

A2020-38

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE TOWNSHIP OF WEST MILFORD**

**PASSAIC COUNTY, NEW JERSEY**

AND

**NEW JERSEY STATE POLICEMEN'S  
BENEVOLENT ASSOCIATION LOCAL #162**

*(Patrolman and Sergeants)*

MARCH 25, 2020

✓-116

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made on this 25<sup>TH</sup> day of March, 2020 between the Township of West Milford (hereinafter "the Township"), with offices located at 1408 Union Valley Road, West Milford, New Jersey 07480, and the New Jersey State Policemen's Benevolent Association Local #162 (hereinafter, the "PBA"), with offices located at P.O. Box 125, West Milford, NJ 07480-0125.

### RECITALS

**WHEREAS**, in consideration of the current specific State of New Jersey emergency and Federal National State of Emergency and the dangers posed by COVID-19; and

**WHEREAS**, the Governor has issued Executive Order No. 107, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

**WHEREAS**, in accordance with N.J.S.A. App. A:9-34 and -51, the Governor has reserved the right to utilize and employ all available resources to protect against the emergency created by COVID-19; and

**WHEREAS**, immediate action must be employed to ensure public safety, and for the benefit of the health and welfare of the Township's citizens; and

**WHEREAS**, the Mayor, under her emergency powers, has the authority to enter into an MOU for the benefit and protection of the Health, Safety and Welfare of the Township's citizens; and

**WHEREAS**, the Mayor is tasked to enforce the Charter and ordinances of the municipality and all general laws applicable thereto, and shall recommend such actions to the Council as she may deem in the public interest; and

**WHEREAS**, the Mayor seeks to enter into a "COVID 19 Compensation Agreement" with the PBA; and

**WHEREAS**, this MOU shall be effective March 20, 2020, upon signature of the Mayor, and will be presented to the Township of West Milford Council at their next scheduled Regular Meeting, with a resolution memorializing the MOU for Council consideration; and

**WHEREAS**, if for any reason the Council rejects the MOU, the Township shall be only bound for the period from when signatures are affixed to that Regular meeting date.

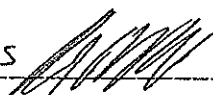

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, the parties agree as follows:

### AGREEMENT

1. The attached "COVID 19 Compensation Agreement" of March 20, 2020, and forwarded by the PBA, shall be adopted in its entirety, and therefore modify Article V (Holidays), Section B, and Article IV (Hours and Overtime), Section D, of the currently binding Collective Bargaining Agreement, due to the declared State of Emergency/Coronavirus Pandemic.
2. Effective March 20, 2020, and for the duration of time that Township offices and buildings are closed due to the pandemic, PBA/SOA members who are working shall receive earned compensation time. PBA/SOA members shall receive the hours for all tours/shifts worked while the Township is on its modified or closed schedule. Only those officers shall receive this compensatory time.
3. Time shall be accrued as follows:
  - a. Officers working 12 hours per day: 4 hours of earned compensatory time per day;
  - b. Officers working 10 hours per day: 3 hours of earned compensatory time per day.
  - c. Officers working 8 hours per day: 3 hours of earned compensatory time per day.
4. Under the above captioned formula, each officer on a 12-hour schedule would earn twenty-eight (28) hours, per two-week schedule.
5. This MOU shall remain in effect until the Coronavirus Pandemic/State of Emergency is declared over and the Township returns to a normal schedule, whichever occurs first, or by subsequent agreement between the parties. The parties recognize that this resolves contractual issues related to compensation during the State of Emergency.
6. This MOU shall have no precedential value whatsoever; nor any effect on any future emergency situation, nor any future Collective Negotiations Agreement.


IN WITNESS WHEREOF, this MOU has been duly executed under seal as of the day and year first above written.

NEW JERSEY STATE POLICEMEN'S  
BENEVOLENT ASSOCIATION LOCAL #162,  
BOROUGH OF WEST MILFORD, PASSAIC COUNTY, NEW JERSEY

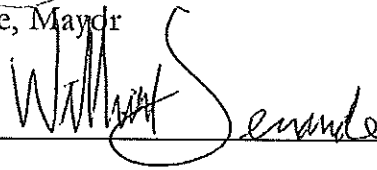
By: PBA President Connors  #16 By:  JSA

Dated: March 26<sup>th</sup> 2020 Dated: 3.26.20

BOROUGH OF WEST MILFORD  
MORRIS COUNTY, NEW JERSEY

By:   
Michelle Dale, Mayor

Dated: March 25, 2020

WITNESSED by: 

Bill Senande, Administrator/Municipal Clerk

