

## **Resolution 16-008**

### **RESOLUTION AUTHORIZING ADOPTION OF, ON A TRIAL BASIS FOR THE CALENDAR YEAR 2016, AN AMENDMENT TO ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY'S PERSONNEL MANUAL – POLICIES AND PROCEDURES, REGARDING A COMPENSATORY TIME POLICY FOR SALARIED EXEMPT EMPLOYEES**

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (RVRSA), in conformance with the requirements established by the New Jersey Utilities Joint Insurance Fund relative to qualification for the Municipal Excess Liability's Employment Practices Liability policy deductible, has developed a Personnel Manual entitled, "Personnel Manual- Policies and Procedures"; and

**WHEREAS**, the RVRSA is desirous of amending, on a trial basis, the Personnel Policy and Procedures Manual as set forth in the document entitled, Appendix A: "TRIAL COMPENSATORY TIME POLICY FOR SALARIED EXEMPT EMPLOYEES" (hereinafter "Trial Compensatory Time Policy") attached hereto and made a part hereof, establishing a trial Compensatory Time Policy for Salaried Exempt Employees for the calendar year 2016; and

**WHEREAS**, said Personnel Policy and Procedures Manual and Trial Compensatory Time Policy have been reviewed and approved by RVRSA's Labor Counsel, Stephen E. Trimboli, Esq., of the firm of, Trimboli & Prusinowski, L.L.C.

**NOW THEREFORE, BE IT RESOLVED** by the Rockaway Valley Regional Sewerage Authority, on this 14th day of January, 2016 as follows:

1. The "Personnel Manual – Policies and Procedures" is hereby amended, for the calendar year 2016, as set forth in the attached Trial Compensatory Time Policy for Salaried Exempt Employees.
2. Any contrary or inconsistent policy pertaining to compensatory time for salaried exempt employees contained in the RVRSA Personnel Policy and Procedures Manual shall be superseded by this trial policy for as long as this trial policy is in effect.
3. Except as amended, supplemented or revised hereby, all of the terms and conditions of the Personnel Policy and Procedures Manual of the Rockaway Valley Regional Sewerage Authority shall remain in full force and effect.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on January 14, 2016  
On motion of Joseph Lowell  
Seconded by John Cegelka


And a Roll Call Vote as Follows:

Yeas: (10) Andes, Cegelka, Corbett, Guadagno, Lowell, Recchia, Rossi, Schorno, Secco and Vincitore

Nays: (0) None

Abstain: (0) None

Absent: (0) None

  
Michael Guadagno  
Board Secretary

## TRIAL COMPENSATORY TIME POLICY FOR SALARIED EXEMPT EMPLOYEES

The Board of Representatives of the Rockaway Valley Regional Sewerage Authority hereby adopts the following Compensatory Time Policy for Salaried Exempt Employees on a trial basis for the 2016 calendar year. Any contrary or inconsistent policy pertaining to compensatory time for salaried exempt employees contained in the RVRSA Personnel Policy and Procedures Manual shall be superseded by this trial policy for as long as this trial policy is in effect.

The terms of the trial Compensatory Time Policy for Salaried Exempt Employees shall be as follows:

1. The terms of this trial policy shall apply only to salaried employees of the RVRSA who are exempt from overtime pay under the federal Fair Labor Standards Act (FLSA), and who are not covered by the terms of a union collective negotiations agreement.
2. This trial policy shall take effect upon adoption by the Board. The Board shall have the sole discretion and right to determine whether to renew, amend, modify or repeal this trial policy at any time. Unless renewed by affirmative formal action of the Board, this trial policy shall expire effective December 31, 2016.
3. Compensatory time shall be earned for salaried exempt employees for **complete** hours worked in excess of forty (40) hours per week. In the case of salaried exempt employees who are employed on less than a forty (40) hour-per-week basis, compensatory time shall be earned for **complete** hours worked in excess of the employee's regular weekly hours. Paid and unpaid time off, (e.g., sick, vacation, personal, holiday time) does not count as hours worked for the purpose of earning compensatory time.
4. Compensatory time for salaried exempt employees shall be earned in minimum units of one (1) complete hour of additional work per work day. Compensatory time **cannot** be earned for additional work of less than one (1) complete hour per work day. Additional work performed for less than one (1) complete hour on multiple work days **cannot** be aggregated to meet the minimum requirement of one (1) complete hour of work.
5. Compensatory time under this policy may not be earned unless it is requested by the employee and approved by the employee's department head, in writing, **before** the performance of the work for which compensatory time is sought to be earned. In the case of department heads, written approval shall be provided by the Executive Director.
6. The maximum amount of compensatory time that may be earned in the 2016 calendar year is forty (40) hours for salaried exempt employees. For salaried exempt employees who are employed on less than a forty (40) hour-per-week basis, the

maximum amount, of compensatory time that may be earned in the 2016 calendar year is an amount of hours equal to the employee's regular weekly hours. This maximum amount, as applicable, is an absolute limit on the amount of compensatory time that a salaried exempt employee may earn at any time in the 2016 calendar year. Once a salaried exempt employee reaches his or her applicable limit on the compensatory time that he or she may earn, **he or she may earn no further compensatory time**, even if he or she has used any or all of his or her compensatory hours; that is, compensatory time that is used shall **not** be replaced or replenished.

7. Under no circumstances shall salaried exempt employees ever receive cash compensation for compensatory time. Compensatory time for salaried exempt employees shall not be "cashed out" at any time or for any reason.
8. Compensatory time earned under this policy must be used within ninety (90) calendar days of the date on which the compensatory time was earned. Compensatory time earned during the last quarter of 2016 may be carried over into 2017, but still must be used within ninety (90) calendar days of the date on which it was earned.
9. Compensatory time earned and used by salaried exempt employees shall be recorded on the RVRSA's time recording system. Use of compensatory time earned under this policy shall be requested by use of the RVRSA Request for Time-off Form.
10. Any compensatory time earned by salaried exempt employees in 2015 that remains unused may be carried in 2016, provided that this carried-over compensatory time from 2015 is used no later than March 31, 2016, or else the time shall be lost.