

**CHAPTER 6**  
**LEAVES, HOURS OF WORK AND**  
**EMPLOYEE DEVELOPMENT**

**Authority**

N.J.S.A. 11A:2-6(d), 11A:6-1 through 11A:6-28, 11A:6-29, 11A:6-31, 18A:31-2, 30:4-178, 34:11B-1 et seq., 38:23-2, 38A:1-1, 38A:4-4, 40A:14-177, and 52:14-26.2; P.L. 2001, c. 351; Executive Order No. 12 (1990) and Executive Order No. 88 (2003); 10 U.S.C. §10101, 29 U.S.C. §§2601 et seq., 38 U.S.C. §§4301 et seq. and 42 U.S.C. §§12101 et seq.; and 29 CFR 825.

**Source and Effective Date**

R.2009 d.9, effective December 3, 2008.  
See: 40 N.J.R. 2624(a), 41 N.J.R. 123(b).

**Chapter Expiration Date**

Chapter 6, Leaves, Hours of Work and Employee Development, expires on December 3, 2013.

**Chapter Historical Note**

Chapter 6, Leaves, Hours of Work and Employee Development, Subchapters 1 through 5, was adopted as R.1988 d.13, effective January 4, 1988. See: 19 N.J.R. 1764(a), 20 N.J.R. 54(a). See, also, Historical Notes at repealed N.J.A.C. 4:1, Civil Service Rules, specifically Subchapters 17, 18, 20 and 26; repealed N.J.A.C. 4:2, State Service, specifically Subchapters 17, 18, 20 and 26; and repealed N.J.A.C. 4:3, Local Service, specifically Subchapters 17 and 20. Subchapter 6, Awards Program, was adopted as R.1988 d.11, effective January 4, 1988. See: 19 N.J.R. 1774(a), 20 N.J.R. 67(a). See, also, Historical Note and section annotations at repealed N.J.A.C. 4:4, New Jersey State Employees' Awards Committee Rules.

Pursuant to Executive Order No. 66(1978), Chapter 6, Leaves, Hours of Work and Employee Development, was readopted as R.1993 d.47, effective December 22, 1992. See 24 N.J.R. 3590(a), 25 N.J.R. 293(a).

Pursuant to Executive Order No. 66(1978), Subchapters 1 through 5 were readopted as R.1998 d.57, effective December 19, 1997; and Subchapter 6, Awards Program, was readopted as R.1998 d.58, effective December 19, 1997. See: 29 N.J.R. 4364(a), 30 N.J.R. 384(a), 29 N.J.R. 4590(a), 30 N.J.R. 384(b).

Subchapter 6, Awards Program, was readopted as R.2003 d.241, effective May 22, 2003. See: 35 N.J.R. 344(a), 35 N.J.R. 2637(b).

Chapter 6, Leaves, Hours of Work and Employee Development, Subchapters 1 through 5, were readopted as R.2003 d.261, effective June 9, 2003. See: 35 N.J.R. 339(a), 35 N.J.R. 2861(b).

Chapter 6, Leaves, Hours of Work and Employee Development, Subchapters 1 through 5, were readopted as R.2009 d.9, effective December 3, 2008. See: Source and Effective Date. See, also, section annotations.

Subchapter 6, Awards Program, was readopted as R.2009 d.10, effective December 3, 2008. See: 40 N.J.R. 3776(a), 41 N.J.R. 126(a).

**Cross References**

Applicability of this chapter to SES members, see N.J.A.C. 4A:3-2.6.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. LEAVES OF ABSENCE**

- 4A:6-1.1 General provisions
- 4A:6-1.2 Vacation leave

- 4A:6-1.3 Sick leave
- 4A:6-1.4 Sick leave procedures: State service
- 4A:6-1.5 Vacation, administrative and sick leave adjustments: State service
- 4A:6-1.6 Sick Leave Injury (SLI) requirements: State service
- 4A:6-1.7 Sick Leave Injury (SLI) reporting and appeal procedures: State service
- 4A:6-1.8 Pregnancy-disability and child care leave: State service
- 4A:6-1.9 Administrative leave: State service
- 4A:6-1.10 Leave without pay: State service
- 4A:6-1.11 Military leave
- 4A:6-1.12 Leave for appointment by Governor
- 4A:6-1.13 Convention leave
- 4A:6-1.14 Education leave: State service
- 4A:6-1.15 Leave for athletic competition: State service
- 4A:6-1.16 Leave for union office
- 4A:6-1.17 Leave for elective office: local service
- 4A:6-1.18 Leave for emergency civilian duty: State service
- 4A:6-1.19 Leave for jury duty: State service
- 4A:6-1.20 Leave to appear as a witness: State service
- 4A:6-1.21 Family leave
- 4A:6-1.21A State family leave
- 4A:6-1.21B Federal family and medical leave
- 4A:6-1.22 Donated leave program
- 4A:6-1.23 Voluntary furlough program
- 4A:6-1.24 School volunteer leave

**APPENDIX**

**SUBCHAPTER 2. HOURS OF WORK**

- 4A:6-2.1 General provisions
- 4A:6-2.2 Fixed workweek (35, 40, 3E or 4E) job titles: State service
- 4A:6-2.2A Law enforcement work schedule (4L): State service
- 4A:6-2.3 Non-limited (NL, NE or N4) job titles: State service
- 4A:6-2.4 Holidays: State service
- 4A:6-2.5 Inclement weather or emergency conditions: State service
- 4A:6-2.6 Flexitime programs: State service
- 4A:6-2.7 Alternative workweek programs: State service
- 4A:6-2.8 Adjusted hours of operation: State service

**SUBCHAPTER 3. SUPPLEMENTAL COMPENSATION ON RETIREMENT**

- 4A:6-3.1 Eligibility: State service
- 4A:6-3.2 Break in service: State service
- 4A:6-3.3 Computation of payment: State service
- 4A:6-3.4 SCOR procedures: State service
- 4A:6-3.5 SCOR: Intergovernmental transfers

**SUBCHAPTER 4. HUMAN RESOURCE DEVELOPMENT: TRAINING, EDUCATION, CAREER DEVELOPMENT AND EMPLOYEE ASSISTANCE PROGRAMS**

- 4A:6-4.1 General provisions
- 4A:6-4.2 Department of Personnel functions: State service
- 4A:6-4.3 Training and Education Programs: State Service
- 4A:6-4.4 Certified Public Manager Program: State service
- 4A:6-4.5 Career Development Programs: State service
- 4A:6-4.6 Tuition aid program: State service (Reserved)
- 4A:6-4.7 Employee interchange program
- 4A:6-4.8 Internship programs: State service
- 4A:6-4.10 Employee Advisory Service: State service

**SUBCHAPTER 5. PERFORMANCE EVALUATION**

- 4A:6-5.1 General provisions
- 4A:6-5.2 PAR procedure: State service
- 4A:6-5.3 PAR use and review: State service

## SUBCHAPTER 6. AWARDS PROGRAM

- 4A:6-6.1 General provisions
- 4A:6-6.2 New Jersey Employee Awards Committee: State service
- 4A:6-6.3 Records: State service
- 4A:6-6.4 Commendation awards: State service
- 4A:6-6.5 Suggestion Award Program standards: State service
- 4A:6-6.6 Suggestion Award Program procedures: State service
- 4A:6-6.7 Suggestion Award Program types and amounts of awards: State service
- 4A:6-6.8 Service Recognition Program: State service
- 4A:6-6.9 Departmental awards programs: State service
- 4A:6-6.10 Appeals: State service

Amended by R.1990 d.387, effective August 6, 1990.

See: 22 N.J.R. 1300(b), 22 N.J.R. 2263(a).

In (a)1: added "and family leave" with N.J.A.C. citation.

Amended by R.1994 d.620, effective December 19, 1994.

See: 26 N.J.R. 3511(a), 26 N.J.R. 5002(b).

**Case Notes**

Merit System Board does not have jurisdiction to review an unclassified employee's entitlement to vacation leave. In re Hearn, OAL Dkt. No. CSV 04991-05, Final Decision (October 10, 2007).

**4A:6-1.2 Vacation leave**

(a) Full-time State employees in the career service shall be entitled to annual paid vacation leave, credited at the beginning of each calendar year in anticipation of continued employment, based on their years of continuous State full-time or part-time service in the career, senior executive or unclassified service. See (c) below for definition of continuous service.

1. New employees shall only receive one working day for the initial month of employment if they begin work on the 1st through the 8th day of the calendar month, and one-half working day if they begin on the 9th through the 23rd day of the month.

2. After the initial month of employment and up to the end of the first calendar year, employees shall receive one working day for each month of service. Thereafter, employees shall receive paid vacation leave as follows:

i. From the beginning of the first full calendar year of employment and up to five years of continuous service, 12 working days;

ii. After five years of continuous service and up to 12 years of continuous service, 15 working days;

iii. After 12 years of continuous service and up to 20 years of continuous service, 20 working days;

iv. Over 20 years of continuous service, 25 working days.

3. An increase in vacation leave shall be granted at the beginning of the calendar year in which the years of service requirement will be met.

i. When there is a change in the calendar year in which the years of service requirement is met, due to an employee's leave without pay, the employee shall be liable for any increased vacation leave that was not earned.

4. Vacation leave credits shall not accrue after an employee has resigned or retired although his or her name is being retained on the payroll until exhaustion of vacation or other compensatory leave.

(b) From initial employment up to the end of the first calendar year, annual paid vacation leave for full-time local employees shall be at least the amounts specified in (a)1 and (a)2 above. Thereafter their vacation leave shall be at least:

## SUBCHAPTER 1. LEAVES OF ABSENCE

**4A:6-1.1 General provisions**

(a) In local service, appointing authorities shall establish types of leaves and procedures for leaves of absence.

1. Pursuant to this subchapter, employees in local service shall also be entitled to vacation leave (N.J.A.C. 4A:6-1.2(b) through (h)); sick leave (N.J.A.C. 4A:6-1.3(a) through (h)); military leave (N.J.A.C. 4A:6-1.11); gubernatorial appointment leave (N.J.A.C. 4A:6-1.12); convention leave (N.J.A.C. 4A:6-1.13); elective office leave (N.J.A.C. 4A:6-1.17); family leave under State law (N.J.A.C. 4A:6-1.21A); and Federal family and medical leave (N.J.A.C. 4A:6-1.21B).

2. An appointing authority may grant permanent employees a leave of absence without pay for a period not to exceed one year. A leave may be extended beyond one year for exceptional circumstances upon request of the appointing authority and written approval of the Department of Personnel.

3. An appointing authority may grant unpaid union leave pursuant to N.J.A.C. 4A:6-1.16.

4. Vacation and sick leaves for police officers and firefighters are established by local ordinance. See N.J.S.A. 40A:14-7 and 40A:14-118.

(b) In State service, this subchapter shall apply to career service employees, unless otherwise indicated. Temporary employees (see N.J.S.A. 11A:4-13c.) are not entitled to the leaves or benefits in this subchapter.

(c) Records of all employee leaves of absence and types of leave shall be maintained by State and local appointing authorities and reported to the Department of Personnel for the official State record in the prescribed manner and form.

(d) A leave of absence shall not disqualify an applicant for a promotional examination.

(e) Where leave procedures are not set by this subchapter, appointing authorities shall establish such procedures subject to applicable negotiations requirements.