# ALPINE MAYOR AND COUNCIL REGULAR MEETING

Wednesday, October 24, 2018 @ 7:30 P.M. Borough Hall - 100 Church Street

### CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting on Wednesday, October 24, 2018 at 7:30 P.M. in the Alpine Borough Hall. The Public Announcement was read and the Pledge of Allegiance recited.

In accordance with the provisions of the New Jersey Open Public Meetings Law, the notice of this Regular Meeting held Wednesday, October 24, 2018 has met the requirements of the law by being published in The Record as part of the Annual Notice, posted on the bulletin board of the lobby in the Borough Hall and a copy filed in the office of the Borough Clerk. This meeting was recorded in its entirety.

#### **ROLL CALL**

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Present
Michael Cacouris, Councilman	<b>Absent</b>	Gayle Gerstein, Councilwoman	Present
John Halbreich, Councilman@7:39am	Present	Laurence Shadek, Councilman	<b>Absent</b>
Arthur Frankel, Councilman	Present		

<u>Staff Present on Dais:</u> Borough Attorney Russ Huntington, Borough Engineer Perry Frenzel, Borough Clerk Stephanie Wehmann

#### **PUBLIC COMMENTS**

**REPORT OF THE FINANCE COMMITTEE** Mayor Tomasko highlighted the report.

Bank Of New Jersey Current Operating Acct \$3,310,337.82

Resolution #168: 10'2018: Approval of Bills and Claims

OFFERED BY: Councilwoman Gerstein SECONDED BY: Councilman Frankel

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October

24, 2018 to approve the bills and claims, a copy of which are appended.

Vote: Ayes: V. Frankel, Gerstein, A. Frankel MOTION APPROVED

#### Resolution #169: 10'2018: Return of Bonds and Escrow

OFFERED BY: Councilwoman Gerstein SECONDED BY: Councilman Frankel

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 24, 2018 to approve the return of the following bonds and escrow subject to review and approval by the Borough Engineer.

BIOCK/LOT	<u>Name</u>	<u>lype</u>	Amount
60/19.03	Kang, Jin Ryeon	Driveway Escrow	\$323.75
49/32	Zaikov, Martin & Lynne	Driveway Escrow	\$132.00
42/3	Kim, Charles & Rosemary	ZBA Escrow	\$588.00

Vote: Ayes: V. Frankel, Gerstein, A. Frankel MOTION APPROVED

Tax Assessor's Report. Report on file.

These minutes have been approved by the Mayor & Council.

#### **MAYOR'S REPORT** The Mayor reported on the following:

- Signs posted regarding upcoming paving of Litchfield Way.
- A reporter informed a NBC Tuesday evening show "This Is Us" uses Alpine as the fictional family's home. Filming is not done in Alpine.
- Closter Dock Road / 9W intersection. Received a resident suggestion to request the County lengthen the Closter Dock Road southbound turning lane to help alleviate traffic congestion. At times during the morning commute traffic backs down all the way to Anderson Avenue.

# Resolution #170: 10'2018: Request County Lengthen Closter Dock Road Turning Lane at Route 9W

OFFERED BY: Councilwoman Frankel SECONDED BY: Councilman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 24, 2018 to request the Alpine Police Chief, Traffic Officer and Borough Engineer communicate a request to Bergen County to lengthen the Closter Dock Road southbound turning lane to help alleviate traffic congestion.

Vote: Ayes: V. Frankel, Gerstein, A. Frankel MOTION APPROVED

 Bells of Peace. Bells will be rung at 11 AM on November 11<sup>th</sup> to commemorate the 100<sup>th</sup> Anniversary of the Armistice of World War I. Alpine can participate by ringing the firehouse bell.

# Resolution #171: 10'2018: Calling For Tolling of the Bells in Remembrance of Those Who Served in World War I on Armistice Day, November 11, 2018

OFFERED BY: Councilwoman Frankel SECONDED BY: Councilman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 24, 2018

WHEREAS, a century ago 4.7 million American families sent their sons and daughters off to World War I;

WHEREAS, men and women from the Borough of Alpine, County of Bergen, State of New Jersey served selflessly and honorably in World War I;

**WHEREAS**, 116,516 Americans gave their lives in the war, and more than 200,000 were wounded:

WHEREAS, the tolling of bells is a traditional expression of honor and remembrance; and

WHEREAS, in November 2018 the world will commemorate the 100th anniversary of the Armistice that ended the fighting in World War I at 11:00 a.m., November 11, 1918 -- the eleventh hour of the eleventh day of the eleventh month;

WHEREAS, on April 6, 2018, the United States World War I Centennial Commission called upon all Americans across the nation to toll bells in remembrance of those who served in World War I on Armistice Day, November 11, 2018;

**NOW THEREFORE, BE IT RESOLVED** that the Borough of Alpine does hereby call upon all Americans across the nation to toll bells in remembrance of those who served in World War I at 11:00 a.m. on November 11, 2018.

Vote: Ayes: V. Frankel, Gerstein, A. Frankel MOTION APPROVED

 Attended EJIF Seminar and provided information on stormwater ordinances to Deputy Clerk Wehmann who will include same on the back of the townwide mailing for pet licenses as part of required public education outreach required by the State.

#### **REPORTS OF THE STANDING COMMITTEES**

Administration Department No report.

**Building Department** Councilman Halbreich advised he was caught in traffic and would arrive late. The report is on file in the Clerk's office.

Department of Public Works Councilman Frankel advised the report is on file.

**Fire Department** Councilwoman Gerstein advised 20 fire companies were represented in the Northern Valley Fire Chief's Parade in Old Tappan last Sunday. All were well recognized and it we are very proud of our fire department. Statistics are available for review.

**Police Department** Councilwoman Frankel reported 9 summonses were issued in September, 5 motor vehicle accidents with 0 injuries. Matthew Kent returned to work full time on October 3rd. He sends his thanks to the Mayor and Council for their support during his recovery. The rest of the report is on file.

Resolution #172:10'2018: Accepting the Reports of the Standing Committees
OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein
at the regular meeting of the Alpine Mayor and Council held on Wednesday, October
24, 2018 to accept the reports of the Standing Committees.

Vote: Ayes: V. Frankel, Gerstein, Halbreich A. Frankel, MOTION APPROVED

## **BOARD OF EDUCATION LIAISON'S REPORT** No report.

**BOROUGH ATTORNEY'S REPORT** No report.

**BOROUGH ENGINEER'S REPORT** Mr. Frenzel summarized updates as follows:

- Litchfield Way paving delayed due to exceptionally wet weather in September but should start this Friday with milling Nov. 1 and paving Nov. 7 weather dependent.
- NJDOT Municipal Aid 2019 for Allison Road was filed with NJSDOT October 5th.

## UNFINISHED BUSINESS NEW BUSINESS

### CONSENT AGENDA RESOLUTIONS Resolutions #173:10'2018 - #178:10'2018

1. Resolution #173:10'2018: Approval of Minutes Regular Meeting September 26, 2018 OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 24, 2018 to approve the minutes of the Regular Meeting October 24, 2018.

Vote: Ayes: A. Frankel, V. Frankel, Gerstein, Halbreich MOTION APPROVED

2. Resolution #174:10'2018: Approval of Minutes Executive Session September 26, 2018 OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 24, 2018 to approve the minutes of the Executive Session Meeting October 24, 2018.

Vote: Ayes: A. Frankel, V. Frankel, Gerstein, Halbreich MOTION APPROVED

3. Resolution #175:10'2018 Authorizing Execution of an Interlocal Agreement for the Maintenance and Repair of Fire Vehicles by and Between the Borough of Paramus and the Alpine Fire Department

OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 24, 2018

WHEREAS, the Borough of Paramus and the Borough of Alpine seek to enter into an Interlocal Agreement wherein the Borough of Paramus will provide labor and maintenance services on Borough of Alpine Fire Department vehicles; and

WHEREAS, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, the governing bodies of the Borough of Paramus and the Borough of Alpine recognize that the implementation of an Interlocal Agreement to provide labor and maintenance services at a cost as set forth in the agreement attached hereto is in the best interest of the taxpayers of the respective municipalities;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Alpine that the Mayor and Borough Clerk are authorized to execute an Interlocal Services Agreement with the Borough of Paramus subject to the approval of the Alpine Borough Attorney.

**BE IT FURTHER RESOLVED** that the Agreement shall commence on January 1, 2019 and end on December 31, 2019.

**BE IT FURTHER RESOLVED** that the Agreement shall take effect upon the execution of same and adoption of Resolutions by both parties as provided by law.

**BE IT FURTHER RESOLVED** that a copy of the Agreement be maintained on file and open to public inspection at the office of the Borough Clerk.

Vote: Ayes: A. Frankel, V. Frankel, Gerstein, Halbreich MOTION APPROVED

 Resolution #176:10'2018: Authorize Rejection and Re-advertisement for Bids for Curbside Recycling Contract

OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 24, 2018

WHEREAS, sealed bids were received for Curbside Recycling Services on September 18, 2018; and

WHEREAS, only one bid was received from Buldo Carting of River Vale, NJ at a price of \$62,400 per year; and

WHEREAS, the Borough has reviewed current marketplace conditions for this service and deemed it to be in the best interest of the Borough to reject this bid to permit revision of their bid specifications;

**NOW THEREFORE BE IT RESOLVED**, that the bid for Buldo Carting is hereby rejected and authorization provided to the Borough Clerk to re-advertise and receive bids for Curbside Recycling Services pursuant to bid specifications as revised and subject to review and approval by the Borough Attorney.

Vote: Ayes: A. Frankel, V. Frankel, Gerstein, Halbreich MOTION APPROVED

### 5. Resolution #177:10'2018: Amending Employee / Supervisor Manuals

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 24, 2018

**WHEREAS**, the Borough of Alpine in conjunction with the Municipal Excess Liability Joint Insurance Fund has developed employee handbooks establishing personnel practices and policies; and

**WHEREAS**, every two years municipalities are required to review and update these employment practices and policies manuals to remain eligible for certain MEL premium and deductible incentives; and

WHEREAS, the Borough of Alpine and the Borough Attorney reviewed the policies and updated certain provisions therein in accordance with the recommendations of the MEL/JIF and Personnel Administrator; and

**NOW, THEREFORE BE IT RESOLVED** that the Borough's Employee Handbook and Managerial/Supervisory Procedures Manual are hereby approved, as amended in accordance with the recommendations of the MEL/JIF and the Mayor and Council. Substantial changes exclusive of grammatical corrections or changes to table of contents and format are provided herein attached as Addendum A for the Borough's Employee Handbook and Addendum B for the Managerial/Supervisory Procedures Manual.

**BE IT FURTHER RESOLVED** that an updated Employee Handbook will be distributed to all employees within the Borough of Alpine and an updated Managerial/Supervisory Procedures Manual will be distributed to all Department Heads.

Vote: Ayes: A. Frankel, V. Frankel, Gerstein, Halbreich MOTION APPROVED

**MOTION APPROVED** 

(Addendums appended to minutes)

6. Resolution #178:10'2018: Authorize Amendment to Lease Agreement with AT&T Wireless OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on October 24, 2018

WHEREAS, the Borough of Alpine entered into a lease agreement dated June 28, 2002 with Cellular Telephone Company, a New York partnership d/b/a AT&T Wireless ("Tenant") on Block 11 Lot 1 for the purpose of installing, operating and maintaining a communications facility and other improvements on Borough property Block 11 Lot 1 Route 9W; and

WHEREAS, AT&T Wireless has expressed a desire to amend their agreement; and

WHEREAS, the Borough has determined that it is in the Borough's best interests to execute an amended agreement with AT&T Wireless.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Alpine does hereby approve the Borough's entering into an amended agreement with AT&T Wireless and further ratifies the execution thereof.

Vote: Ayes: A. Frankel, V. Frankel, Gerstein, Halbreich, MOTION APPROVED

**MOTION APPROVED** 

**End of Consent Agenda** 

**COMMUNCIATIONS: WRITTEN AND ORAL** - None

#### **EXECUTIVE SESSION**

Resolution#179:010'2018: Executive Session <u>A Resolution providing for a Meeting Not Open to the Public</u> in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

OFFERED BY: Councilwoman Frankel SECONDED BY: Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 24, 2018

WHEREAS, the Mayor and Council of the Borough of Alpine is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Mayor and Council of the Borough of Alpine to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b subsection designated below:

(b)(5)Potential Acquisition of Real Property

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, October 24, 2018, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

**BE IT FURTHER RESOLVED**, that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

VOTE: Ayes: Cacouris, A. Frankel, V. Frankel, Gerstein, Halbreich, Shadek MOTION APPROVED

Mayor and Council convened the Executive Session at 7:41 PM and returned to the regular public session at 8:00 PM where they immediately adjourned.

#### ADJOURNMENT

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Frankel and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday October 24, 2018 at 8:00 P.M.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk

#### BOROUGH OF ALPINE Addendum A to Resolution Amending Employee Handbook

Changes to the Employee Handbook:

Table of Contents updated.

Delete 2.D.4.e. Sick Leave in its entirety and replace with....

#### Sick Leave

This policy is based on Borough past practice and P.L. 2018 Chapter 10 The New Jersey Paid Sick Leave Act, which requires all employers, regardless of size, to provide paid sick time to all employees effective October 29, 2018. Refer to the Chapter Law for additional definitions, provisions and rights under the law.

**BENEFIT YEAR**: is the 12 consecutive months during which an employee may accrue earned paid sick leave. Alpine's benefit year shall be the calendar year January 1 through December 31.

**FULL TIME EMPLOYEES:** There is no change in the sick leave policy for full time employees. Full time employees earn sick leave at the rate of 1 day for each month of employment during their first year of employment. Full time employees are eligible to use their earned sick leave beginning on the 60<sup>th</sup> day after employment commences, unless the employer agrees to an earlier date. Subsequently the employee may use earned sick leave as soon as it is accrued. From the beginning of the employee's second calendar year and thereafter, the employee shall earn 1½ days per month totaling 15 days each year. Full time employees only, shall be entitled to credit for one-half the value of unused accumulated sick leave time at the time of retirement not to exceed five days per year. In any given year full time employees only, shall have the option to receive one (1) days salary for each unused sick day during the year up to five (5) days.

PART TIME EMPLOYEES: (includes seasonal, temporary and per diem): Effective October 29, 2019 Part Time employees earn sick leave at the rate of 1 hour for every 30 hours worked up to a maximum of 40 hours per Benefit Year. Employees will be eligible to use their earned sick leave beginning on February 26, 2019 or the 120<sup>th</sup> day after employment commences, whichever is later, unless the employer agrees to an earlier date. Subsequently the employee may use earned sick leave as it is accrued. Accrued but unused earned sick leave shall be carried over to the following Benefit Year, provided that the Borough of Alpine shall not be required to carry over more than 40 hours of unused earned sick leave for a part time employee from one Benefit Year to the next or allow the use of more than 40 hours of earned sick leave by a part time employee in a Benefit Year. The Borough of Alpine, by allowing for the carry over and accrual of earned sick leave subject to the conditions above, shall not be obligated to provide part time employees with payment or other compensation for unused earned sick leave either at the end of the Benefit Year or at the time of retirement, resignation, termination or other separation from employment.

#### **GENERAL REQUIREMENTS AND CONDITIONS:**

MUTUAL CONSENT: Upon the mutual consent of the employee and employer, an employee may voluntarily choose to work additional hours or shifts during the same or following pay period in lieu of hours or shifts missed but shall not be required to work additional hours or shifts or use accrued earned sick leave

**CREDIT FOR UNUSED SICK LEAVE TIME FOR PRIOR SERVICE.** If an employee is terminated, laid, off, furloughed, or otherwise separated from employment, any unused accrued earned sick leave shall be reinstated upon the re-hiring or reinstatement of the employee within six months of termination, being laid off or furloughed or separation and prior employment with the employer shall be counted towards meeting eligibility requirements.

**ADVANCED NOTICE**: Employees are required to provide reasonable advanced notice (not to exceed 7 calendar days) for foreseeable use of leave such as a doctor's appointment and the employee shall make a reasonable effort to schedule use in a manner that does not unduly disrupt the operations of the employer. The employer may prohibit employees from using foreseeable earned sick leave on certain dates. If the reason for use is not foreseeable the employee must give notice of the intention as soon as reasonably practicable (preferably not later than an hour prior to start of shift). For use of earned sick leave of three or more consecutive days, the employer may require reasonable documentation that the leave is being taken for a permitted purpose. For use of earned sick leave of ten or more consecutive working days for the employee's own mental or physical illness, injury or other condition the employer may be required to submit to an examination by a physician designated by the Mayor and Council at the expense of the Borough before being allowed to work.

#### PERMITTED USES: The leave may be used:

- 1. to care for the employee's own mental or physical illness, injury or other condition;
- to care for a family member's mental or physical illness, injury or other condition;
- to obtain legal services, treatment and other counseling in connection with the employee or the employee's family member being a victim of domestic or sexual violence;
- 4. to cover time during which the employer's workplace or the employee's child's school or place of care is closed by order of public officials due to a public health concern; or
- 5. to attend a school-related conference, meeting, function or other event requested or required by the school of an employee's child.

#### Replace C.1.c. with the following to conform to current process

C. WORKPLACE POLICIES

1. Employment Policy

c. Notification of Job Openings

Whenever a new position is created or whenever a vacancy occurs which necessitates the hiring of a new employee the Department Head shall notify the Personnel Administrator and supply the written job description and requirements for the personnel file and for use in creating the personnel advertisement. The Personnel Administrator after consultation with the Mayor and/or Department Commission and Department Head and also the Chief Financial Officer to determine the position is provided for in the salary ordinance and/or appropriate funds are available, shall have the authority to advertise the job opening in a manner most likely to attract qualified candidates or to delegate all or part of this authority to the Department Head. If the latter, the Department Head will provide the Personnel Administrator with copies of all such notices for the personnel file. All notices must state "Alpine is an Equal Opportunity Employer." At a minimum the job opportunity must be posted on the Borough's official Bulletin Board in the lobby of Borough Hall. Other manner of advertising may include but is not limited to posting on the Borough's public bulletin board in the lobby of Borough Hall, advertisement in a newspaper of general circulation either online or in print, use of appropriate online professional job posting boards, group e-mail within the position's professional associations or other local municipal departments. The appointment shall be made to the applicant whose attributes and qualifications best meet the Borough's needs and in compliance with the Americans with Disabilities Act Policy. Preferential treatment shall be given to residents of the Borough of Alpine and children of residents of the Borough of Alpine Copies of all job applications and resumes shall be provided to the Personnel Administrator who shall keep them on file consistent with NJS Department of Records Management quidelines for records retention.

# BOROUGH OF ALPINE Addendum B to Resolution Amending Managerial/Supervisory Procedures

Changes to the Managerial/ Supervisory Procedures Manual:

Table of Contents updated.

#### Amend 1. Employment Procedure by replacing Sections A. Recruitment and C. Interviews as follows:

#### A. Recruitment

Whenever a new position is created or whenever a vacancy occurs which necessitates the hiring of a new employee the Department Head shall notify the Personnel Administrator and supply the written job description and requirements for the personnel file and for use in creating the personnel advertisement. The Personnel Administrator after consultation with the Mayor and/or Department Commission and Department Head and also the Chief Financial Officer to determine the position is provided for in the salary ordinance and/or appropriate funds are available, shall have the authority to advertise or permit the Department Head to advertise the job opening in a manner most likely to attract qualified candidates. All notices must state "Alpine is an Equal Opportunity Employer." At a minimum the job opportunity must be posted on the Borough's official Bulletin Board in the lobby of Borough Hall. Other manner may include but is not limited to posting on the Borough's public bulletin board in the lobby of Borough Hall, advertisement in a newspaper of general circulation either online or in print, use of appropriate online professional job posting boards, group e-mail within the position's professional associations or other local municipal departments. The Borough will undertake to recruit qualified applicants in accordance with applicable Federal and State law (including NJ Dept. of Personnel regulations if position is subject to Civil Service.)

C. Interviews: The Department Head shall consult with the Personnel Administrator for authorization to coordinate the interview process in consultation and along with the Mayor and/or Department Commission and Committee Members (The process includes scheduling of applicants, development of interview questions and standards to measure candidate responses). To participate all interviewers must be familiar with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Borough will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided the accommodation does not impose an unreasonable hardship on the Borough. Alpine is an Equal Opportunity Employer and a Stigma Free Zone.

[Note: no more than 3 (three) governing body members can participate at the same time as that would constitute an open public meeting]

# Delete #3 Open Public Meetings Act Procedure concerning Personnel Matters\* and replace with #3 Open Public Meetings Act Procedure concerning Personnel Matters\*

Discussions by the governing body or any public body concerning the appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee may be held in closed session. Ultimately, the guidance as to notification of employees and the right to have the discussion in executive or open session should be discussed with and be based upon the guidance and advice of legal counsel for the public entity and recent court decisions.

Forms: Replace Notice of Personnel Discussion with updated form

#### Add New #13

**#13 Sick Leave Policy - Supervisor Guidance Regarding** P.L. 2018 Chapter 10 The New Jersey Paid Sick Leave Act, which requires all employers, regardless of size, to provide paid sick time to all employees effective October 29, 2018. Refer to the Employee Handbook and Chapter Law for additional definitions, permitted uses, provisions and rights under the law. Under the provisions of this law:

Employees shall not be required to work additional hours or shifts, or find a replacement worker to cover the hours during which the employee is using earned sick leave.

Employers may not take retaliatory personnel action or discriminate against an employee because he or she attempted or used the sick leave benefits permitted under the Act, or files a complaint with the commissioner alleging the employer's violation of any provision of this law, or informs any other person of their rights under this Act. Employers must keep paid sick leave records for a period of five years. The records must show the hours worked by employees and earned sick leave taken by employees.