

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2024-10-2**

**A RESOLUTION OF THE TOWNSHIP OF CHESTERFIELD  
ADDING SECTION 321 TO THE PERSONNEL POLICIES  
AND PROCEDURES MANUAL**

**WHEREAS**, the Township of Chesterfield (“Township”) is part of the Burlington County Joint Insurance Fund (“BURLCO JIF”); and,

**WHEREAS**, BURLCO JIF requires the Township to adopt a procedure policy as part of the Employment Practices Liability (“EPL”) coverage; and,

**WHEREAS**, the policies are revised periodically to comply with State and Federal Laws and Regulations as well as to provide additional policies concerning Township operations; and,

**WHEREAS**, the attached Personnel Policies and Procedures Manual, with the proposed added section 321 - Donated Leave Policy/Program , contained therein, has been reviewed by the Township Attorney; and

**WHEREAS**, the Township desires to adopt the new policies to be included in the Township’s amended Personnel Policies and Procedures Manual.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Personnel Policies and Procedures Manual, a copy of which is attached hereto, is hereby adopted as amended.

**BE IT FURTHER RESOLVED** that a copy of the amended Personnel Policies and Procedures Manual including the new section 321 shall be distributed to all Township employees and officials.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on October 10, 2024 at which a quorum was present.

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Caryn M. Hoyer, RMC  
Township Clerk

### 321 - DONATED LEAVE POLICY/PROGRAM

The Township of Chesterfield (“Township”) wishes to implement a Donated Leave Policy/Program (“Program”) for all full time and part time employees employed by the Township subject to the following conditions/requirements:

- (1) A Township employee, to be eligible to receive donated sick or vacation leave, must meet all of the following conditions/requirements:
  - (a) Has completed at least one (1) year of continuous service with the Township prior to requesting donated leave;
  - (b) Has exhausted all accrued sick, vacation, personal and administrative leave, as well as all compensatory time off;
  - (c) Has not, in the two (2) year period immediately preceding the employee’s need for donated leave, been disciplined for chronic or excessive absenteeism; chronic or excessive lateness/tardiness or abuse of leave. Chronic or excessive absenteeism and/or chronic or excessive lateness/tardiness is defined as having more than five (5) instances of any of the offences within a six (6) month period (i.e. five (5) or more absences or latenesses); and,
  - (d) Either:
    - (1) Suffers from a catastrophic health condition or injury; or,
    - (2) Is needed to provide care to a member of the employee’s immediate family who is suffering from a catastrophic health condition or injury; or,
    - (3) Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).
- (2) For purposes of the Program, “a catastrophic health condition or injury” shall be defined as follows:
  - (a) With respect specifically to an employee, “a catastrophic health condition or injury” is defined as either:
    - (1) A life-threatening condition or combination of conditions; or,
    - (2) A period of disability required by his or her mental or physical health or the health of the employee’s fetus which requires the care of a physician who provides a medical verification of the need for the employee’s absence from work for sixty (60) or more workdays.

- (b) With respect to an employee's immediate family member, a "catastrophic health condition or injury" is either:
  - (1) A life-threatening condition or combination of conditions; or,
  - (2) A period of disability required by his or her mental or physical health which requires the care of a physician who provides a medical verification of the need for the family member's care by the employee for sixty (60) or more workdays.
- (c) Immediate family, as set forth in §1(d)(2) and §2(b) above, shall include a member of the employee's household who actually and permanently resides with the employee.
- (d) A Township employee may request that the Township, through the Township Administrator, approve his or her participation in the Donated Leave Program as a leave recipient or leave donor. The employee's supervisor may also make such a request on behalf of the employee for his or her participation in the Donated Leave Program as a leave recipient.
  - (1) The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the Township Administrator medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be.
  - (2) When the Township has approved an employee as a leave recipient, the Township shall, with the employee's consent, post or circulate the employee's name, along with those of the other eligible leave recipient employees, in a conspicuous manner to encourage the donation of leave time and shall provide notice to all negotiations representatives involved with the Township.
  - (3) If the employee is unable to consent to the posting or circulation, the employee's family may consent on his/her behalf.
- (e) A leave recipient must receive at least five (5) sick days or vacation days or a combination thereof from one (1) or more leave donors to participate in the Donated Leave Program. A leave donor shall only donate whole sick days or whole vacation days and may not donate more than thirty (30) such days total to any one (1) recipient.
  - (1) A leave recipient shall receive no more than two hundred sixty (260) sick or vacation days or a combination of both and shall not receive any such days on a retroactive basis.

- (2) A leave donor shall have remaining in his/her portfolio at least twenty (20) days of accrued sick leave if donating sick leave and at least twelve (12) days of accrued vacation leave if donating vacation leave.
  - (3) A leave donor shall not revoke the leave donation.
  - (4) If a leave donor is not in the same collective bargaining unit as the leave recipient, appropriate arrangements shall be made between the affected collective bargaining units to verify donor eligibility and adjust the leave records accordingly. However, the posting requirement set forth in Section c(2) above shall be limited to the recipient's collective bargaining unit.
- (f) While using donated leave time in the Township's service, the leave recipient shall continue to accrue sick leave and vacation leave and be entitled to retain such leave upon his or her return to work.
- (1) Any unused, donated leave shall be returned to the leave donor(s) on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results in less than one (1) day per donor to be returned, that leave time shall not be returned.
  - (2) Upon retirement, the leave recipient shall not be granted supplemental compensation at retirement for any unused sick days which he or she had received through the leave donation program.
- (g) A Township employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or a promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.
- (h) The Township may suspend or terminate the Donated Leave Program at any time upon thirty (30) calendar days written notice of such suspension or termination to all affected employees and all labor negotiations representatives.