

ASSEMBLY, No. 240

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen GARCIA and DORIA

1 AN ACT concerning certain employees of regional school districts and
2 amending P.L.1975, c.360.

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

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7 1. Section 14 of P.L.1975, c.360 (C.18A:13-64) is amended to
8 read as follows:

9 14. All employees of the regional district shall continue in their
10 respective positions in the withdrawing district, or in each of the
11 constituent districts in the event of a dissolution, and all of their rights
12 of tenure, seniority, pension, leave of absence and other similar
13 benefits shall be recognized and preserved and any periods of prior
14 employment in the regional district shall count toward the acquisition
15 of tenure to the same extent as if all such employment had been under
16 the withdrawing district or in any of the constituent districts in the
17 event of a dissolution. In the event of a withdrawal, any tenured
18 employee in a school located in the withdrawing district who desires
19 to remain in the employ of the regional district, and whose seniority
20 under existing tenure laws so permits, may apply for and shall be
21 granted a transfer to a position with the regional district for which he
22 is certified which is vacant, held by a tenured employee with less
23 seniority or by an employee without tenure; applications for such
24 transfers shall be made within 45 days of the date of the special school
25 election at which the withdrawal was approved. Should any tenured
26 employee in the withdrawing district be so transferred to a position in
27 the regional district, any other employee in the regional district who
28 is removed from his employment by reason of the transfer is
29 transferred to the withdrawing district with the same rights of tenure,
30 seniority, pension, leave of absence and other similar benefits as if all
31 of his employment had been in the withdrawing district.

32 (cf: P.L.1993, c.255, s.13.)

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. This act shall take effect immediately.

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STATEMENT

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6 P.L.1975, c.360 (C.18A:13-51 et seq.) established a procedure for
7 withdrawal from a limited purpose regional school district.

8 The original legislation did not provide for the eventuality of a
9 tenured employee of the withdrawing constituent district electing to
10 remain in the regional district forcing the removal from employment
11 of a teaching staff member in the regional district.

12 This bill would provide that a teaching staff member who loses
13 employment due to a constituent regional district withdrawal and
14 resultant transfers shall be transferred to the withdrawing district with
15 the same rights of tenure, seniority, pension, leave of absence and
16 other similar benefits as if all of his employment had been in the
17 withdrawing district.

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23 Provides that tenured employees who lose employment due to
24 transfers in regional school district withdrawals are transferred to
withdrawing district.