:

9 40A:5-19. a. The governing body of any local unit may provide  
10 by ordinance for the manner in which and the time at which  
11 salaries, wages or other compensation for services shall be paid,  
12 and prescribe the form and manner in which checks upon the  
13 treasury shall be drawn and signed for that purpose.

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

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

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

23  
24 3. This act shall take effect immediately.

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27 STATEMENT

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