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## **Article III — Paid or Unpaid Time Off**

### **§ 12-301 Holidays.**

(a) **In General.** The following ten (10) days are Borough holidays, during which the Borough offices shall not be open:

- (1) New Year's Day
- (2) Presidents Day
- (3) Good Friday

- (4) Memorial Day
- (5) Independence Day
- (6) Labor Day
- (7) Thanksgiving Day
- (8) Day after Thanksgiving
- (9) Christmas Day

(10) Day before or day after Christmas Day (as designated by the Executive Secretary from year to year).

**(b) Holidays on Saturday or Sunday.** If a Borough holiday falls on a Saturday or Sunday, the Borough Manager shall designate the nearest Friday or Monday as the date of the holiday for that year.

**(c) Holiday Pay.** Full-time Borough employees shall not regularly be scheduled to work on a Borough holiday. Nonetheless, they shall receive pay for eight (8) hours of work at their base rate of compensation for the holiday.

**(d) Working Holiday Time.** An employee who works on a Borough holiday shall be compensated for the working holiday time in accordance with the provisions of § 12-203 (relating to Overtime and Compensatory Time Off), in addition to Holiday Pay under subsection (c).

**(e) Salaried Employees.** Notwithstanding anything to the contrary in this Section, salaried employees (including the Borough Manager and the Chief of Police) shall be excused from working eight (8) hours for a Borough holiday, but shall not be paid any amount in addition to their annual salary if they work on a Borough holiday.

[Ords. 415 10-29-2003, 429 12-29-2004, 493 12-29-2010, 526 01-28-2015, 577 12-28-2022]

## § 12-302 Vacations.

**(a) In General.** During each calendar year, each full-time employee shall be entitled to paid vacations for the number of days indicated in subsections (b) and (c). For each vacation day granted to and taken by a full-time employee, the employee shall be paid Vacation Pay in an amount equal to the employee's base hourly rate of compensation *multiplied by* eight (8).

**(b) Number of Vacation Days—Employees Hired Before June 1, 1996.** The number of vacation days available during any given calendar year to a full-time employee who was first hired by the Borough as a full-time employee before June 1, 1996 shall be determined as follows:

(1) If the full-time employee is first hired as a full-time employee during that calendar year: zero (0) days.

(2) If the first anniversary of the date the full-time employee was first hired as a full-time employee (hereinafter, the “**First Day**”) occurs during that calendar year: zero (0) days until said first anniversary, and ten (10) days thereafter, if he is a full-time employee on the first anniversary.

(3) For all other calendar years: ten (10) days *plus* one (1) additional day for each year of service completed by the full-time employee as of the anniversary of his First Day in the immediately preceding calendar year; *plus* one (1) additional day which may only be used after the anniversary of the full-time employee's First Day which occurs during that calendar year. Notwithstanding the preceding sentence, the maximum number of paid vacation days which shall be available to a full-time employee in any calendar year shall be thirty (30).

(c) **Number of Vacation Days—Employees Hired After May 31, 1996.** The number of vacation days available during any given calendar year to a full-time Borough employee who was first hired by the Borough as a full-time employee after May 31, 1996 shall be determined as follows:

(1) Except as provided in paragraph (5), if the full-time employee is first hired as a full-time employee during that calendar year:

(A) zero (0) days initially, but

(B) if the day six (6) months after the employee commenced such employment also occurs during that calendar year, five (5) days at any time thereafter, if he is a full-time employee at that time.

(2) Except as provided in paragraph (5), if the first anniversary of the date the full-time employee was first hired as a full-time employee (hereinafter, the "**First Day**") occurs during that calendar year:

(A) zero (0) days initially,

(B) if the day six (6) months after the employee commenced such employment also occurs during that calendar year, five (5) days at any time thereafter, if he is a full-time employee at that time, and

(C) ten (10) additional days after the first anniversary of the employee's First Day, if he is a full-time employee on the first anniversary.

(3) Except as provided in paragraph (5), if the second, third, fourth, fifth, or sixth anniversary of the full-time employee's First Day occurs during that calendar year: ten (10) days.

(4) Except as provided in paragraph (5), if the seventh anniversary of the full-time employee's First Day occurs during that calendar year: ten (10) days, *plus* an additional five (5) days at any time after said seventh anniversary if he is a full-time employee on the seventh anniversary.

(5) In the case of the Borough Manager—

(A) If the Borough Manager's First Day occurs during that calendar year *and* the ninety-first (91<sup>st</sup>) day after the Borough Manager commenced employment as the Borough Manager also occurs during that calendar year: ten (10) days at any time after the ninety-first (91<sup>st</sup>) day after the Borough Manager commenced employment as the Borough Manager, if he is Borough Manager at that time.

(B) If the first, second, third, fourth, or fifth anniversary of the Borough Manager's First Day occurs during that calendar year: ten (10) days.

(C) If the sixth or seventh anniversary of the Borough Manager's First Day occurs during that calendar year: fifteen (15) days.

(3) Except as provided in paragraph (5), if the second, third, fourth, fifth, or sixth anniversary of the full-time employee's First Day occurs during that calendar year: ten (10) days.

(4) Except as provided in paragraph (5), if the seventh anniversary of the full-time employee's First Day occurs during that calendar year: ten (10) days, *plus* an additional five (5) days at any time after said seventh anniversary if he is a full-time employee on the seventh anniversary.

(6) If the eighth, ninth, tenth, eleventh, twelfth, thirteenth, or fourteenth anniversary of the full-time employee's First Day occurs during that calendar year: fifteen (15) days.

(7) If the fifteenth anniversary of the full-time employee's First Day occurs during that calendar year: fifteen (15) days, *plus* an additional five (5) days at any time after said fifteenth anniversary if he is a full-time employee on the fifteenth anniversary.

(8) If the sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, or twenty-fourth anniversary of the full-time employee's First Day occurs during that calendar year: twenty (20) days.

(9) If the twenty-fifth anniversary of the full-time employee's First Day occurs during that calendar year: twenty (20) days, *plus* an additional five (5) days at any time after said twenty-fifth anniversary if he is a full-time employee on the twenty-fifth anniversary.

(10) If the anniversary of the full-time employee's First Day which occurs during that calendar year is greater than the twenty-fifth: twenty-five (25) days.

(c.1) **Number of Vacation Days—Chief of Police.** Notwithstanding subsection (c), the number of vacation days available during any given calendar year to the Chief of Police shall be determined as follows:

(1) If the Chief is first hired as a full-time Borough employee during that calendar year: twenty (20) days, *provided* that if the date the Chief first worked as a full-time Borough Employee (hereinafter, the "**First Day**") is on or after July 1 and before October 1, the number of days shall be ten (10), and if the Chief's First Day is on or after October 1, the number of days shall be five (5).

(2) If the first anniversary of the Chief's First Day occurs during that calendar year: fifteen (15) days.

(3) If the second anniversary of the Chief's First Day occurs during that calendar year: fifteen (15) days, *plus* an additional five (5) days at any time after said second anniversary if he/she is the Chief of Police on the second anniversary.

(4) If the third or fourth anniversary of the Chief's First Day occurs during that calendar year: twenty (20) days.

(5) If the fifth anniversary of the Chief's First Day occurs during that calendar year: twenty (20) days, *plus* an additional five (5) days at any time after said fifth anniversary if he/she is the Chief of Police on the fifth anniversary.

(6) If the anniversary of the Chief's First Day which occurs during that calendar year is greater than the fifth: twenty-five (25) days.

(d) **Use During Calendar Year.** All vacation days granted to a full-time employee for any calendar year must be used within that calendar year, or they are forfeited.

(e) **Scheduling.** All vacation time shall be approved by the Borough Manager (or, in his/her absence, the President of Council) at least two weeks in advance, unless the approving officer grants special consideration for cause shown.

[Ords. 415 10-29-2003, 429 12-29-2004, 441 12-28-2005, 509 12-26-2012, 526 01-28-2015, 571 03-09-2022, 579 03-08-2023, 587 07-31-2024]

### § 12-303 Personal Days.

All full-time Borough employees shall receive two paid personal days off per calendar year (beginning after the 60<sup>th</sup> day of full-time Borough employment). These days may be taken in increments of a whole day (8 hours of pay at the base hourly rate of compensation) or a half day (4 hours of pay at the base hourly rate of compensation). Employees shall give reasonable notice of personal days or half-days taken, but the time off need not be approved in advance.

[Ords. 415 10-29-2003, 441 12-28-2005]

### § 12-304 Sick Leave.

(a) **Number of Sick Days.** The number of paid sick days (8 hours each) available during any given calendar year to a full-time Borough employee shall be determined as follows:

(1) If the full-time employee is first hired as a full-time employee during the first six months of that calendar year: zero (0) days until the 61<sup>st</sup> day of employment, and five (5) days thereafter. If the full-time employee is first hired as a full-time employee during the last six months of that calendar year: zero (0) days.

(2) If the first anniversary of the date the full-time employee was first hired as a full-time employee (hereinafter, the "**First Day**") occurs during that calendar year: six (6) days.

(3) If the second or any subsequent anniversary of the full-time employee's First Day occurs during that calendar year: seven (7) days.

#### (b) Unused Sick Days.

(1) Any sick days from calendar year 2006 (and/or from previous years which were carried over into 2006 under the rules then applicable) which were not used by December 31, 2006, up to a maximum of fifteen (15) such days, may be used in calendar year 2007 or succeeding years. Such sick days need not be used in a calendar year until all sick days available for that calendar year under subsection (a) have already been used.

(2) Except as provided in paragraph (1), any sick days available for a calendar year under subsection (a) may only be used, as necessary and appropriate, in that calendar year; unused sick days may not be accumulated, carried over, and used in subsequent calendar years.

(c) **Proof of Illness.** Any employee absent from work for three (3) or more consecutive work days due to illness or injury shall produce a doctor's certificate of illness in order to receive payment for sick leave and to return to work. The doctor's certificate shall also certify that the employee is now physically and mentally able to return to work and perform the essential functions of the employee's job. Council or the Borough Manager may require a doctor's certificate for any absence due to illness or injury which is less than three (3) days.

(d) **Calling Off.** Full-time employees who call off from work due to illness or injury (whether the leave is paid or unpaid), shall call the Borough Hall to report off from work to the Executive Secretary. In the absence of the Borough Manager, the employee shall call the person in charge of the office and also the President or Vice President of Council. Part-time, summer, or temporary employees who call off from work due to illness or injury shall call their immediate supervisor at the Borough Hall, and shall not be paid for such time not worked.

[Ords. 415 10-29-2003, 417 12-29-2003, 429 12-29-2004, 441 12-28-2005, 455 01-10-2007, 526 01-28-2015, 528 03-11-2015]

## § 12-305 Funeral Leave.

(a) **Immediate Family.** All full-time Borough employees shall be granted up to three (3) consecutive scheduled work days off with pay (for 8 hours each) for the death of a mother, father, spouse, child, brother, sister, mother-in-law, father-in-law, grandmother, or grandfather.

(b) **Other Relatives.** All full-time Borough employees shall be granted one (1) day off with pay (for 8 hours) to attend the funeral of a daughter-in-law, son-in-law, aunt, uncle, grandchild, brother-in-law, or sister-in-law.

[Ord. 415 10-29-2003]

## § 12-306 Salaried Employees.

Notwithstanding anything to the contrary in this Article III, for salaried employees (including the Borough Manager and the Chief of Police) the provisions of this Article III which provide for paid time off (*e.g.*, vacation days, personal days, sick days, and funeral leave) only apply to excuse the salaried employee from working such days or hours, and do *not* apply to the extent they would provide any payments to the salaried employee in addition to his/her annual salary.

[Ord. 577 12-28-2022]