

ORDINANCE NO. 2023- 09

ORDINANCE REQUIRING THE REIMBURSEMENT OF EXPENSES INCURRED BY THE CITY OF VINELAND FOR TRAINING, MEDICAL EVALUATIONS, UNIFORMS AND OTHER EQUIPMENT AND EXPENSES FOR NEW EMPLOYEES IN THE EVENT OF SEPARATION FROM SERVICE WITHIN TWO YEARS OF EMPLOYMENT AND AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE AN EMPLOYEE REIMBURSEMENT AGREEMENT.

WHEREAS, the City of Vineland expends a great deal of money in the physical and medical evaluations, training, education and uniforms for new employees to assure the City has the best trained and physically fit employees possible, which training and education makes the employees more valuable to Vineland and other agencies; and

WHEREAS, many times new hires leave the City employ after receiving costly training and education as well as physical and medical evaluations and obtain employment with other agencies both public and private utilizing the training and education garnered at the taxpayers expense; and

WHEREAS, while the City Council finds it understandable for new employees to take positions elsewhere within the first two years of employment in what the employee determines to be in his/her best interest, it is unfair to allow the employee to do so without reimbursing the City for costs and expenses incurred to better train and educate said employee which is done so the employee can provide the City with an exceptional employment future; and

WHEREAS, it is the intent of the City Council to establish a policy setting forth those circumstances that shall require the applicant for employment to reimburse the City for such expenses hereinbefore described.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that all applicants for positions with the City of Vineland shall execute an Applicant Reimbursement Agreement which states as follows:

1. Vineland Police Department Employees
 - A. For all Vineland Police Department employees resigning their position who are then appointed to another county, state, municipal or educational institution police department within 120 days of resignation and that person held a probationary appointment at the time of resignation or held a permanent appointment for 30 days or less prior to resignation shall reimburse and is liable to the City for the total certified costs incurred by the City in the examination, hiring and training of the person as well as costs for uniforms and other equipment which cannot be readily sold to recoup the cost.
 - B. For Vineland Police Department employees resigning their position after 30 days of appointment but less than two years and are appointed to another county, state, municipal or educational institution police department within 120 days of resignation shall reimburse and is liable to the City for one half of the total certified costs incurred by the City in the examination, hiring and training of the person as well as costs for uniforms and other equipment which cannot be readily sold to recoup the cost.
2. All non-Police Department City Employees
 - A. For all non-Police Department employees resigning their position less than two years after appointment and are appointed to a similar position in either the public or private employment which requires said employee to utilize the skills and/or certifications obtained through the City of Vineland shall reimburse and is liable to the City for the total certified costs incurred by the City in the examination, hiring and training of the person as well as costs for uniforms and other equipment which cannot be readily sold to recoup the cost.

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3. Should it become necessary for the City, their agents, assigns and/or employees to incur costs and expenses to retain the services of an attorney to enforce the Agreement, the Applicant agrees to pay those reasonable costs and attorneys fees expended to enforce the terms of the Agreement

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any Ordinance or portion thereof be inconsistent herewith, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk