

# ASSEMBLY, No. 5940

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 24, 2021

**Sponsored by:**

**Assemblywoman SHANIQUE SPEIGHT**

**District 29 (Essex)**

**SYNOPSIS**

Requires certain employers to provide paid leave to employees serving in elective office.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT requiring employers to provide paid leave to employees  
2 serving in elective office, and supplementing Title 34 of the  
3 Revised Statutes.

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

7  
8 1. a. The employer of a person serving in elective office at the  
9 State, county, or municipal level or any political subdivision thereof  
10 shall, upon receiving written application from that person, grant that  
11 person 15 days of paid time off per calendar year and a leave of  
12 absence without pay from regular, full-time employment for the  
13 purpose of serving in elective office.

14 b. A leave of absence used by a person pursuant to subsection a.  
15 of this section shall not interrupt the net credited service, privileges,  
16 and benefits earned by a person at the place of employment.  
17 However, the employer shall not be required to pay for the  
18 employer's portion of the person's benefits when the person is on a  
19 leave of absence.

20 c. The use of the paid time off granted pursuant to subsection a.  
21 of this section shall not interrupt the net credited service, privileges,  
22 and benefits earned by a person at the place of employment. The  
23 employer shall continue to pay for the employer's portion of the  
24 person's benefits whenever the person uses the allotted number of  
25 paid days.

26 d. An employer shall not prohibit a person serving in elective  
27 office from returning to regular, full-time employment before the  
28 period for which the leave of absence was granted ends.

29 e. The leave of absence and paid time off described in  
30 subsection a. of this section shall not apply to a person running for  
31 elective office or not yet serving in elective office.

32 f. As used in this section:

33 "Employer" means:

34 (1) any entity that employs more than 20 full-time employees at  
35 a time, regardless of location; or

36 (2) a public employer, regardless of the number of employees  
37 the public employer employs.

38 "Public employer" means the State or any political subdivision  
39 of the State; a county or municipality, or any political subdivision  
40 of a county or municipality; or any local or regional school district,  
41 charter school and its board of trustees, vocational school district,  
42 educational services commission, jointure commission, county  
43 special services school district, community college, county college,  
44 public institution of higher education, or board or commission  
45 under the authority of the Commissioner of Education, the State  
46 Board of Education, or the New Jersey Commission on Higher  
47 Education.

1       2.   This act shall take effect immediately.

2

3

4

STATEMENT

5

6       This bill provides that employees, including employees working  
7   for an employer with 20 or more full-time employees or a public  
8   employer, who serve in elective office at the municipal, county, and  
9   state level shall be entitled to no more than 15 days per calendar  
10   year of paid time off and a leave of absence without pay from  
11   regular, full-time employment to fulfill elective duties upon  
12   providing written application to the employer. Any leave of  
13   absence or paid time off taken under this provision will not affect or  
14   interrupt the net credited services, privileges, and benefits offered  
15   by the employer to the employee. However, the employer is not  
16   under any obligation to pay a portion of the employee's benefits  
17   during a leave of absence, only when an employee uses the allotted  
18   15 paid days.

19       The bill provides that an employer shall not prohibit an employee  
20   from returning to regular employment before the end of the  
21   approved leave period. The leave of absence and paid time off  
22   described in this provision do not apply to a person running for  
23   elective office or not yet in an elected position. This provision  
24   applies to all employers who employ 20 or more full-time  
25   employees at a time, regardless of location.