

## RESOLUTION FOR THE MINUTES

A Resolution for the Minutes amending the *Administrative Manual – By-Laws, Management and Personnel*.

**WHEREAS**, the Commission periodically amends its *Administrative Manual – By-Laws, Management and Personnel (Bylaws)* to streamline procedures and update personnel policies;

**WHEREAS**, the Executive Director and staff have recommended amendments to the current *Bylaws* at Sections 5.7 A. through 5.7 F. and the addition of an Appendix to amend the Commission's policies regarding health insurance benefits.

**WHEREAS**, the Commission has determined that its best interests are served by the revisions to the *Bylaws* described above; now therefore,

**BE IT RESOLVED** by the Delaware River Basin Commission that:

1. The *Administrative Manual – Bylaws, Management and Personnel* is hereby amended to incorporate the revisions shown in Attachment A.
2. The revised *Administrative Manual – Bylaws, Management and Personnel* shall be effective upon the date of adoption set forth below.

BY THE COMMISSION

ADOPTED: August 26, 2026

# **ATTACHMENT A**

**to the Resolution for the Minutes of August 26, 2025**  
**Amending the *Administrative Manual – By-Laws, Management and Personnel*,**  
**Sections 5.7 A. through 5.7 F.**

# **Administrative Manual BY-LAWS, MANAGEMENT AND PERSONNEL**

**Adopted and Effective December 13, 1961  
Revised through ~~December 5, 2024~~ August 26, 2025**



**Delaware River Basin Commission**

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**Administrative Manual**  
**BY-LAWS, MANAGEMENT AND PERSONNEL**  
**Adopted and Effective December 13, 1961**  
**Revised through ~~December 6, 2023~~ August 26, 2025**

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## CHAPTER 5

### PERSONNEL POLICIES

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**5.7 Fringe Benefits for Employees.** Each type of Commission employee is entitled to the fringe benefits outlined herein:

*5.7 A. Full-Time Probationary and Full-Time Permanent Employees:*

- Social Security
- Unemployment Compensation
- Pension/Life Insurance
- Health Benefits ~~– employee and dependents as provided under the State of New Jersey Health Benefits Program~~
- Dental Program—employee and dependents
- Vacation
- Sick Leave
- Personal Leave
- Franchise Leave
- Approved Holidays
- Special Leave with Pay
- Special Leave without Pay
- Long-Term Disability
- IRC Section 125 health benefits plan options
- State of New Jersey Temporary Disability

*5.7 B. Full-Time Temporary Employees:*

- Social Security
- Unemployment Compensation
- Pension/Life Insurance
- Health Benefits ~~– employee and dependents as provided under the State of New Jersey Health Benefits Program~~
- Dental Program—employee only
- Vacation
- Sick Leave
- Personal Leave
- Franchise Leave
- Approved Holidays
- Long-Term Disability
- IRC Section 125 health benefits plan options
- State of New Jersey Temporary Disability

*5.7 C. Part-Time Temporary Employees:*

- Social Security
- Unemployment Compensation
- Pension/Life Insurance (subject to plan requirements)

~~Health Benefits as provided under the State of New Jersey Health Benefits Program  
Dental Program—employee only (subject to plan requirements)~~

Vacation

~~IRC Section 125 health benefits plan options (subject to plan requirements)~~

State of New Jersey Temporary Disability

State of New Jersey Mandated Sick Leave as required based on length of service

State of New Jersey Mandated Defined Contribution Retirement Plan if not eligible for  
PERS and earns over the state-mandated amount

5.7 D. *Part-Time Probationary and Part-Time Permanent Employees:*

Social Security

Unemployment Compensation

Pension/Life Insurance (subject to plan requirements)

~~Health Benefits as provided under the State of New Jersey Health Benefits Program  
(subject to plan requirements)~~

~~Dental Program—employee only (subject to plan requirements)~~

Vacation

Sick Leave—prorated

Approved Holidays—pro-rated based on scheduled weekly work schedule.

Long-Term Disability

~~IRC Section 125 health benefits plan options (subject to plan requirements)~~

State of New Jersey Temporary Disability

State of New Jersey Mandated Defined Contribution Retirement Plan if not eligible for  
PERS and earn over the state-mandated amount

5.7 E. *Seasonal:*

Social Security

Unemployment Compensation—depending on status of employee

State of New Jersey Mandated Sick Leave as required based on length of service

State of New Jersey Temporary Disability

~~State of New Jersey Mandated Defined Contribution Retirement Plan if not eligible for  
PERS and earn over the state-mandated amount~~

5.7 F. *Description of Benefits.*

1. *Social Security* – as provided by Federal law.
2. *Unemployment Compensation* – as provided by State of New Jersey law.
3. *Pension/Life Insurance* – Membership in the New Jersey Public Employees Retirement System, rules and regulations as promulgated by the State of New Jersey. The Commission will pay the employee the amount of an annual premium on a term life insurance policy equal to one and one-half times the employee's base compensation.
4. *Dental Insurance* – ~~commencing November 1, 2025~~, shall be provided annually from options available through ~~the a health insurance fund established in accordance with N.J.S.A. 40A:10-36 and implementing regulations, rather than through the~~ State of New Jersey Health Benefits Program, in which the Commission participated prior to November 1, 2025. The Executive Director shall establish on an annual basis the level of the Commission's contribution to the dental insurance premiums of active employees and their dependents.

5. *Health Insurance* – ~~shall be as provided by the State of New Jersey Health Benefits Program. Minimum employee contributions are mandated by state law and are based upon the full-time equivalent salary of any employee receiving the benefit. The State of New Jersey Health Benefits Program establishes on an annual basis the level of employee contributions toward the health insurance premiums for active employees and their dependents, commencing November 1, 2025, shall be as provided by the Commission through a health insurance fund established in accordance with N.J.S.A. 40A:10-36 and implementing regulations, rather than through the New Jersey State Health Benefits Program (SHBP), in which the Commission participated prior to November 1, 2025.~~

*Employee Contribution:* Unless and until the Commission adopts further changes, minimum contributions by active and retired employees shall be those in effect for SHBP members as of August 26, 2025, as set forth in Appendix A hereof. These are the contributions established by a New Jersey statute enacted in 2011, known as “Chapter 78,” by which, with limited exceptions, the State imposed a requirement that all public employees who retire after June 28, 2011 and receive employer-paid health benefits must make a minimum standard contribution to the cost of their health insurance premiums. The contributions, expressed as percentages of the applicable premium, are based upon the full-time salary or state pension of the active or retired employee receiving the benefit.

*Retirees:* Since January 1, 2006, the eligibility of current DRBC employees for a health benefit in retirement has been defined by Resolution No. 2005-14, adopted pursuant to N.J.S.A. 52:14-17.38 (also known as “Chapter 48”) for seven classes of eligible retirees. However, the amount of the benefit, expressed in terms of the percentage of health insurance premiums to be covered by the Commission for the retiree, surviving spouse, and dependents, is no longer determined solely by that resolution.

Pursuant to a New Jersey statute enacted in 2011, known as “P.L. 2011, Chapter 78” (also simply “Chapter 78”), with limited exceptions, the State of New Jersey imposed a requirement that all public employees who retire after June 28, 2011 and receive employer-paid health benefits must make a minimum standard contribution to the cost of their health insurance premiums.

DRBC’s transition as of November 1, 2025 from the State Health Benefits Plan to membership in a health insurance fund does not alter the eligibility of DRBC employees for a health benefit in retirement. Eligibility remains as defined by Resolution No. 2005-14, adopted pursuant to the New Jersey law known as “Chapter 48.” The scope of the benefit remains as modified by New Jersey Chapter 78, enacted in 2011, by which minimum contributions were imposed on almost all active and retired employees. When the Commission transitioned from the SHBP to a health insurance fund in 2025, it adopted the minimum employee (active and retiree) contributions in effect at the time, which are set forth in Appendix A. These percentage contributions will remain in effect unless and until the Commission by a duly adopted resolution elects to modify them.

The amount of an individual’s health benefit upon retirement is ~~now~~ thus determined by reference to ~~three key documents~~:

- a. Resolution No. 2005-14, ~~which~~ identifies the seven (7) classes of Commission retirees who are eligible to receive a health care insurance benefit in retirement, and the corresponding Chapter 48 benefit for each.
- b. The Health Benefit Contribution Tables ~~comprising Appendix A hereof, established by Chapter 78~~ establishing the minimum percentage contribution by retirees (as well as by active employees) for their health care benefits.<sup>1</sup> ~~See: <https://www.state.nj.us/treasury/pensions/documents/hb/oe2021/ha0886.pdf>. Where the minimum retiree contribution established by Chapter 78, (and now set forth in Appendix A) exceeds the retiree contribution defined by Resolution No. 2005-14, the Chapter 78 minimum Appendix A controls.~~
- c. The health insurance plan choices and corresponding premiums for any given plan year. ~~establish the benefit amounts from which the employees' percentage contributions are deducted. See: <https://www.state.nj.us/treasury/pensions/hb-retired-shbp.shtml>.~~

The seven classes of DRBC employees eligible for health benefits upon retirement as defined by Resolution No. 2005-14, and the benefits originally assigned them by that resolution ("Chapter 48 benefits") are described below.<sup>21</sup> With the exception of employees in Class 2 however, as of 2025~~4~~ all active DRBC employees who attain eligibility for a health benefit upon retirement ~~will be~~ are subject to the minimum retiree contributions ~~established by Chapter 78, P.L. 2011 of New Jersey set forth in Appendix A.~~

- Class 1: For employees retiring on ordinary disability or accidental disability having met the service requirement established by the Public Employees' Retirement System ("PERS") regulations, the Chapter 48 benefit included 100 percent of the health care premium for the retiree, retiree's surviving spouse, and dependents. ~~However, Chapter 78 (Appendix A) minimum retiree contributions now apply to these benefits.~~
- Class 2: For employees who attained more than 20 years of service credit in PERS prior to January 1, 2006 and who retire with 25 years or more of service credit in PERS, the Chapter 48 benefits consist of 100 percent of health care premiums and Medicare Part B reimbursements for the retiree, retiree's surviving spouse, and dependents. These benefits, "grandfathered" by Chapter 78, are not subject to the minimum retiree contribution requirement.
- Class 3: For employees hired prior to January 1, 2006 who had attained fewer than 20 years of service credit in PERS by that date and who retire with 25 years or more of service credit in the PERS system, including at least 10 years of service with the

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~~<sup>1</sup>To use the linked worksheet and tables, it is necessary to understand: (a) that under New Jersey law concerning pensions and benefits, the Commission is considered a "Local Government Employer" and the Commission's employees, "Local Government Employees"; and (b) that a retiree's "annual retirement allowance" is the amount of the employee's annual pension.~~

<sup>21</sup>In the event of any discrepancy between the narrative furnished here, on the one hand, and the provisions of DRBC Resolution No. 2005-14 and ~~applicable New Jersey's law~~ Chapter 48, on the other, the resolution and state law are controlling.



Commission, the Chapter 48 benefit consisted of 100 percent of the health care premium for the retiree, retiree's surviving spouse, and dependents. **However,** Chapter 78 (**Appendix A**) minimum retiree contributions now apply to these benefits.

- Class 4: For employees hired on or after January 1, 2006 who retire with 25 years or more of service credited in the PERS system, including at least 10 years of service with the Commission, the Chapter 48 benefit consisted of 100 percent of the health care premium for the retiree and 50 percent of the premium for the retiree's surviving spouse and dependents. **However,** Chapter 78 (**Appendix A**) minimum retiree contributions now apply to these benefits.
- Class 5: For employees hired prior to January 1, 2006 who retire at age 62 or older after 15 or more years of service with the Commission, the Chapter 48 benefit consisted of 100 percent of the health care premium for the retiree and 75 percent of the premiums for the retiree's surviving spouse and dependents. **However,** Chapter 78 (**Appendix A**) minimum retiree contributions now apply to these benefits.
- Class 6: For employees hired after January 1, 2006 who retire at age 62 or older with 15 or more years of service with the Commission, the Chapter 48 benefit consisted of 100 percent of the premium for the retiree and 50 percent<sup>3</sup> of the premiums for the retiree's surviving spouse and dependents. **However,** Chapter 78 (**Appendix A**) minimum retiree contributions now apply to these benefits.
- Class 7: For employees in the positions of Executive Director and Deputy Executive Director who retire after 15 years or more of service with the Commission at age 62 or older *or* who retire with 25 years of credit in the PERS system and at least 10 years or more of service with the Commission, the Chapter 48 benefit consisted of 100 percent of the premium cost for the retiree, spouse and dependents. **However,** Chapter 78 (**Appendix A**) minimum retiree contributions now apply to these benefits.

Not all those eligible for a pension under PERS will necessarily receive a health benefit in retirement. Retirees who do not meet the criteria for any of the seven classes defined in Resolution No. 2005-14 are not eligible for DRBC health benefits upon retirement.

6. *IRC Section 125 Health Benefits Plan Options* – Section 125 of the Federal Internal Revenue Code allows an employee the opportunity to set aside before-tax dollars to pay for qualified medical, dental and dependent care expenses. The Executive Director is authorized to establish Section 125 health benefits plan options as the Executive Director deems appropriate. ~~The available options are outlined in the Employee Handbook.~~

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<sup>3</sup>~~The version of the amended *Bylaws, Management and Personnel* (“*Bylaws*”) furnished to the Commissioners prior to their adoption of the amended rules in December 2021 described the Chapter 48 health care benefit for a surviving spouse and dependents of retired Class 6 employees as “75 percent” of the premium cost. As set forth in the “Resolution Addendum – Chapter 48, P.L. 1999” attached to Resolution No. 2005-14, Chapter 48 actually defined this benefit as 50 percent of premium cost. The clerical error in the approved *Bylaws* has been corrected.~~

# **APPENDIX A**

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State Health Benefits Program

**PERCENTAGE OF PREMIUM CALCULATION CHARTS**

For Health Benefit Contributions under P.L. 2011, c. 78

**LOCAL GOVERNMENT EMPLOYEES**

Annual Salary or Pension	Single	Member/Spouse/Partner or Parent/Child	Family
Less than \$20,000	4.5%		
Less than \$25,000		3.5%	3%
\$20,000 - \$24,999.99	5.5%		
\$25,000 - \$29,999.99	7.5%	4.5%	4%
\$30,000 - \$34,999.99	10%	6%	5%
\$35,000 - \$39,999.99	11%	7%	6%
\$40,000 - \$44,999.99	12%	8%	7%
\$45,000 - \$49,999.99	14%	10%	9%
\$50,000 - \$54,999.99	20%	15%	12%
\$55,000 - \$59,999.99	23%	17%	14%
\$60,000 - \$64,999.99	27%	21%	17%
\$65,000 - \$69,999.99	29%	23%	19%
\$70,000 - \$74,999.99	32%	26%	22%
\$75,000 - \$79,999.99	33%	27%	23%
\$80,000 - \$84,999.99		28%	24%
\$80,000 - \$94,999.99	34%		
\$85,000 - \$89,999.99			26%
\$85,000 - \$99,999.99		30%	
\$90,000 - \$94,999.99			28%
\$95,000 and over	35%		
\$95,000 - \$99,999.99			29%
\$100,000 and over		35%	
\$100,000 - \$109,999.99			32%
\$110,000 and over			35%

**Note:** Member contribution is a minimum of 1.5% of base salary towards Health Benefits.