

BOROUGH OF KENIL WORTH
ORDINANCE NO. 2022-18

ORDINANCE AMENDING CHAPTER 37, "PERSONNEL POLICIES," ARTICLE V, "PAID AND UNPAID TIME OFF POLICIES," SUBSECTION 37, "PAID HOLIDAYS" OF THE CODE OF THE BOROUGH OF KENILWORTH.

WHEREAS, the Governing Body of the Borough of Kenilworth (the "Borough") has previously adopted Chapter 37, Article V of the Code of Borough of Kenilworth establishing and governing rules on time off policies and paid holidays; and

WHEREAS, it is the policy of the Borough to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Governing Body has determined there is a need to amend Article V, Subsection 37 of Chapter 37 to ensure that employees and prospective employees continue to be treated in a manner consistent with these laws and regulations; and

WHEREAS, The Governing Body finds that it is in the best interests of the Borough and its citizenry to amend and modify such sections for the purposes of consolidation and economic efficiency, that said section of the Borough Code be and are hereby modified as follows:

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey, as follows:

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~strikethrough~~.

§ 37-37 Paid holidays.

A. All full-time and part-time employees are entitled to the following paid holidays, **effective upon commencement of employment after completing 180 days of service** and provided that the employee worked at least one day during the week in which the holiday falls, unless an employee has received advance approval from his or her department head to take the week in which the holiday falls as a vacation:

- (1) New Year's Day.
- (2) Martin Luther King's Birthday.
- (3) Presidents Day.
- (4) Good Friday.
- (5) Memorial Day.
- (6) Independence Day.
- (7) Labor Day.
- (8) Columbus Day.
- (9) Veterans Day.

(10) Election Day.

(11) Thanksgiving Day.

(12) Day after Thanksgiving.

(13) Christmas Day.

B. A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

C. Holiday pay paid to part-time hourly employees shall be based on their straight time hourly rate and shall be based on the average number of hours worked by such employees during the immediately preceding 90 days.

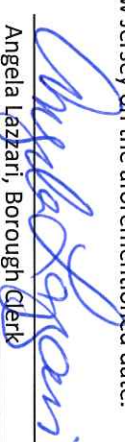
SECTION 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.



Linda Karlovitch, Mayor

INTRODUCTION					COUNCIL PERSON					FINAL ADOPTION					
Moved	Sec.	Ave	Nav	Abs.	NP					Moved	Sec.	Ave	Nav	Abs.	NP
		X				KAY CECERI						X			
	X	X				MARK DAVID									X
		X				JOSEPH FINISTRELLA						X			X
					X	SCOTT PENITZ				X		X			
		X				FRED PUGLIESE						X			
X		X				JOHN ZIMMERMAN					X	X			
Introduced: September 21, 2022															
I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.															
Final Adoption: October 5, 2022															
 Angela Lazzari, Borough Clerk															