

GOVERNANCE & OPERATIONS

FILE CODE: GO/3515E1

PERSONNEL
FACILITIES, EQUIPMENT, AND MATERIALS USE

EQUIPMENT USE AGREEMENT

This "*Equipment Use Agreement*" is between _____ "employee" and New Jersey School Boards Association (NJSBA), "employer".

NJSBA and employee, for good, valuable and mutual consideration, the receipt and sufficiency of which are acknowledged, agree as follows:

1. Equipment. NJSBA assigns to employee the use of the equipment listed on the attached (Equipment Assigned, page three).
2. Period of Possession. The term of this Use Agreement commences on the date the equipment is received and terminates on the date of separation.
3. Altering or Defacing Equipment. Employee will not alter, disfigure, or cover up any numbering, lettering, or insignia displayed on the equipment.
4. Maintenance and Repair. NJSBA agrees to keep the equipment in good repair and operating condition. Expenses of repair will include labor, material, parts, and similar items for normal, reasonable wear and tear.
5. Use. Employee agrees that the equipment will not be subjected to unnecessarily rough usage, that it will be used in accordance with its design, and that its use will conform to all applicable laws, NJSBA board policies, and regulations. Employee agrees not to allow the use of the equipment for illegal purposes or for operating employee's own or another's personal or commercial business.
6. Loss or Damage. Employee will indemnify NJSBA against all loss or damage to equipment during the use period for all incidents which occur outside of the employee's regular or assigned work sites. If any item of equipment is destroyed or lost under these circumstances, employee's liability will be the reasonable market value if the equipment as of the date of loss.
7. Inspection by NJSBA. NJSBA will have the right at any time to inspect equipment listed under this Agreement.
8. Title. Title to the equipment will at all times remain with NJSBA unless transferred to employee by sale. Employee will give NJSBA immediate notice of any claim, levy, lien or legal process issued against the equipment. The equipment is and will remain for the term of this use agreement personal property, notwithstanding any attachment of it or part of it to real property or improvements on such real property.
9. Insurance. Employee will, at their own expense, maintain liability and fire insurance and such other insurance as necessary for employee's protection and protection of the equipment. Failure to carry such insurance will not relieve employee of liability as provided for in this Use Agreement.

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10. Assignment or Subletting by Employee. Employee will not assign this Use Agreement or any equipment under the Use Agreement, or any interest in the Use Agreement or equipment, without employer's written consent. Employee will not give or provide any part of the equipment to unauthorized users under the Use Agreement without employer's written consent.

11. Surrender of Equipment at End of Use Agreement. Employee agrees on termination of this Use Agreement or at the request of NJSBA to deliver the equipment at employee's own expense, in good condition, allowing for reasonable wear and tear, and free and clear of encumbrances, to 413 West State Street, Trenton, NJ 08618 or to such other location as NJSBA may designate which would not increase the cost of delivery.

12. Entire Agreement. This Agreement embodies the entire agreement between the parties. It may not be modified or terminated except as provided in this Use Agreement or by other written agreement. If any provision of this Use Agreement is invalid, it will be considered deleted from this Agreement, and will not invalidate the remaining provisions.

Dated: _____

Employee Signature: _____

Address: _____

Employee Work Phone No.: _____

Employee Home Phone No.: _____

New Jersey School Boards Association

Approved by: _____
Director of Finance

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