

ASSEMBLY, No. 3847

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Co-Sponsored by:

Assemblyman Conaway, Assemblywomen Timberlake, Jasey, Lopez, McKnight, Chaparro, Jimenez, Assemblymen Moen, Mejia, Wimberly, Giblin, Assemblywoman Swain, Assemblymen Zwicker and Daniels

SYNOPSIS

Provides paid leave without utilizing accumulated leave time for local government employees under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/9/2020)

1 AN ACT providing paid leave to local government employees
2 without utilizing accumulated leave time and supplementing
3 Title 40A of the New Jersey Statutes.

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

7
8 1. a. Notwithstanding any law, rule, or regulation to the
9 contrary, an employee of a political subdivision of the State, or an
10 agency, authority, or instrumentality thereof, shall not be required
11 to utilize accumulated leave time if the employee provides
12 documentation, within three work days of an initial absence, that
13 verifies the employee is:

14 (1) diagnosed with COVID-19;

15 (2) directed by a medical professional or government agency to
16 self-isolate or quarantine due to a suspicion of exposure to or
17 diagnosis with COVID-19; or

18 (3) undergoing a period of self-quarantine or isolation pursuant
19 to public health assessment recommendations.

20 If the employee does not provide documentation pursuant to this
21 subsection, then the employee shall utilize accumulated leave time.

22 b. Notwithstanding any law, rule, or regulation to the contrary,
23 an employee of a political subdivision of the State, or an agency,
24 authority, or instrumentality thereof, shall not be required to utilize
25 accumulated leave time if the employee provides documentation,
26 within three work days of an initial absence, that verifies the
27 employee is caring for an immediate family member who is:

28 (1) diagnosed with COVID-19;

29 (2) directed by a medical professional or government agency to
30 self-isolate or quarantine due to a suspicion of exposure to or
31 diagnosis with COVID-19; or

32 (3) undergoing a period of self-quarantine or isolation pursuant
33 to public health assessment recommendations.

34 If the employee does not provide documentation pursuant to this
35 subsection, then the employee shall utilize accumulated leave time.

36 c. Notwithstanding any law, rule, or regulation to the contrary,
37 an employee of a political subdivision of the State, or an agency,
38 authority, or instrumentality thereof, shall not be required to utilize
39 accumulated leave time if the employee provides documentation,
40 within three work days of an initial absence, that verifies the
41 employee is staying home with a child due to the closure of a
42 preschool program, elementary or secondary school, or child care
43 center that is related to COVID-19.

44 If the employee does not provide documentation pursuant to this
45 subsection, then the employee shall utilize accumulated leave time.

46 d. An employee that was previously subject to documentation
47 requirements under the employer's standard operating procedures
48 due to excessive absenteeism or abuse of sick leave shall not be

1 disciplined for future absences that occur as a result of being
2 suspected of or diagnosed with COVID-19 or as a result of an
3 absence to care for an immediate family member impacted by
4 COVID-19.

5 e. As used in this section:

6 “COVID-19” means the coronavirus disease 2019, as announced
7 by the World Health Organization on February 11, 2020, and first
8 identified in Wuhan, China.

9
10 2. Notwithstanding any law, rule, or regulation to the contrary,
11 an employee of a political subdivision of the State, or an agency,
12 authority, or instrumentality thereof, shall receive full pay, without
13 having to utilize accumulated leave time, for any absence that is
14 documented pursuant to section 1 of this act.

15
16 3. This act shall take effect immediately and shall be
17 retroactive to March 9, 2020.

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STATEMENT

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22 This bill provides that an employee of a political subdivision of
23 the State would receive fully paid leave, without having to utilize
24 any accumulated leave time, if the absence is related to COVID-19.

25 An employee subject to the provisions of the bill would have to
26 provide documentation to that verifies the employee is, or is caring
27 for an immediate family member who is:

28 (1) diagnosed with COVID-19;

29 (2) directed by a medical professional or government agency to
30 self-isolate or quarantine due to a suspicion of exposure to or
31 diagnosis with COVID-19; or

32 (3) undergoing a period of self-quarantine or isolation pursuant
33 to public health assessment recommendations.

34 An employee subject to the provisions of the bill would also
35 receive fully paid leave, without having to utilize any accumulated
36 leave time, if the employee is absent in order to stay home with a
37 child due to the closure of a preschool program, elementary or
38 secondary school, or child care center that is related to COVID-19.

39 If the employee does not provide documentation, as required
40 under the bill, then the employee would have to utilize accumulated
41 leave time.