

WITHHOLDING INCREMENT

Salary increments in guides approved by this board in valid negotiated agreement or policy document are not automatically granted, but are conditioned upon the recommendation of the superintendent as delineated in the policies of the board. In addition, to be eligible for an increment, a certificated staff member on a 10-month contract must have been regularly employed by the board of education since February 1st of the previous school year. In addition to be eligible for an increment, a certificated staff member in a 12-month contract must have been regularly employed by the board of education since January 1 of the previous school year.

The board of education, upon the recommendation of the Chief School Administrator, reserves the right to withhold, for inefficiency or other good cause, the employment increment or the adjustment increment, or both, of any certificated staff in any year by a recorded roll call majority vote of all the members of the board of education.

It shall be the duty of the board of education to give written notice of such action, together with the reasons therefore, to the staff member concerned, within 10 days of said action.

The member may appeal from such action to the commissioner under laws prescribed by him.

It shall not be mandatory upon the board of education to pay any such denied increments in any future year as an adjustment increment.

It is also understood that the withholding of increments is not a term and condition of employment and, therefore, cannot be submitted to binding arbitration except as otherwise stated by law.

Date: April 23, 2009

Legal References:

N.J.S.A. 18A:6-10 et seq~	Tenured Employees Hearing Law
N.J.S.A. 18A:16-2	Physical examination; requirement
N.J.S.A. 18A:16-4	Sick leave; dismissal
N.J.S.A. 18A:28-8	Notice of intention to resign required
N.J.S.A. 18A:29-14	Withholding increments; causes; Notice of appeals

Cross References:

4115	Supervision
4116	Evaluation