

**RESOLUTION NO. 2020- 174**

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
VACATION CARRYOVER OF "USE OR LOSE" 2019 VACATION  
HOURS DUE TO IMPACT OF COVID-19 PANDEMIC**

**WHEREAS**, the Governor of the State of New Jersey issued Executive Order 103 on March 9, 2020, declaring a Public Health Emergency and a State of Emergency due to the worldwide COVID-19 pandemic; and

**WHEREAS**, said Public Health Emergency and State of Emergency continue to exist and was recently extended by Executive Order 191 (2020); and

**WHEREAS**, the Civil Service Commission (hereinafter "CSC") issued a directive that Appointing Authorities should submit plans to the CSC as to allowing vacation leave not taken by an employee in a given year to be carried over, due to duties directly related to the State of Emergency as declared by the Governor; and

**WHEREAS**, the Township of Little Egg Harbor is an Appointing Authority, and has determined that it will not be operationally feasible for Township employees to utilize all 2019 vacation hours that were carried over as "use or lose" to 2020, prior to the end of this calendar year; and

**WHEREAS**, the governing body desires to submit a plan to the CSC pursuant to N.J.S.A. 11A:6-3, to carryover those "use or lose" hours as indicated herein.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

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1. That the governing body authorizes the rolling over of any leave that a Township employee would contractually lose by December 31, 2020 to the calendar year 2021.
2. That any leave that qualifies under this Resolution to be rolled over to calendar year 2021 must be the first hours exhausted by any Township employee in 2021, and if not utilized by December 31, 2021, said rolled over leave will be extinguished and the employee will irrevocably lose that “use or lose” leave, without exception.
3. That said rollover plan shall be submitted to the CSC and must contain at least the following information:
  - a. The name of the employee, the number of vacation hours anticipated to be carried over, and justification for the carryover (the justification must demonstrate that the functions and duties performed by the employee were directly related to the State of Emergency and that the employee was precluded from using that vacation time due to those duties);
  - b. Functions and duties directly related to the State of Emergency refers to work performed in connection with responding to COVID-19 and/or work that would otherwise not have been required but for COVID-19.
  - c. Information demonstrating that the employee was denied leave or

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prevented from taking "use or lose" 2019 vacation hours by the Appointing Authority because they were performing functions or duties that were directly related to the COVID-19 emergency.

d. The reason(s) the employee will be precluded from utilizing the remainder of the enumerated vacation hours before the end of the calendar year.


e. A requirement that any 2019 vacation time carried over pursuant to N.J.S.A. 11A:6-3 be the first hours exhausted in 2021.

4. That the Township Administrator is authorized to take the necessary action to implement this rollover plan.

3. That a certified copy of this resolution shall be forwarded by the Township Clerk to the Township Administrator and the Civil Service Commission.

**CERTIFICATION**

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **12th** day of **November, 2020**.

  
**DIANA K. MCCRACKEN, Township Clerk**  
Little Egg Harbor Township

MSA

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