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Jacqueline Flynn
Claire Padovano
Ryan P. Ullman

BOROUGH OF MAYWOOD
15 Park Avenue, Maywood, NJ 07607

ORDINANCE #17-24

**AN ORDINANCE AMENDING CHAPTER 52 OF THE BOROUGH CODE OF THE
BOROUGH OF MAYWOOD ENTITLED "PERSONNEL POLICIES"**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS
FOLLOWS:**

WHEREAS, the Mayor and Council of the Borough of Maywood desire to revise Chapter 52 of the Borough Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Maywood, County of Bergen as follows:

Article X entitled "Employment Benefits," Section 52-52, subsection "The New Jersey Security and Financial Empowerment Act," third paragraph shall be deleted and replaced with the following:

§ 52-52. Leaves of absence.

D. Domestic Violence Policy

**THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT
ACT**

...

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

...

Article X entitled “Alcohol and Drug-Free Workplace,” Section 52-63, subsection “Drug-Free Workplace,” last paragraph shall be deleted and replaced with the following:

§ 52-63. Alcohol and Drug-Free Workplace.

DRUG-FREE WORKPLACE

...

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Borough safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment, except to the extent this policy may conflict with a current collective bargaining agreement (CBA), which CBA shall prevail. The Borough has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers employees of governmental entities*. Applicant testing will begin immediately, and sixty (60) days after the effective date of this Ordinance for all employees who are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

Article X entitled “Alcohol and Drug-Free Workplace,” Section 52-63, Subsection “Drug Educational Information,” shall be deleted and replaced with the following:

§ 52-63. Alcohol and Drug-Free Workplace.

DRUG EDUCATIONAL INFORMATION

Attached to this Policy you will find drug educational information to assist you in recognizing the impairing effects of drug use. The Borough will facilitate employee education on substance abuse and supervise training on how to recognize signs of abuse, how to document and corroborate observations of employee substance abuse, and how to refer substance abusing employees to the EAP.

Section II. Ratification and Affirmation.

In all other respects, the terms, conditions and provisions of Chapter 52 of the Code of the Borough of Maywood are ratified and affirmed.

Section III. Repealer.

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Maywood inconsistent with the provisions of this ordinance is hereby repealed as to said inconsistencies and conflicts.

Section IV. Severability.

If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section V. Effective Date.

This ordinance shall take effect immediately upon final passage and publication according to law.

Date:

APPROVED: _____
Richard Bolan, Mayor

ATTEST: _____
Barbara L. Dispoto, RMC/CMC
Borough Clerk

Introduction-1st Reading

Date:

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilmember Cicarelli			X				
Councilmember Conoscenti			X				
Councilmember Flynn			X				
Councilmember Padovano		X	X				
Councilmember Ullman			X				
Council President DeMuro	X		X				

Adoption-2nd/Final Reading

Date:

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilmember Cicarelli							
Councilmember Conoscenti							
Councilmember Flynn							
Councilmember Padovano							
Councilmember Ullman							
Council President DeMuro							

CERTIFICATION

I, Barbara L. Dispoto, Municipal Clerk of the Borough of Maywood in the County of Bergen and the State of New Jersey do hereby certify that the foregoing ordinance is a true copy of the original ordinance duly passed and adopted on first reading by the Governing Body at the meeting of November 13, 2024.

Date: _____

Barbara L. Dispoto, RMC/CMC
Borough Clerk