

# Passaic County Board of Chosen Freeholders

OFFICE OF THE  
PASSAIC COUNTY FREEHOLDERS

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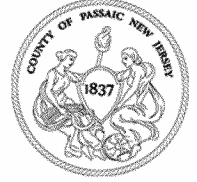
Administrator

Matthew P. Jordan, Esq.

County Counsel

Louis E. Imhof, III, RMC

Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Sep 08, 2020 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING HAZARD PAY FOR SPECIFIED EMPLOYEES AT PREAKNESS HEALTHCARE CENTER FOR PERFORMING HAZARDOUS DUTY OR WORK INVOLVING PHYSICAL HARDSHIP RELATED TO COVID-19, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

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REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Administration and Finance  
COMMITTEE NAME

Official Resolution#	R20200691							
Meeting Date	09/08/2020							
Introduced Date	09/08/2020							
Adopted Date	09/08/2020							
Agenda Item	k-20							
CAF #								
Purchase Req. #								
Result	Adopted							
FREEHOLDER	PRES.	ABS.	MOVE	SEC	AYE	NAY	ABST.	RECU.
Lazzara	✓				✓			
Lepore	✓			✓	✓			
Akhter	✓				✓			
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
James	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: September 9, 2020

**RESOLUTION AUTHORIZING HAZARD PAY FOR SPECIFIED EMPLOYEES AT PREAKNESS HEALTHCARE CENTER FOR PERFORMING HAZARDOUS DUTY OR WORK INVOLVING PHYSICAL HARDSHIP RELATED TO COVID-19**

**WHEREAS**, Coronavirus disease 2019 (hereafter “COVID-19) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

**WHEREAS**, on March 9, 2020, New Jersey Governor Philip Murphy, in order to protect the health, safety, and welfare of the people of the State of New Jersey, signed Executive Order No. 103, declaring a Public Health Emergency and State of Emergency exist in the State of New Jersey; and

**WHEREAS**, on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act, 2020 116 P.L. 136, 2020 Enacted H.R. 748, 116 Enacted H.R. 748, 134 Stat. 281, 116 P.L. 136, 2020 Enacted H.R. 748, 116 Enacted H.R. 748, 134 Stat. 281 (hereafter “CARES Act”); and

**WHEREAS**, the CARES Act established the Coronavirus Relief Fund (hereafter “Fund”), and appropriated \$150 billion, to make payments for specified uses to States and certain local governments, the District of Columbia, and United States Territories, and Tribal governments; and

**WHEREAS**, the County of Passaic (hereafter “County”) was appropriated eighty seven million five hundred sixty four thousand seven hundred and sixty seven dollars and twenty cents (\$87,564,767.20) from the Fund, to be used for expenditures incurred due to the public health emergency with respect to COVID-19, were not accounted for in the budget most recently approved as of March 27, 2020, and were incurred during the period that begins March 1, 2020 and ends on December 30, 2020; and

**WHEREAS**, Preakness Healthcare Center is a New Jersey Department of Health licensed, 406-bed skilled nursing facility that is owned and operated by the Passaic County Board of Chosen Freeholders (hereafter “Board”); and

**WHEREAS**, the Board, in compliance with guidance from the United States Treasury Department, desires to appropriate a portion of the Fund received by the County for hazard pay for employees at Preakness Healthcare Center who performed hazardous work duty or work involving physical hardship related to COVID-19; and

**WHEREAS**, the hazard pay shall be distributed to eligible full time, part time, and per diem employees at Preakness Healthcare Center who, either worked/work a weekly schedule with no call outs, or who worked/work without cancelling shifts during a pay period, retroactive to March 9, 2020 when New Jersey Governor Phillip Murphy signed Executive Order 103 declaring a Public Health Emergency and a State of Emergency in New Jersey, and ending when same is rescinded by Governor Murphy, or by the Board, in consultation with the County Administrator and Executive Director at Preakness Healthcare Center, or December 30, 2020, which is sooner; and

**WHEREAS**, this matter was discussed at the June 17, 2020 meeting of the Administration and Finance Committee, and is being recommended to the Passaic County Board of Chosen Freeholders for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, by the Passaic County Board of Chosen Freeholders, that hazard pay is authorized to be distributed by the County Administrator, for certain employees at Preakness Healthcare Center as follows:

**Section 1. Effective Date of Hazard Pay.**

Hazard pay shall be distributed to eligible employees as defined herein retroactively beginning on March 9, 2020. Pursuant to the pertinent sections of the CARES Act (42 U.S.C. 501(d)), all CARES Act funding shall terminate on December 30, 2020. Thus, the provision of hazard pay shall also terminate on December 30, 2020.

In the event that CARES Act funding is expanded past the December 30, 2020 date, the County’s provision of hazard pay shall expire on the new CARES Act termination date, or thirty (30) days

after providing notice of the County's intention of terminating hazard pay, whichever comes sooner.

### **Section 2. Eligible Employees.**

- (a) Full time employees in designated job titles who worked/work eighty (80) hours in a pay period, with no call outs, and who did not/do not refuse an overtime shift (except for those employees who were allowed to take time off, with approval, after June 15, 2020 and Dietary employees, who were allowed to take compensatory time off as of the first week of May); and
- (b) Part time employees in designated job titles who worked/work a minimum of forty eight (48) hours in a pay period, without cancelling a shift, who did not/do not refuse an overtime shift, and who did not/do not refuse an additional shift (except for those employees who were allowed to take time off, with approval, after June 15, 2020 and Dietary employees, who were allowed to take compensatory time off as of the first week of May); and
- (c) Per diem employees in designated job titles who worked/work his/her regular weekly schedule, without cancelling a shift, and who did not/do not refuse additional shifts. (except for those employees who were allowed to take time off, with approval, after June 15, 2020 and Dietary employees, who were allowed to take compensatory time off as of the first week of May).

### **Section 3. Rate of Hazard Pay.**

- (a) Full Time Employees. In addition to regular pay and overtime earned, full time employees shall receive hazard pay based on assignment and job title as follows:

<b>TITLE</b>	<b>GENERAL</b>	<b>COVID-19+ UNIT</b>
Account Clerk	\$50	N/A
Admitting Officer	\$50	N/A
Assistant Director of Nursing	\$200	\$300
Advanced Practice Nurse Gerontology	\$200	\$300
Assistant Admitting Officer	\$50	N/A
Assistant Public Information Officer	\$0	N/A
Assistant Supervisor Nurse	\$200	N/A
Building Maintenance Worker	\$200	\$300
Building Service Worker	\$200	\$300
Certified Nurse's Aide	\$400	\$500
Chief Recreation Therapist	\$100	N/A
Clinic Attendant	\$150	N/A
Cook	\$50	N/A
Confidential Secretary	\$50	N/A
Dietician	\$100	N/A
Dietician Helper	\$50	N/A
Dietician, Supervising Clinical (R.D. Required)	\$100	N/A
Electrician	\$200	N/A
Executive Housekeeper	\$100	N/A
Food Service Director	\$50	N/A
Food Service Workers	\$50	N/A
Registered Nurse	\$400	\$500
Head Cook	\$50	N/A
Hospital Attendant (Laundry)	\$50	N/A
Hospital Attendant (Rehabilitation)	\$100	N/A
Hospital Maintenance Supervisor	\$200	N/A
Housekeeping Supervisor	\$200	N/A
Housekeeping Supervisor 2	\$200	N/A
Infection Control Nurse	\$200	N/A
Inservice Instructor	\$100	N/A
Keyboard Clerk 3	\$50	N/A
Management Assistant	\$50	N/A

Maintenance Repairer	\$200	N/A
Maintenance Repairer LPL	\$200	N/A
Mental Health Administrator	\$200	\$300
Occupational Therapist	\$100	N/A
Occupational Therapy Assistant	\$100	N/A
Omnibus Driver	\$50	N/A
Physical Therapist	\$100	N/A
Physical Therapy Assistant	\$100	N/A
Practical Nurse	\$400	\$500
Principal Storekeeper	\$100	N/A
Quality Assurance Coordinator	\$100	N/A
Recreation Therapist	\$150	\$250
Recreation Therapy Aide	\$150	\$250
Receptionist	\$50	N/A
Safety Coordinator	\$100	N/A
Secretary Assistant Bilingual	\$150	N/A
Security Guard	\$100	N/A
Senior Groundskeeper	\$200	N/A
Senior Maintenance Repairer	\$200	N/A
Senior Recreation Therapist	\$150	N/A
Senior Stock	\$100	N/A
Social Worker – Nursing Home	\$150	\$250
Sr. Institutional Attendant	\$150	N/A
Sr. Security Guard	\$100	N/A
Stock Clerk (Medical)	\$100	N/A
Stock Clerk (Food)	\$50	N/A
Supervising Dietician	\$100	N/A
Supervisor Food Service	\$50	N/A
Supervisor of Accounts	\$50	N/A
Supervisor Maintenance Repairer LPL	\$200	N/A
Training Coordinator	\$100	N/A
Volunteer Coordinator	\$100	N/A

(b) Part Time Employees. In addition to regular pay and overtime earned, part time employees shall receive hazard pay based on assignment and job title as follows:

<b>TITLE</b>	<b>GENERAL</b>	<b>COVID-19+ UNIT</b>
Building Maintenance Worker	\$100	\$200
Building Service Worker	\$100	\$200
Certified Nurse's Aide	\$250	\$350
Food Service Worker	\$50	N/A
Registered Nurse	\$250	\$350
Hairdresser	\$50	N/A
Practical Nurse	\$250	\$350
Recreational Therapy Aide	\$100	\$150
Security Guard	\$100	N/A
Speech Pathologist	\$100	N/A

(c) Per Diem Employees. In addition to regular pay and overtime earned, per diem employees shall receive hazard pay based on assignment and job title as follows:

<b>TITLE</b>	<b>GENERAL</b>	<b>COVID-19+ UNIT</b>
Account Clerk	\$50	N/A
Certified Nurse's Aide	\$150	\$250
Food Service Worker	\$50	N/A
Graduate Nurse	\$150	\$250
Practical Nurse	\$150	\$250
Recreational Therapy Aide	\$100	N/A

(d) "GENERAL" is defined as any assignment within Preakness Healthcare Center during the Public Health Emergency pursuant to the terms and conditions set forth herein.

- (e) "COVID-19+ UNIT" is defined as any assignment within a unit of Preakness Healthcare Center that includes direct contact with residents known to have been exposed to COVID-19.
- (f) Employees shall be eligible for either (d) or (e) as set forth above, and not both, in any pay period.

**Section 4. Ineligible Employees.**

Employees at Preakness Healthcare Center who fall into one of the following categories shall not be eligible for hazard pay:

- (a) An employee who was subject to discipline, or disciplined during the time period in question during the pay period in question;
- (b) An employee who took an unauthorized leave from work, or for some other reason failed to report to work during the pay period in question;
- (c) An employee that did not complete the hours of work or conditions as set forth in Section 2, parts (a) to (c), or otherwise utilized sick, vacation, personal, or some other accrued leave during the pay period in question;
- (d) An employee who refused an overtime assignment during the time period in question, absent exigent circumstances as approved by the Executive Director of Preakness Healthcare Center during the pay period in question; or
- (e) All other employee titles not mentioned herein.

**Section 5. Employees Administering COVID-19 Tests.**

Any employee at Preakness Healthcare Center who is assigned to administer a COVID-19 test to either residents or employees shall be compensated at a rate of four hundred dollars (\$400.00) in lieu of the Rate of Hazard Pay set forth in Section 3, per pay period, and pursuant to the other conditions as set forth herein.

**Section 6. Authority of the Executive Director of Preakness Healthcare Center.**

The Executive Director of Preakness Healthcare Center shall have the authority to deny any employee otherwise entitled to hazard pay, as set forth herein, for sufficient cause. Such denial shall be put in writing to the County Administrator setting for the reason for the denial of said hazard pay. Furthermore, denial of such hazard pay shall not be subject to grievance procedures in an employee's collective negotiation agreement.

**Section 7. Collective Negotiation Agreements.**

Under the CARES Act and in the particular context of this agreement, hazard pay given to employees as set forth herein shall not be considered a negotiable term or condition of employment, and is expressly contingent upon funding provided by the federal government pursuant to the CARES Act, and other conditions as set forth in this resolution.

**Section 8. Retroactive Payments.**

Any employee who is entitled to a retroactive payment of hazard pay beginning March 9, 2020, shall receive said payment in the next practicable pay period, as determined by the Payroll Director for the County.

**Section 9. Processing of Hazard Pay Payments.**

Once certified by the Executive Director, hazard pay shall be issued to eligible employees during the normal payroll periods as wages and shall be subject to all applicable federal and state taxes. Hazard pay payments do not effect an employee's yearly salary for calculations related to P.L.

2011 Chapter 78, overtime calculations, hourly wages, or other terms or conditions of employment.

**LET IT BE FURTHER RESOLVED**, that the County Administrator, County Counsel, Chief Financial Officer, Payroll Director, and any other relevant County personnel are authorized to take any other steps necessary to carry out the purpose of this resolution.

MPJ

September 8, 2020