

**ORDINANCE 14 - 2015**

**AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF THE BOROUGH  
OF CLAYTON  
(PERSONNEL)**

***BE IT ORDAINED*** by the Mayor and Council of the Borough of Clayton, County of Gloucester and State of New Jersey that Chapter 18 is hereby amended by creating a new section to be entitled "Public Works Director Compensatory ("Comp") Time Policy to read as follows:

**Section 1.** Chapter 18 is hereby amended by creating a new section to be entitled "Public Works Director Compensatory ("Comp") Time Policy.

**Section 2. Purpose**

To manage the use of compensatory time for the Borough of Clayton Director of Public Works while complying with the Fair Labor Standards Act (FLSA). The use of compensatory time, instead of overtime pay, is the preferred practice.

The Director of Public Works is called upon to respond to and assist in addressing a number of different issues and activities during off-duty hours and on weekends. This policy establishes the circumstances and duties the Director may perform that qualify for the award of compensatory time, and sets forth the criteria of how this time is to be calculated, used and traced.

### **Section 3. Calculation**

In all cases in which compensatory (comp) time is earned, the time awarded will be in the ratio of one (1) hour of comp per one (1) hour of work time.

All comp time shall be paid as straight time.

### **Section 4. Qualifying Activities/Duties**

The Director of Public Works will receive comp time in certain circumstances for activities and duties that he/she performs outside of his/her normal and customary working hours. When 50% or more of the workforce (excluding foremen) is called in/engaged for the activities listed below, the Director will earn comp time.

1. Snow Plowing
2. Infrastructure Repairs
3. Streets and Road Repairs
4. Storm Events and other Emergency Response Events

### **Section 5.**

The Director of Public Works shall not receive comp time for the following activities:

1. Attendance at council meetings.
2. Attendance at meetings with the Borough's professionals regardless of the meeting times.
3. Attendance at the Borough's community events.

***Exception for Clayton Day:*** As the Borough's community day may entail the Director being available for most of the day, comp time shall be earned for any time beyond 6 hours.

4. Attendance at any training event or class regardless of the event/class times.

#### **Section 6. Terms and Conditions for Use**

1. All comp time shall be used in the year it is earned.
2. Comp time has no monetary value, i.e. cannot be "cashed out".
3. All comp time should be scheduled using Time Off Request forms.
4. Comp time may be used in conjunction with vacation and personal leave.
5. Comp time may not be used in conjunction with sick time.

#### **Section 7. Tracking**

All comp time earned shall be reported on each weekly DPW time sheet for approval by the Borough Administrator, and input into the payroll system for tracking.

The Director will send an email after each comp event/activity to the Administrator and the Council Liaison for Public Works describing the work he/she completed and the hours spent. In addition, the Director will fill out a work order for each comp event/activity that he/she performs.

As comp time is used for paid time off, it will be deducted from the available comp time. Any unused comp time as of December 31<sup>st</sup> will be cancelled.

***BE IT FURTHER ORDAINED*** that this Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF CLAYTON



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THOMAS BIANCO, Mayor

Attest:



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CHRISTINE NEWCOMB, Borough Clerk

**14-2015**

**NOTICE OF ADOPTION**

**AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF THE  
BOROUGH OF CLAYTON  
(PERSONNEL)**

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on August 13, 2015.

Christine Newcomb  
Borough Clerk

**14-2015**

**NOTICE OF INTRODUCTION**

**AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE  
OF THE BOROUGH OF CLAYTON  
(PERSONNEL)**

**TAKE NOTE** that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on July 9, 2015 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 7:30 p.m. on August 13, 2015, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

**BY ORDER** of the Mayor and Council of the Borough of Clayton.

Christine Newcomb  
Borough Clerk