

Township of Maplewood EMPLOYEE HANDBOOK



TOWNSHIP OF MAPLEWOOD, NEW JERSEY
EMPLOYEE POLICY HANDBOOK

DISCLAIMER OF EMPLOYMENT CONTRACT

The Township of Maplewood (the "Township") has prepared this Employee Policy Handbook to summarize many of the Township's policies, procedures and benefit programs. No handbook can anticipate every circumstance or question about policies or procedures. The Township reserves the right to revise, add to or delete from any policy or portion of this handbook at any time, as it deems appropriate, in its sole discretion with or without prior notice to employees. This handbook replaces any prior written and/or oral communications about the subjects contained in it.

Except where otherwise provided by collective negotiations agreement or statute, employment with the Township is at-will, which means that it is for no definite period, and may be terminated by either the employee or the Township at any time, with or without cause, prior notice or procedural requirements. Neither this handbook, nor any Township policy, procedure nor communication (with the exception of collective negotiations agreements) shall create any right for any employee or guarantee employment for any period of time, except as otherwise required by law. No representative of the Township may enter into any agreement or make any representations to alter this status or otherwise create contractual obligations. Only the Township Committee may enter into binding commitments, and only when such commitments are in writing and adopted by the Township Committee pursuant to law.

This handbook has been written so as not to conflict with the collective negotiations agreements between the Township and its unionized employees. In the event that provisions of this handbook conflict with any provisions of a collective bargaining agreement entered into by the Township, the provisions of the collective bargaining agreement shall govern for represented employees.

This handbook, which replaces all previously issued handbooks and policy statements, is provided only as a matter of reference and is not an employment contract.

Dated: January 15, 2019

TOWNSHIP OF MAPLEWOOD, NEW JERSEY
EMPLOYEE POLICY HANDBOOK
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**TOWNSHIP OF MAPLEWOOD, NEW JERSEY
EMPLOYEE POLICY HANDBOOK
INTRODUCTION**

It is the policy of the Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Township shall apply to all employees, volunteers, elected or appointed officials and independent contractors. In the event there is a conflict between these rules and any collective negotiations agreement, personnel services contract, or Federal or State law, including the Attorney General's guidelines with respect to Police Department personnel matters, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail. This handbook has been prepared to inform employees about the benefits provided to them and the conduct expected from them. Employees have to work as a team to make the Township run smoothly, The Township is constantly finding new and better ways to communicate intra - and inter-departmentally. Thus, the Township is willing to entertain any suggestions employees may have to accomplish a higher level of performance. Additionally, no employee handbook can answer every question, nor would the Township want to restrict the normal question and answer interchange among employees and administration. It is those person-to-person conversations that can help employees better know each other, express their views and work together in a harmonious relationship.

We hope this handbook will help employees feel comfortable with the Township. The Township relies on its employees. An employee's success is the Township's success. Please do not hesitate to ask questions. Department Heads are here to gladly answer them. The Township believes that through this open communication employees will enjoy their work and work environment here, as well as find the Township of Maplewood a good place in which to work.

The Township asks that employees read this entire handbook carefully and refer to it whenever questions arise. Employees may wish to take the handbook home so that their families can become familiar with the Township of Maplewood and the Township's policies as well.

This Handbook is intended to provide guidelines covering public service by Township employees and is not a contract. This handbook contains many, but not necessarily all, of the rules, regulations, and conditions of employment for Township personnel. The provisions of this handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Township.

To the maximum extent permitted by law, the employment practices of the Township shall operate under the legal doctrine known, as "employment at will." Where not prohibited by Federal and State law and any applicable collective negotiations agreement, the Township shall have the right to terminate an employee at any time and for any reason, with or without notice. The Township shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.

Chapter 1

GENERAL INFORMATION, PURPOSES, DEFINITIONS

Declaration of Purposes

It is the purpose of this handbook to communicate the Township's policies in a clear and comprehensive fashion to maximize the efficiency and orderliness of operations. It is further intended, by the adoption and periodic amendment of these policies and procedures that they serve as a reference for employees in their routine work activities.

The provisions of these rules shall apply to all employees of the Township of Maplewood. However, in the event that provisions of this handbook conflict with any provisions of a collective bargaining agreement entered into by the Township, the provisions of the collective bargaining agreement shall govern as to represented employees.

Adoption and Amendments

The Township Committee hereby declares this to constitute the employee handbook of the Township of Maplewood, New Jersey. This handbook replaces all previously issued personnel handbooks and policy statements.

Amendments to this handbook of personnel policies and procedures are at the sole discretion of the Business Administrator.

Distribution of Personnel Policy and Amendments

Copies of this handbook, and the amendments thereto, shall be distributed to all employees of the Township of Maplewood. The individual employees are responsible for reviewing and attaching all Township-issued amendments to their individual copies of the handbook.

Notice of "Employee At-Will"

The employment relationship is "at-will employment," which means that regardless of anything contained in the handbook and regardless of any custom or practice, the Township makes no promises and remains free to change policies, benefits, and all other working conditions without having to consult anyone or obtain anyone's agreement. Just as any employee has the right to terminate his or her employment for any reason, the Township of Maplewood retains the absolute power to discharge anyone at any time, with or without cause, and without prior notice.

The at-will relationship can only be changed by a written document that (1) is signed by both the Township and the employee, (2) specifically identifies the employee, (3) expressly states that the employee is not employed at-will, and (4) sets forth a specific duration of employment. No person other than the Business Administrator has the authority to adopt new policies or to change or eliminate existing ones, in writing, and no other person than the Business Administrator or Township Committee has the authority to make any commitment that modifies or contradicts any provision contained in this handbook.

Equal Employment Opportunity

It is the policy of the Township of Maplewood to afford equal employment opportunity to all applicants of employment and all employees. There shall be no discrimination against any applicant or employee on the basis of sex, sexual or affectional orientation, gender or gender identity or expression, race, creed, color, religion, national origin, ancestry,

age, marital or political status, atypical hereditary or cellular blood trait, disability or handicap, domestic partnership or civil union status, sexual orientation, pregnancy, childbirth, medical condition related to pregnancy or childbirth, genetic information or refusal to submit to a genetic test, or any other class protected by federal, state or local law or regulation.

This policy shall be applied to all phases of employment, including, but not limited to, recruitment, selection, appointment, placement, promotion, and working conditions. Furthermore, this policy applies to any personnel action, including, but not limited to, layoffs, recalls, discharge, disciplinary actions, and performance evaluations.

Any employee or job applicant who feels they have been treated unfairly has the right to address their concern per the grievance procedures explained in this handbook. In the case of an employee covered by a collective bargaining agreement that has a grievance procedure, the grievance procedure of that union contract shall prevail.

Americans with Disabilities Act (ADA) Policy

The Township is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”) and the New Jersey Law Against Discrimination (“NJLAD”). It is the Township’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability, so long as the individual can perform the essential functions of his/her job with or without reasonable accommodation. Consistent with this policy of nondiscrimination, the Township will provide reasonable accommodations to a qualified individual with a disability to allow him or her to perform his or her job. Accommodations will be made to employees and applicants who have made the Township aware of their disabilities, provided that such accommodation is reasonable and does not constitute an undue hardship on the Township.

The Township will also endeavor to make every work environment handicap accessible and all future construction and renovation of facilities will be made in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines.

The Township shall initiate an interactive dialogue with disabled employees and applicants to identify reasonable accommodations that do not create a hardship on the Township. Accommodations may include modifications to facilities, equipment and work procedures, auxiliary aides, services and permanent reassignment to vacant positions. Employees who are reassigned to a different position shall receive the salary of their new position. Accommodations shall not be unduly expensive, extensive and disruptive or fundamentally alter the nature of the operation or otherwise cause undue hardship. The Act does not require the Township to offer permanent “light duty”, relocate essential functions or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc. To be eligible for accommodations, individuals must (1) be able to perform the essential function of the position with the accommodation, (2) not create a direct threat to the health or safety of themselves, co-employees or the public, and (3) be otherwise qualified for the position in that they possess the prerequisites including education, experience, training, skills, licenses or certificates and other job-related requirements. All decisions with respect to accommodations shall be made by the Business Administrator

Reasonable Accommodations for Pregnant Employees Policy:

It is the policy of the Township to make available to pregnant employees reasonable accommodations in the workplace such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules and temporary transfers to less strenuous or hazardous work when requested by the employee unless the Township can show that such accommodations

would cause an undue hardship on its operations. Accommodations may include leave under the same conditions as offered to employees not pregnant who need accommodations based on a similar inability to work due to a disability.

Pregnancy for purposes of this policy shall mean pregnancy, childbirth or medical conditions related to pregnancy or childbirth including recovery from childbirth.

Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986, each new employee hired after November 6, 1986, as a condition of employment, must complete the Employment Eligibility Verification form I-9 and present documentation establishing identity and employment eligibility. Former employees who are re-hired must also complete the form if they have not completed an I-9 with the Township of Maplewood, if it has been over three years from the date of prior termination, or if the Township does not have the prior I-9 form on file.

Posting of Employee Notices

It shall be the policy of the Township of Maplewood to post in a conspicuous location within the Municipal Building, 574 Valley Street, Maplewood, New Jersey, and in additional buildings where employees are located, all employment notices and/or posters required to be posted by law, including, but not limited to, notices of the U.S. Department of Labor, the Equal Employment Opportunity Commission, the New Jersey Division of Civil Rights, and the New Jersey Department of Labor.

Relationship to Other Agreements

This handbook includes the policies and procedures which govern and affect personnel administration for all departments within the jurisdiction of the Township of Maplewood, except to the extent that binding union agreements, Township ordinances and regulations adopted pursuant thereto, other contractual agreements entered into by the Township of Maplewood, or state or federal statutes, rules or regulations otherwise provide, the provisions of said statutes, rules, regulations, ordinances, and agreements shall prevail.

This handbook is not intended to abrogate, supersede, or conflict with:

Statutes of the United States or the State of New Jersey;

Rulings formulated by the New Jersey or United States Courts which have not been overruled; or

Contracts negotiated on behalf of employees of the Township of Maplewood by recognized labor unions.

Role of Business Administrator

The Business Administrator is the chief administrative, personnel, and purchasing officer. He or she is responsible for developing, promulgating, and implementing sound administrative and personnel practices and procedures for all departments, offices, boards, commissions, employees, and other entities of the Township.

The Administrator shall study, revise as necessary, implement, and enforce the policies and procedures of the Township. The Assistant Township Administrator shall assist the Business Administrator in such duties regarding the personnel policies and procedures.

The Administrator, serving as personnel officer, shall maintain sound personnel practices

and appropriate records of all employees. The Administrator shall have the authority to hire employees and to implement disciplinary actions such as probation, suspension and discharge of an employee from service, or may delegate these responsibilities to a Department Head.

Department Heads

A department is an agency, office, or operational unit of the Township, consisting of one or more employees, A Department Head is a Township official with designated responsibility for the operation of a particular Township department. The Department Heads are responsible for ensuring that work performed by employees in their respective departments is conducted efficiently and economically, and that the rules, regulations, and policies are complied with in their respective departments.

The following positions shall be considered Department Heads:

| | |
|-----------------------------------|--------------------------------|
| Chief Financial Officer | Township Engineer |
| Chief of Police | Director of Public Works |
| Fire Chief | Municipal Court Administrator |
| Library Director | Director of Community Services |
| Township Clerk | Tax Assessor |
| Director of Community Development | |

In addition, some departments may have a Division Manager or Assistant Department Head position, The Department Head may authorize that person to have supervisory responsibilities over the operations, workload, and employee supervision in the Department Head's absence. This delegation of responsibility will be made clear to both the Assistant Department Head, Division Manager and staff in that particular department upon the provision of such responsibility.

Department Management

Each separate and identifiable department of the Township may develop, implement, and revise as necessary such policies, procedures, and rules pertaining to unique operational requirements and their effect upon department employees as are needed for efficient and effective performance of the department. Such policies, procedures, and rules should not conflict with the policies and procedures represented in this handbook, or amendments thereto, and must therefore be approved by the Business Administrator prior to implementation. Where conflicts may arise, the policies and procedures contained in this handbook will prevail.

Employee Categories

Depending on their hours of work and the nature of their work and responsibilities, employees are classified on the following basis:

Probationary: Full-time or part-time employees in their first year of employment. This Probationary Period should be used by the new employees to determine if the job and the Township meet their expectations. This period will be used by the Township to evaluate the employee's initial suitability for the position.

Regular Full-Time: Employees (other than temporary) who are assigned to regularly work

thirty (30) hours or more per week; or in the case of Library employees, those who are assigned to work twenty-five (25) hours or more per week. No guarantee of a minimum number of hours per week is created or implied.

Regular Part-Time: Employees (other than temporary) who are assigned to regularly work fewer than thirty(30) hours per week; or in the case of Library employees, those who are assigned to regularly work fewer than twenty-five (25) hours per week. No guarantee of a minimum number of hours per week is created or implied.

Temporary: Employees who are hired for a specific period of time; or for a short, indeterminate period; or for a specific project or task, usually of limited duration; or as an interim replacement. Temporary employees are not eligible for Township benefits unless otherwise required by law. The status of an employee who was hired in this category will not necessarily change if the employment continues beyond the period originally contemplated. No guarantee of available work is created or implied beyond the ending date of the current work assignment.

In addition to the preceding categories, employees are also classified as "exempt" or "non-exempt."

Exempt Employees: Employees in certain executive, administrative, professional, or outside sales positions, as defined by law, who are exempt from the overtime pay provisions of the State and Federal Law.

Non-Exempt Employees: Employees required to be paid overtime at the rate of one and one-half times their regular hourly rate of pay for all hours worked beyond forty (40) hours in one workweek in accordance with State and Federal wage and hour laws.

Chapter 2 EMPLOYEE SELECTION

Position Established

The Township Committee has the authority to establish new positions or eliminate positions. A Department Head and the Business Administrator may recommend the addition or elimination of a position, but the action to do so is at the discretion of the Township Committee.

Employee Orientation

Starting a new job can be overwhelming and complex for anyone. The Township wants to ensure that new employees feel welcomed and are acclimated to their work tasks and environment in the most amenable and efficient way.

During each new employee's first week, the Human Resources Administrator, designated supervisor or Department Head will conduct a thorough orientation of the employee on such matters as the Township's organization and functions; the employee's role in helping to achieve the Township and department objectives; the employee's role in helping to achieve the Township and department objectives; the employee's job content and scope; training, performance and evaluation standards, promotional opportunities; workplace safety; and any other matter of departmental importance. Departmental orientations are to be recorded on the prescribed orientation form, initialed by the person administering the orientation, and placed in the employee's personnel file as a permanent record.

Within the new employee's first week of employment, personnel staff will provide an additional orientation consisting of the completion of employment forms and records: an explanation of the Township's compensation and benefit programs and personnel

policies; and any other information as determined appropriate to the employee's orientation and integration into the Township's service.

After one month of employment, the Human Resources Administrator or Assistant Business Administrator may follow up with the new employee to assess how the training and orientation is progressing. Any feedback from new employees on how to improve the process is welcomed at this follow up session.

Physical Examinations

For employment in specific police, fire, and public works positions, a new employee shall be required, prior to commencing employment, to successfully pass physical and psychological examinations and a drug test to assure that the work required to be performed will not cause injury to the employee and that the person is fit to meet the requirements of that job.

Periodic physical examinations and drug testing may be required thereafter for such employees.

Said physical examinations and drug testing will be at the expense of the Township and shall be made by a physician designated by the Township.

Probationary Period

The probationary period is an intrinsic part and extension of the employee selection process, during which the employee will be considered in training and under careful observation and evaluation by supervisory personnel. Generally, this period will be utilized to train and evaluate an employee's effective adjustment to work tasks, conduct, observance of rules, attendance, and job responsibilities.

All regular full-time and part-time employees shall be considered probationary until the successful completion of a 6-month employment period. A 3-month intermittent evaluation shall also take place so as to provide proper feedback prior to the 6-month probationary period. Successful completion shall be determined by a written probationary performance evaluation from the employee's Department Head and review of the evaluation with the employee. The written probationary performance evaluation will be maintained in the employee's personnel file.

The completion of the Probationary Period shall not guarantee employment for any specific period of time, nor guarantee any level of benefit to any employee. All employees, regardless of whether they have finished their Probationary Period are deemed at-will.

Personnel Records

The Township maintains a personnel file on each employee. Generally, the contents of the file include the job application, reference letters, salary history, benefits records, discipline records, performance evaluations, and general correspondence. Official personnel files are maintained in the Township Administration Office. An employee may review his or her personnel file by appointment during regular business hours. Copies of documents already signed by the employee may be obtained upon request. Employees shall have the ability to review and to respond in writing to any complaint, negative report, or disciplinary action. The employee's response shall be placed in the personnel file.

Job Descriptions

Job descriptions assist a Department Head in the hiring and evaluation of employees for

specific positions. Job descriptions for positions are on file at the Business Administrator's office for review and copies may be made available upon request.

Chapter 3 COMPENSATION & SALARY

Scope:

These policies cover non-union employees and union employees to the extent that their collective negotiations agreements do not cover these issues.

Forms of Compensation

Wage/Salary

The range a position is to be compensated, either on a salary or hourly wage basis, is determined by the Township Committee, by ordinance or resolution. The Business Administrator determines the starting salary of an employee upon hire.

Increase in Pay

Annual increases in compensation are at the discretion of the Township Committee. Employees who are hired after July 1st of any calendar year shall not be eligible to receive an annual increase until the January after they have completed their first full year of employment. For example, an employee hired on September 15, 2000 would not have received an annual increase until January 1, 2002.

Compensatory Time

Compensatory time is only afforded to specific positions, due to the nature of those positions. If an employee is eligible for compensatory time, he or she will be notified of such and at what rate upon hire, as approved by the Business Administrator.

Pay Period

For the purpose of determining wages and salaries due, the workweek is established as Monday through Sunday. Paydays are every other Friday. If, however, a payday falls on a holiday, the payment will be issued on the day preceding the holiday, whenever possible.

Last Paycheck For Employees

When employment ends, the Township will pay the employee the remaining earned wages or salary, in accordance with Township policy or the requirements of a collective negotiations agreement or as required by law. If any paid leave is due to the employee upon termination of employment, the balance due will be paid in the Employee's final paycheck as required by law..

Working Hours

Listed below is the normal number of hours of work per week for regular full time employees:

- Custodians - 40 hours
- Mechanics - 40 hours
- Municipal Building Employees - 32.5 hours
- Municipal Court Employees - 35 hours
- Parking Enforcement Officers - 35 hours
- Police Department Clerical Employees - 35 hours
- Police Officers - 40 hours
- Firefighters - 91 days at 24 hours each per year (average 42 hours per week)
- Public Works Employees - 40 hours
- Library Employees - 35 hours

Due to the nature of some positions, there may be additional or varied hours to this schedule on a case-by-case basis due to meeting, shift, night programs, Jitney, mechanic issues, THI, Records Bureau Clerk for Court night, and emergency requirements. In addition to the normal hours per week listed above, Municipal Building employees may be required to work evening hours beyond their normal day shift of 9:00 a.m. to 4:30 p.m. Monday through Friday. Evening hours shall be twice per month from 4:30 p.m. to 7:00 p.m. on the first and third Tuesdays of the month from September through May. On the days employees are scheduled to work the evening shift, they will be granted an unpaid dinner break from 4:00 p.m. to 4:30 p.m. These evening hours shall be suspended during the months of June, July and August.

Employees are to work up to the end of their shift to serve the public. They are not to collect belongings, shut down computers, etc. until that point in case a customer comes toward the end of the shift for assistance.

The Township retains the right to revise the hours of operation to the extent permitted by law.

Attendance and Punctuality

Consistent attendance and punctuality are considered imperative ingredients in the Township's business operation, and therefore an integral part of each employee's performance standards based on objective measurement. Employees are expected and required to be in attendance, prepared to commence work activities at designated work locations, days, and assigned hours. Employees are also expected to remain at work for the entire work period, excluding any allotted rest and meal periods. Arriving on time is part of teamwork, because public hours are advertised and other employees having to compensate for late co-workers puts undue burden in the workplace, late arrival and early departure, are disruptive and should be avoided.

PTO time can be taken in increments of no less than one half day. A half day is defined as half the number of hours you are scheduled to work on that particular day.

Overtime Compensation Policy

Overtime Pay

Non-exempt employees are entitled to earn overtime at the rate of time and one-half their regular hourly rate of pay over 40 hours in a workweek unless otherwise provided by collective negotiations agreement. (Note that police and firefighters may be paid overtime on a different schedule pursuant to federal law if they work a period of between 7 and 28 days and the schedule is created by resolution/ordinance and is consistent with the police and fire negotiations agreements. This is referred to as the 7(k) exemption.) Lunch breaks are not considered as hours worked to calculate overtime. Holiday time, vacation time, sick leave, and personal days are not considered "time worked" for the computation of overtime.

Exempt employees who are paid on a salary basis under the Federal FLSA, do not earn overtime at the rate of time and one-half for hours worked over 40 in a workweek. Exempt employees also are not entitled to earn compensatory time. Exempt employees are paid their salary for any workweek in which they perform any time, subject to limited exceptions. If an exempt employee's pay has been subject to deduction, the employee should advise his or her Director as soon as possible so that any deduction that was made by mistake can be reimbursed to the employee as soon as possible, and procedures put in place to make sure such errors do not happen again.

Exempt employees are expected to work all hours necessary to get their jobs finished. The Township need not pay the exempt employee any additional compensation or provide any compensatory time.

Overtime Schedule

All overtime hours must be authorized in advance by the Department Head, with the exception of emergencies and maintenance-related overtime hours. This pre-authorization applies to all time worked before the scheduled starting time, during any regularly scheduled break periods (i.e., lunch), and any time worked after the scheduled shift ending time. Taking work home or away from the work site is prohibited unless authorized in advance by the Department Head. Violation of this "prior authorization" policy may result in disciplinary action, up to and including termination. Overtime distribution for each overtime project or incident is dependent on the project, department, collective bargaining agreement requirements, and the job skill needed.

While overtime requirements will be satisfied on a voluntary basis where possible, Township management reserves the right to require employees to work scheduled overtime as business needs dictate. Employees are expected to work required overtime hours unless an exemption is authorized in advance by the Department Head. Notice of scheduled overtime will be given as far in advance as possible. Qualified persons within the affected department will be offered the initial opportunity to work any scheduled overtime hours. If more persons are needed, the opportunity will be offered to qualified employees from the remainder of the Township.

DONATED LEAVE POLICY:

The following program has been established by Resolution No. 206-18 to support an employee who has exhausted his or her sick leave due to an extended illness.

- A. An employee shall be eligible to receive donated sick or vacation leave if the employee:
 - 1. Has completed at least one year of continuous Township service;
 - 2. Has exhausted all other accrued paid time off, including sick, vacation and personal time, all workers compensation injury leave and, if any, all compensatory time off; and
 - 3. Is suffering from a catastrophic health condition or injury which necessitates the employee's prolonged absence from work and for which the employee has no availability of paid leave.
- B. For purposes of this section, a "a catastrophic health condition or injury" shall be defined as consistent with the Family and Medical Leave Act and all other applicable laws.
- C. An employee shall be eligible to donate up to 10 days of sick or vacation leave to another employee if the donating employee:
 - 1. Has remaining to his/her credit following any donations at least 5 days of accrued sick leave, if donating sick leave or 5 days of accrued vacation, if donating vacation leave; and
 - 2. Has not solicited nor accepted anything of value for the donation.

- D. Donating of time is limited by each union where PBA can be donated to PBA, FMBA can be donated to FMBA, CWA Township of Maplewood can be donated to CWA Township of Maplewood SOA can be donated to SOA, Teamsters Local 125 can be donated to Teamsters Local 125, and the UCT&IL 621A can be donated to UCT&IL 621A. In addition, for non-union employees, including but not limited to the Library Director and Assistant to the Library Director, they may donate among other non-union employees.
- E. Leave time may only be donated in full day increments.
- F. A Township employee may request to participate in this program by contacting the Business Administrator at 973-762-8120, ext. 2000. A supervisor may also initiate this process on behalf of the employee. The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the Business Administrator medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the catastrophic health condition or injury.
- G. The Township may deny any employee's participation in the leave program on the basis of operational hardship, and decisions regarding eligibility will be made on a case by case basis. When approved, leave under this program shall run concurrently with leave provided under state and federal leave laws, including but not limited to the Federal Family and Medical Leave Act, the New Jersey Family Leave Act, and the New Jersey Paid Family Leave Act.
 - 1. A leave recipient must receive at least five sick days or vacation days, or a combination thereof, from one or more leave donors to participate in the donated leave program. A leave donor shall donate only whole sick days, or whole vacation days, and may not donate more than ten (10) such days per year to any one recipient.
- H. Donations may not be used on a retroactive basis.
- I. A leave donor shall not revoke the leave donation.
- J. While using donated leave time, the leave recipient shall accrue sick leave and vacation leave and be entitled to retain such leave upon his or her return to work.
 - 1. Any unused, donated leave shall be credited to the recipient when approved and shall not be returned to the donor under any circumstances.
 - 2. The donor's leave time will be reduced by the number of days which are to be donated.
 - 3. Upon retirement, the leave recipient shall not be granted supplemental compensation for any unused sick days which he or she had received through the leave donation program.
- K. Employees may not use donated leave time to extend a leave beyond a period of one year, inclusive of the employee's own leave time.
- L. Employees shall be strictly prohibited from threatening or coercing, or attempting to threaten or coerce another employee for the purposes of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment, promotion or compensation or

making a threat to engage in, an act of retaliation against an employee such as deprivation of appointment, promotion or compensation. The Township Administrator shall ensure that no employee feels threatened into donating leave time and the donor shall sign an affidavit to this effect. Any employee who engages in the above-prohibited conduct shall be subject to disciplinary action. ALL LEAVE TIME DONATED SHALL BE KEPT CONFIDENTIAL AND EMPLOYEES SHALL NOT BE ALLOWED TO, NOR BE REQUIRED TO ASK, WHO DID OR DID NOT DONATE LEAVE TIME.

Chapter 4 GENERAL EMPLOYEE BENEFITS

The Township has established a variety of employee benefit programs designed to assist employees and their eligible dependents in meeting the financial burdens that can result from illness and disability, and to help employees plan for retirement. This portion of the manual contains a very general description of the benefits to which employees are entitled.

This general explanation is not intended to, and does not, provide employees with all the details of these benefits. Therefore, this manual does not change or otherwise interpret the terms of the official plan documents. Employee rights can be determined only by referring to the full text of the official plan documents, which are available for examination from the Business Administrator. **To the extent that any of the information contained in this manual is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.**

Nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between the Township and any employee, retiree or dependent, for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

The Township reserves the right to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein both for current employees and for retirees. Further, the Township reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of our benefit programs, employees must refer to the Summary Plan Descriptions, which are on file with the Business Administrator.

Training, Continuing Education and Conferences

The Township encourages employees to receive job related training and education that will enhance their performance and contribute to Township operations. In some cases the Township may even require that an employee take continuing education or training.

Conventions, conferences, and seminars can provide employees with information and insight about current practices in their fields, as well as guide the employees with effective tools to assist them in addressing issues related to their positions.

Regular full-time employees may submit a request to participate in conferences, conventions, and seminars that contribute to the employee's career development or to the operations of the Township. Requests must be submitted if the event occurs during the employee's normal working hours and/or the employee wishes reimbursement or

payment for all or part of the costs to attend the event. The request must be made to the Business Administrator prior to sending in registration materials for the event.

All requests must be approved by the Business Administrator and are subject to budgetary constraints and needs of the employee's department at the time of request. Costs eligible for coverage by the Township include registration, travel and subsistence expenses, and the cost of lodging if the program requires participation of more than one (1) day in duration. Approved requests for cost coverage may be made on either a direct payment or a reimbursement basis. A cap will be set on subsistence reimbursement.

Job-related training shall be incurred at the nearest and most appropriate location to Maplewood to reduce the amount of travel time and costs.

Approval for direct payment or reimbursement for training or continuing education courses will be made on the following criteria:

- Prior to employee registration in the course, the Business Administrator must determine that Township funds are available for the tuition and other related costs.
- Prior to employee registration in the course, the Business Administrator must approve the applicability of course training to employee's present position.
- Prior to employee registration in the course, the Business Administrator will determine the specific costs and amount of tuition to be paid or reimbursed by the Township.
- The Administrator will also determine which of those costs will be paid directly and which to be reimbursed.
- Upon completion of the course, the employee must demonstrate satisfactory fulfillment of the training with a course certificate or proof of attendance. A copy of this certification will be maintained in the employee's personnel file.
- Once satisfactory completion has been demonstrated, the Township will reimburse the employee for the specific costs agreed to by the Business Administrator in advance.

If an employee leaves the position within three (3) months of completing a course, seminar or conference for which the Township paid, the employee must reimburse the Township for the cost of the tuition for the course, seminar or conference.

Professional Dues

The Township encourages employees to participate with professional organizations that are related to the employee job responsibilities and that are mutually beneficial to both the Township and employee. The Township may pay dues for professional organizations for employees when beneficial to the Township, if such funds have been approved in the current budget by the Township Committee and if the membership is job-related. Payment of membership dues must be authorized by the Business Administrator.

Travel Expenses

When travel is necessary to conduct official Township business, reimbursement for travel may be permitted. Normal commuting expenses from the employee's place of residence to the work location will not be reimbursed. Employees will be reimbursed for related expenses incurred while traveling on Township business as outlined below.

Mileage

When automobile travel on Township business is necessary, all trips must have prior approval by the Department Head. Approval for reimbursement will be based on the availability of funds in the current budget and the completeness and accuracy of the travel reimbursement report form.

Employees who need to travel on official Township business are strongly encouraged to use a Township vehicle. When use of a Township vehicle is available, the regulations regarding use of Township Vehicles as noted under Chapter 5 shall apply. If the employee utilizes a Township vehicle to travel, the employee will be eligible for reimbursement only for any fuel purchased by the employee with his or her own money. A receipt will be required for reimbursement and should be submitted with a travel reimbursement report form to the Department Head.

When use of Township vehicle is unavailable for automobile travel for official Township business, an employee may utilize his or her own personal vehicle. Reimbursement for mileage when a personal vehicle is used will be paid at the currently prevailing IRS rate per mile. No additional charges for the use of a personal vehicle beyond those specified above will be paid.

Employees must submit vouchers and travel reimbursement report forms detailing the odometer readings at the beginning and end of the trip; the date(s) of the trip taken; the purpose of the trip; and the total mileage driven.

Tolls, Parking, and Related Expenses

Receipts for any tolls, parking, or related expenses paid should be attached to the travel reimbursement report form. Approval for reimbursement will be based on the availability of funds in the current budget and the completeness and accuracy of the travel reimbursement report form.

Lodging and Commercial Transportation

All lodging and commercial transportation reservations must be pre-approved by the Department Head or Business Administrator, whichever applicable. The employee must submit a travel reimbursement report form detailing actual expenses for commercial transportation, lodging and other related costs upon return. This expense report must have receipts attached from specific establishments where costs were incurred. Credit card receipts alone will not be accepted.

The maximum allowable reimbursement for lodging and other related expenses shall be the most economical for the geographic or metropolitan area visited. Facilities providing special government rates shall be used if feasible. The cost of lodging to be reimbursed shall be pre-approved by the Department Head based on these criteria. Expenses in excess of the pre-approved amount will be considered for reimbursement on a case by case basis. Personal expenses not related to the business purpose will not be reimbursed.

Hours Compensated

If an employee is required to be away from home on Township business, the employee will be paid for all hours actually worked and the time spent traveling when it occurs during the employee's regular working hours.

Conduct

Employees traveling on Township business are representatives of the Township and are expected to maintain a high level of professionalism and courtesy, and to follow all Township policies, rules and procedures while on such travel.

Health Insurance Coverage

Regular full-time employees are eligible to receive health benefits including medical and dental coverage.

Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding these benefit plans. Those documents are controlling.

If an employee has medical coverage under a plan other than through the Township of Maplewood and elects to withdraw from the Township plan, the Township will pay the employee \$2,000 less statutory deductions. This payment will be made by December 1st of each year the employee opts out. If an employee wishes to take advantage of this option, he or she needs to complete a Health Care Benefits Waiver Form and attach proof of alternate medical coverage, such as a health plan identification card. Once this form is completed, the employee needs to complete the State Health Benefits Plan form indicating that the employee is withdrawing coverage. This form is available at the Business Administrator's Office. This election is good for one year and the Health Care Benefits Waiver Form will need to be submitted annually if the employee wants to continue in the program. However, if the employee loses the other health coverage, the employee needs to be re-enrolled in the Township plan as soon as the coverage lapses. In that event the employee needs to complete Part 3 of the Health Care Benefits Waiver Form and submit it to the Business Administrator's Office. In the case where the employee is enrolled in the Township's plan for a portion of the year, the payment will be pro-rated for the portion of the year that the employee did not have health benefits from the Township. If the employee still has alternative coverage but wishes to continue the Township's coverage in the future, the employee will need to wait until the annual open enrollment period.

If an employee elects to withdraw from the Township plan for a partial year, whether through initiating the waiver after January 1st or through termination of the waiver prior to December 31st, that year's payment will be pro-rated equivalent to the portion of the year the employee was employed and subject to the waiver.

Procurement Cards:

Access to and use of procurement cards must be in strict compliance with N.J.A.C. 5:30-9A, N.J.A.C. 5:31-4 and N.J.S.A. 40A:5-16.5.

Life Insurance

Life insurance is a mandatory program that is part of the Township's pension plan. An employee contribution is collected through a payroll deduction of .050 of annual salary with benefit equaling three (3) times the employee's salary. The Township pays an equal contribution toward this life insurance program, equal to what is collected through the payroll deduction.

Unemployment Compensation Insurance

The New Jersey Unemployment Compensation Law sets up a program for the payment of cash benefits to eligible covered workers who have lost their jobs through circumstances beyond their control, or are working less than full-time because of lack of

full-time work for those regular full-time employees. This program is financed by a payroll tax paid by the Township and the employees. The Township is authorized to deduct the worker's contribution (tax) from the employee's wages. If an employee becomes totally or partially unemployed, he or she may file a claim for benefits as soon as possible at the New Jersey Unemployment Insurance Claims Office.

Worker's Compensation

Employees who suffer job-related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Township covers workers compensation benefits with a self-insurance plan. Any occupational injury or illness must be immediately reported to the Business Administrator. All required medical treatment must be performed by a Workers Compensation Physician appointed by the Claims Administrator and payment for unauthorized medical treatment will not be covered pursuant to the Act.

A. Reporting injuries

An employee who incurs a job related illness or injury is required to report the incident immediately and in writing (at least within 24 hours) to the Business Administrator.

B. Pay for job-related injuries or illnesses

Employees who suffer a job-related injury or illness, and who must report for medical treatment during working hours on the day of the injury, will be compensated for the time lost while receiving treatment up to a maximum of four (4) hours, providing that the total hours paid on the day of the injury do not exceed the number of hours that the employee would normally work.

The terms of a Collective Negotiations Agreement that are inconsistent with the above will take precedence over this policy for employees covered under such agreement.

C. Follow-up responsibilities

During an employee's absence due to a job related injury or illness, the employee must notify his/her supervisor of an anticipated return to work date. In addition, the employee must provide the Administrator's office with documents from the employee's treating physician, sufficient to justify the employee's continued absence from work.

D. Return to work of employee following job-related injury or illness

An employee may return to work following a job-related injury or illness upon written approval of the treating physician. If the employee is approved to return to work without restrictions, he or she will be reassigned to the position held prior to the injury or illness

An employee who is released, but is restricted in the duties he or she can perform, will be assigned to work that corresponds to the restriction(s) ("Light Duty"), provided that this type of work is available and provided the employee accepts the Light Duty. Employees who do not accept available Light Duty may lose their right to collect workers' compensation pay. These employees may elect to go on FMLA leave if available.

If work is not available within the employee's restriction(s) he or she may be kept on leave of absence until:

1. Work within the restriction(s) is available;
2. The employee's restrictions have been removed or altered so as to permit return to the original job or another open job;

3. A decision is reached by the physician that the employee will not be able to return to work; or
4. The employee is not able to perform the essential functions of his/her job with or without reasonable accommodation and the Township can no longer continue the employee on a leave of absence.

If an employee refuses to return to work after being approved by the treating physician, either with or without restrictions, the employee may be put on a leave of absence under the FMLA if the condition qualifies as a serious health condition as defined by the FMLA or the employee may be subject to termination of employment.

The Township cannot retaliate against any employee for exercising their FMLA leave rights.

Once an employee is approved to return to work, he or she may be permitted to use available sick, vacation or personal time to attend any medical appointments, physical therapy appointments or any other type of appointment related to his or her work-related injury. If an employee does not have any sick, vacation or personal time available, he or she must schedule appointments outside of work time. Employees are not permitted to use compensatory time off in order to attend any such appointments unless approved by the Business Administrator and will not accrue and/or receive compensatory time off during that time.

Pension

Pension is a mandatory program provided through the New Jersey Public Employees Retirement System. An employee contribution, as stipulated by the State of New Jersey, is made through payroll deduction. The Township also contributes to the benefit, as required by the State of New Jersey. Police and Fire employees may be eligible for the Police and Fire Retirement System instead, as determined by the State at the time of enrollment.

Deferred Compensation

Deferred compensation is a voluntary program whereby employees can put aside pre-tax dollars through payroll deduction to invest and save for retirement.

The Township has two providers from which an employee interested in deferred compensation may choose. If an employee is interested in using this benefit, he or she should inform the payroll clerk in the Finance Department or the benefits clerk in the Administrators Office in order to complete the proper paperwork.

Credit Union

A credit union is available as an added benefit for the Township employees who choose to enroll. If an employee is interested in using this benefit, he or she should inform the payroll clerk in the Finance Department or the benefits clerk in the Administrator's Office in order to complete the proper paperwork.

Flu Vaccinations

Depending upon the availability of flu vaccines and as the budget allows, the Township offers flu vaccinations to Township employees at no expense to the employee. These vaccinations are available during the scheduled flu clinics offered by the Township's

Health Department in the fall.

Employee Assistance Program

An employee assistance program (EAP) provides confidential assistance for employees and their families who may be struggling with a personal problems, whether arising in the workplace or their private lives. The Township, through its insurance fund, provides an employee assistance program to Township employees and their immediate family members to assist in the employee's wellbeing, as well as job performance.

Participation in the program is voluntary. The employee or family member may initiate the request for help, or a Department Head may encourage an employee to use the service when work performance is declining. Confidentiality is assured. No information provided to the EAP provider may be released to the employer without the individual's express, written permission.

Only EAP general statistical information will be provided to the Township and its carrier for program utilization and evaluation purposes.

There is no charge to the employee or their family members for the initial consultation with the EAP Counselor. Each employee is entitled to receive a maximum of four (4) problem resolution sessions free of charge. In some cases the EAP representative may recommend the employee or family member for additional help. Any fees related to additional services are the responsibility of the employee. Should additional treatment be recommended, the EAP program is available to provide services on a sliding scale basis, or they may even be able to determine if the services can be covered by any medical insurance the employee may have available to them.

Jury Duty Time Off:

An employee required to render jury service shall be entitled to be absent from work during that service. Regular full-time employees will be paid at his/her regular salary during the absence. The employee's regular salary shall be reduced by any payment received by the employee from the court system for jury duty.

Employees are expected to return to work if within two (2) hours of the end of their normal work day court services are not required.

Employees shall present their Department Head with a copy of the jury service notification indicating the date(s) they are to serve as soon as they receive the notice.

Family and Medical Leave Act Policy:

The Township recognizes that from time to time employees may require a leave of absence to attend to certain family or medical situations. Therefore, the Township will provide leave under the Federal Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA) for the following reasons:

1. To care for their newborn, adopted or foster-placed child and for the adoption or foster placement of a child (referred to as "family leave" under the FMLA and NJFLA).
2. To provide necessary care for the serious health condition of their spouse, parent, or minor or disabled child (referred to as "family leave" under the FMLA and NJFLA).
3. To provide necessary care for the serious health condition of their parent-in-law

or civil union partner (referred to as “family leave” under the NJFLA only).

4. To care for their own serious health condition, including pregnancy and on-the-job illnesses or injuries that makes the employee unable to perform at least one of the essential functions of his/her job (referred to as “medical leave” under the FMLA only).
5. Because of any qualifying exigency arising out of the fact that the spouse or a son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation (referred to as Service Member Exigency Leave under the FMLA only).
6. To care for the spouse, son, daughter, parent or next of kin who is a covered service member who needs medical treatment, recuperation or therapy, is otherwise in out-patient status or is otherwise on the temporary disability retired list for a serious illness or injury incurred in the line of duty (referred to as Military Caregiver Medical Leave under the FMLA only). **Military Caregiver Medical Leave may be up to 26 weeks.**

Employees are eligible for up to twelve (12) weeks of leave in a twelve (12) month period (measured forward from the date an employee’s first family/medical leave begins) under the FMLA for reasons 1, 2, 4, and 5 if they have been employed at the Township for at least twelve (12) months (need not be consecutive), and have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the leave. Employees are entitled to up to 26 weeks of Military Caregiver Medical Leave (number 6 above) in every 12-month period.

Under the NJFLA, employees are entitled to up to 12 weeks of leave in every 24-month period (measured forward from the date the employee’s first family leave begins) for reasons 1, 2, and 3 above if they have been employed at the Township for at least 12 months and have worked at least 1000 base hours in the previous 12-month period. Leave under the FMLA and NJFLA will run concurrently where appropriate. **Additional leave beyond that required herein may be granted to employees for their own medical condition in the sole discretion of the Township as an accommodation or as otherwise required by state or federal law.**

Leave may be taken:

- Consecutively.
- Intermittently (in separate blocks of time), or on a reduced leave schedule (fewer hours in a day or days in a week), when medically necessary, in the event of the employee’s own serious health condition, the serious health condition of a family member, or for service member exigency or medical leave (Numbers 2, 3, 4, 5 and 6 above).

Employees may be temporarily transferred to an equivalent or part-time position, with no loss in pay or benefits, which better accommodates their intermittent or reduced leave schedule. Employees may not use intermittent or reduced leave for the birth, adoption or foster care placement of a new born.

Notice Requirements

When planning a family or medical leave, employees should make all reasonable efforts to minimize the disruption to Township operations. Employees seeking leave, to the extent that such leave is foreseeable, must provide at least fifteen (15) days prior notice for leave to care for a family member, and at least thirty (30) days prior notice for leave

for any other reason. In emergent circumstances, employees must provide such notice as soon as practicable. Written request forms are available from, and should be submitted to, the Administrator at the time of notice to the Township. The Administrator will be solely responsible for granting or denying a request for family or medical leave. In addition, employees must complete a Leave Designation/Employee Acknowledgement of Obligations form prior to taking leave. This form will be provided to employees after a request for leave is received. Employees may also be required to fill out other forms, depending upon the leave request. All required forms will be provided to employees by the Administrator.

Employees shall be provided at the time leave is requested with an indication of the number of hours, days or weeks of leave that will be counted as FMLA leave if known at the time leave is provided.

Use of Paid Time Off

Employees taking leave for the care of a newborn child or a seriously ill family member, or for the adoption or placement of a child, must exhaust all accrued paid vacation and personal time unless the employee is also taking paid leave as provided under New Jersey's Paid Family Leave Law. If an employee is taking paid leave as part of FMLA/NJFLA, the employee shall only be required to use 2 weeks of paid vacation until the employee has exhausted his/her six (6) weeks entitlement to NJ Paid Leave. (See Section below on NJ's Paid Family Leave Law). Thereafter, the employee shall be required to use his/her accrued remaining vacation and personal time for the remainder of the FMLA/NJFLA period.

Employees taking leave for their own serious health condition must exhaust all accrued paid vacation, compensatory time, and sick time as part of the leave period. If employees are also receiving other partial pay supplementation, the use of paid time off shall be used as a supplement. The remainder of the leave will be unpaid.

Health Care Provider Certification Form

Employees requesting medical leave to care for a seriously ill family member, or for the employee's own serious health condition, must provide the Administrator with a written certification from the health care provider certifying the need for leave. Failure to provide the certification required by the Township may result in denial or postponement of leave. Health Care Provider Certification Forms are available in the Administrator's Office.

The Administrator or his or her designee may contact an employee's Health Care Provider to authenticate or clarify information provided on the Health Care Provider Certification Form with prior employee approval. In the event that the Health Care Provider Certification Form is not deemed sufficient, the employee shall be provided written notice and shall be allowed seven (7) days to cure the deficiency.

Failure to provide the Health Care Provider Certification Form in a timely manner (no more than fifteen days from the initial request) and/or failure to cure deficiencies may result in the delay or denial of leave, benefits continuation, denial of reinstatement, or termination of employment for unauthorized absence.

The Township reserves the right to require employees to obtain second or third medical opinions, at its expense, in order to determine the necessity of leave and/or eligibility for sick time.

Before returning to work, employees on medical leave must obtain medical certification indicating that they may perform the essential functions of their position, with or without reasonable accommodation. Job descriptions shall be provided to employees required to provide return to work certifications.

Certifications for Military Caregiver Medical Leave and Service Member Exigency Leave must also be completed as provided by the Township.

Continuation of Health Insurance

The Township will continue to maintain coverage under its group health plan for eligible employees during a covered leave for up to twelve (12) weeks or twenty-six (26) weeks for Military Caregiver Leave. Employees, at the sole discretion of the Township or as required by law, may be granted additional leave with or without continuation of health care coverage.

Return from Leave

An employee returning from a medical leave taken for his or her own serious health condition must provide a certification from his or her health care provider that he or she is able to return to work and to perform the essential functions of his or her job with or without accommodation. Failure to provide the required certification may result in the denial or postponement of reinstatement. Employees shall be provided with a copy of their job description or essential job functions in order to allow the Health Care Provider to determine an employee's ability to return to work.

Upon expiration of an employee's leave, the Township will reinstate the employee, except those who would have been affected by a reduction in force or layoff had they not taken leave, to the same position, or to an equivalent position, with no loss in salary, benefits, or other terms and conditions of employment which the employee enjoyed prior to his or her leave.

To the extent possible, employees should make every effort to notify the Administrator at least two (2) business days in advance if the employee intends to return to work before the expiration of the scheduled leave or to take more leave than originally requested.

Although taking leave will not result in the loss of any employment benefit that accrued prior to the start of the leave, employees will not accrue additional benefits, such as vacation, during any leave period.

Employees should contact the Administrator for further information about entitlement to leave and the required procedures.

Leave in Excess of 12 Weeks and Personal Leave

Where employees are in need of leave in excess of that covered by the FMLA or NJFLA, the Business Administrator may, in her sole discretion, grant additional leave time beyond twelve (12) weeks for reasons covered under this policy. Determinations regarding how much additional leave will be granted and whether health benefits will be maintained during the leave will be at the discretion of the Business Administrator and in accordance with law.

Upon receipt of a request for FMLA or NJFLA leave, the Township shall provide the following forms including (where appropriate):

1. Leave Designation/Employee Acknowledgment of Obligations Form
2. Certification of Health Care Provider for Employee's Serious Health Condition
3. Certification of Health Care Provider for Family Member's Serious Health Condition
4. Certification of Qualifying Exigency for Military Family Leave
5. Certification for Serious Injury or Illness of Covered Service member for Military Medical Leave (Military Caregiver Leave)

New Jersey Paid Family Leave Act

Eligible employees may take up to six (6) weeks of paid family leave for the birth of a child or placement of a newly adopted child, or to care for a child, parent, spouse or domestic/civil union partner suffering from a serious health condition. All employees will be required to contribute a percentage of their earnings toward the Paid Family Leave fund through payroll taxes. This amount is determined by the State. Eligible employees will be able to collect up to two-thirds (2/3) of their weekly salary during the leave period (up to a cap determined by State law), subject to a one-week waiting period. Employees will be required to use up to two (2) weeks of available vacation time as part of the paid family leave benefits. Time out as paid family leave shall run concurrently with leave under the NJFLA and/or FMLA where appropriate.

Employees should contact the Administrator for additional information.

Sick Leave Policy:

Regular full-time employees shall accrue up to fifteen working days of sick time at a rate of 1 ¼ days per month per benefit year.

Regular full-time employees hired before 1/1/2002 and the Chief of Police shall be entitled to 90 sick days at full pay and 90 sick days at half pay without a disability plan.

Regular part-time employees shall accrue up to forty (40) hours of sick time at a rate of one (1) hour for every thirty (30) hours worked per benefit year.

The benefit year runs from January 1st to December 31st.

Employees may use up to five (5) sick days (40 hours) of sick time for:

- Diagnosis, care, treatment of, or recovery from, a mental or physical illness, injury or other adverse health conditions, or for preventative medical care of the employee
- Caring for a family member during diagnosis, care, treatment of, or recovery from, a mental or physical illness, injury or other adverse health conditions, or for preventative medical care of the employee's family member
- Absence(s) necessary due to the employee or employee's family member being a victim of domestic or sexual violence, if the earned sick leave is used for:
 - medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence
 - services from a designated domestic violence agency or other victim services organization;
 - psychological or other counseling
 - relocation
 - other legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic violence or sexual violence
- Time needed after the closure of the employee's workplace or the school/place of care of the employee's child by order of a public official or other public health

emergency, or if a public health authority issues a determination that the presence of the employee or their family member would jeopardize the health of others

- Attending a school-related function of the employee's child requested or required by the school responsible for the child's education, or attending a meeting concerning the care provided to the child in connection with the child's health conditions or disability

"Family member" includes a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent or grandparent of an employee or a spouse, the domestic or civil union partner of a parent or grandparent of the employee, or the sibling of a spouse, domestic or civil union of a partner of the employee or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

Any additional sick days beyond five (5) days / forty (40) hours shall be used for the employee's own illness, injury or disability.

Employees are required to give seven (7) calendar days' notice of the intention to use the leave and its expected duration when such leave is foreseeable.

If sick leave is unforeseeable, employees must give notice to the Township as soon as practicable.

Employees must make a reasonable effort to schedule the use of sick leave in a manner that does not unduly disrupt the operations of the Township.

Employees are not required to find replacements to cover their absence.

Employees absent on sick leave for three or more consecutive working days must submit a medical or other certification justifying the nature of the leave. If an employee is caring for a family member, a medical certification of that individual is required. Any information received concerning the health, or domestic or sexual violence of an employee or his or her family member will be treated as confidential and shall not be disclosed, except to the affected employee or with written permission of the employee.

Part-time employees may carry over up to forty (40) hours of Sick Leave into the next benefit year, but may only use up to forty (40) hours of Sick Leave in any one benefit year.

Full-time employees may carry over up to forty (40) hours of Sick Leave into the next benefit year, but may only use up to fifteen (15) days of Sick Leave in any one benefit year.

Employees who leave employment with the Township for any reason shall not be paid for accrued unused Sick Leave time.

Sick time is advanced at the beginning of the benefit year, with the exception of the first year of employment, therefore, if an employee separates from service or retires and has used more sick time than he or she has earned at that point in the year, he or she shall pay to the Township the equivalent of the unearned sick time. Such payment shall be deducted from the employee's last paycheck.

If an employee is separated from employment with the Township but then reinstated within six months, all of the employee's unused and accrued sick time shall also be reinstated.

Employees who have been employed by the Township for one year or more and who use less than three (3) sick days during a calendar year shall receive one (1) personal day in the next calendar year. Usage of this day shall be consistent with the personal days policy.

This Sick Leave Policy supersedes any conflicting language which may be contained in the employee benefits' summary which applies to the employee's job title / position.

Vacation Leave, Personal Time and Holidays

Employees are entitled to vacation leave, personal days and holidays in accordance with the separate employee benefits summaries and/or Collective Bargaining Agreements which apply to the employee's job title / position.

Military Leave Policy:

Any full-time employee who is a member of the National Guard, Naval Militia, Air National Guard, or a reserve component of any United States armed forces who is required to engage in field training will be granted a military leave of absence with pay for the training period as authorized by law. The paid leave will not be counted against any available paid time off.

When an employee with the Township is called to active duty or inducted into the United States military, the employee shall automatically be granted an indefinite leave of absence for the duration of military service. To be reinstated by the Township without loss of privileges or seniority, the employee must report for duty with the Township within sixty (60) days following release from active duty under honorable circumstances (10 days in time of war).

During the period of active military duty, the employee shall be paid the difference between military salary and the employee's regular salary for a period not to exceed one hundred and eighty days. Employees on active service will also continue to receive paid health insurance coverage during the one hundred and eighty day period plus an additional thirty days. After this period has expired, employees may continue coverage for themselves or their dependents under the Township group plan by taking advantage of the COBRA provision. The 180 day period for regular salary and health insurance coverage may be extended by resolution of the Township Committee, upon recommendation by the Business Administrator. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during the one hundred and eighty day period.

THE TOWNSHIP FOLLOWS ALL RULES AND REGULATIONS REGARDING EMPLOYEES WHO SERVE IN THE FEDERAL OR STATE MILITARY. EMPLOYEES WHO WANT INFORMATION ABOUT HOW TRAINING AND OTHER LEAVE TIME IMPACTS THEIR EMPLOYMENT SHOULD CONTACT THE ADMINISTRATOR WHO WILL PROVIDE THEM WITH THE MOST UP TO DATE INFORMATION. EMPLOYEES, IF POSSIBLE, SHALL SHOW PROOF OF REQUIRED SERVICE AS MUCH IN ADVANCE AS POSSIBLE TO LIMIT THE IMPACT ON OPERATIONS. THE TOWNSHIP SHALL NOT RETALIATE AGAINST ANY EMPLOYEE OR APPLICANT ON THE BASIS OF MILITARY SERVICE.

Employees shall accrue up to 40 hours of sick time at a rate of one (1) hour for every thirty (30) hours worked per benefit year.

Leave Pursuant to the NJ SAFE Act

Employees may be eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic

violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

(1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner

(2) Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner

(3) Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner

(4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner

(5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or

(6) Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim. Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense.

The unpaid leave may be taken intermittently in intervals of no less than one day. Employees may use PTO time as part of otherwise unpaid NJ SAFE Act leave.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the Practice with written notice of the need for the leave. The employee must provide the Practice with written notice as far in advance as reasonable and practicable under the circumstances. The Practice has the right to require the employee to provide it with documentation of the domestic violence or sexually violent offense that is the basis for the leave. Any documentation provided to the Practice will be maintained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

There will be no adverse action taken against the employee on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act. Retaliation is strongly prohibited.

Chapter 5

WORKPLACE POLICIES

Attendance Policy:

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday.

Employees are also expected to remain at work for the entire work period, excluding any allotted rest and meal periods-working until quitting time and then collecting personal items and putting on coats.

An employee who anticipates being absent or late must notify his or her supervisor promptly, prior to the start of the workday if possible, but no later than within the first hour of work, on each day of absence or lateness. An absence without notification for three (3) consecutive days may be treated as resignation.

Early Closing and Delayed Opening Policy:

Employees should assume that the Township offices will be open for work on all scheduled business days. In the event of unsafe conditions, the Business Administrator may close non-essential operations earlier than the normal working hours. If unsafe conditions exist prior to scheduled openings, the Business Administrator may decide to close offices or delay openings for non-essential functions. All Department Heads will have a system in place to notify employees of late openings and closings. Department Heads are responsible for contacting their employees to relay the notification and to give proper instructions to the employees as to duration and which services are to remain active.

If the employee chooses not to report to work when the offices are open, non-exempt employees will not receive pay for the day or may be allowed to use an accrued personal day. Exempt employees will be charged accrued personal time. Exempt employees who have no accrued paid time off available may be docked for an entire day's pay with the approval of the Business Administrator after consultation with labor counsel.

If the Township is closed for the day, employees in non-essential jobs will be paid their regular pay for that day. These hours will not be considered as time worked for the purpose of overtime calculations. If the employee was scheduled for a vacation day and work is called off for the day due to unsafe conditions, the employee will still be charged with having taken a full vacation day.

Employees working in essential jobs, such as police officers, firefighters, employees in the Department of Public Works, Water, Sanitation, Emergency Services or any personnel who may be required to assist in an emergency, shall be required to work and shall be subject to discipline if they do not come to work on a day where there is an emergency closing. In such situations, essential employees will not be given extra time off or additional compensation for working.

Time and Attendance Records

Complete and accurate attendance reports are necessary for efficient payroll and personnel management operations. All Township employees are required to accurately record the days and hours worked on attendance report forms provided by the Department Heads. Each employee shall sign his or her attendance report form to verify accuracy of reporting. Employees must record the beginning and ending time of any split shift or departure of work for personal reasons and leaves.

Employees shall not alter or sign another employee's attendance report.

Department Heads shall be responsible for certifying the accuracy of attendance reports submitted by employees of their respective departments.

All attendance report forms are to be filed with the appropriate Department Head and shall be checked by the Business Administrator. Attendance report forms are to be filed no later than the Wednesday following the end of the workweek. Overtime forms shall be submitted in advance of overtime when possible. Overtime must be approved in advance by the Department Head.

Performance Evaluations

The Township's performance appraisal program is for the purpose of evaluating and documenting employee's strengths and those areas where improvement is needed. Particular attention is given to quality and quantity of work, dependability, initiative, effort, and attitude.

The Township normally conducts performance appraisals annually. However, it may conduct them more or less frequently, and it may, at its discretion, dispense entirely with an appraisal at any particular time.

An employee's evaluation is a record of the employee's performance and improvement. It is not a determining factor for the employee's wage or salary increase.

Dress Code Policy:

Dress, grooming and personal hygiene must be appropriate for the position. Uniforms with Township logos are required for certain jobs and are to be worn in accordance with applicable departmental standards. For those positions where uniforms are required, the Department Head will direct the employees as to uniform necessities. The Township reserves the right to require uniforms for additional categories of employees as needed. Uniforms are not to be worn during off-duty hours.

All other employees working in Township offices are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees shall not wear suggestive attire, athletic clothing, no cut off sleeves or pants, shorts, T-shirts, novelty buttons, baseball hats, blue jeans and similar items of casual attire that do not present a businesslike appearance. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length.

With the advance approval of the Business Administrator, the Township will make accommodations to an employee based on religious standards or based on any disability or pregnancy/pregnancy-related condition that are reasonable and that do not violate safety standards and/or present an undue hardship.

Employees violating this policy shall be required to take corrective action or will be sent home.

Workspace Appearance, Maintenance, and Recycling

Employees' workspaces are generally visible to members of the public and other employees. In some cases employees may even share a workspace. As Township employees are representatives of the Township, and considering that the Township services the public, employees need to provide professional presentation in their work

spaces.

Cleanliness and maintenance of an employee's workspace is the responsibility of the employee. The custodian services will provide basic assistance by emptying garbage and recycling. However, employees are expected to regularly do the following, at a minimum, to maintain their work spaces:

- Minimize clutter
- Recycle when possible
- Avoid damage to furniture or equipment
- Dust and clean furniture or equipment

Customer Service

Telephone and Counter Etiquette

Many Township employees "meet" the public on the telephone and in person each working day. When the telephone rings or someone stops in for assistance, the person should be helped promptly and courteously. The person bases his or her opinion of the attitude of the government on the manner in which they are assisted. If any employee is required to use the telephone as part of his or her job, here are guidelines to be observed:

- Be certain that someone is always in the office to answer the telephone during the business hours.
- Answer promptly.
- Identify the office name and your name.
- Speak directly into the telephone,
- Speak pleasantly.
- Keep calls as brief as possible.
- Hang up receiver gently.
- Always be courteous.
- Make written notes of conversation if necessary.
- Return voicemail messages within 24 hours of receipt of the call when not out on vacation, leave or sick.

If an employee is required to assist the public in person, here are guidelines to be observed:

What is Customer Service and What is Expected?

The Customer Service Guidebook is provided to employees with the Township's customer service mission statement and customer service code of conduct that all employees are expected to follow. If an employee does not have a copy of this guidebook, one is available at the Township Administrator's Office.

Safety Policy:

The Township will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Township is equally concerned about the safety of the public. Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action. Any occupational or public unsafe condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Any on-the-job injury, accident or accident involving Township facilities, equipment or motor vehicles must also be immediately reported to a supervisor. Township forms with

the details of the injury or accident must be completed and filed in the Business Administrator's Office. If treatment is necessary for an-on-the-job injury it must be from a Township approved treatment center.

Political Activity Policy:

It shall be the policy of the Township to exercise all personnel actions, including but not limited to appointment, promotion, discipline, and dismissal without regard to political consideration.

Employees of the Township shall serve all residents equally. The political opinions or affiliations of any residents shall in no way affect the amount or quality of service the resident(s) receives from the Township.

Employees have exactly the same rights as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. In this regard, employees should not use the fact that they are employees of the Township for any purpose in the political arena. For example, employees should not use their experience working as a police employee in the Township to assist them in being elected to a position with any board, council, etc. Employees should refrain from wearing clothing with Township insignia while speaking or appearing at political event. Employees are prohibited from engaging in political activities while performing their public duties and from using Township time, supplies or equipment in any political activity. Any violation of this policy must be reported to the Administrator.

Conflict of Interest Policy:

Employees, including Township officials, must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Township. Violations of this policy will result in appropriate discipline including termination.

The Township recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Township business. However, business dealings that create or appear to create a conflict between the employee and the Township's interests are unlawful under the New Jersey Local Government Ethics Act. Under the Act, certain employees and officials are required to annually file with the Administrator a state mandated *financial* disclosure form. The Administrator will notify employees and Township officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an employee including a Township official is in a position to influence a Township decision that may result in a personal gain for the employee or an immediate relative including a spouse or significant other, child, parent, stepparent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household. Employees are required to disclose possible conflicts so that the Township may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Administrator.

Employees are allowed to hold outside employment as long as it does not interfere with their Township responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using Township time, supplies or equipment in the outside employment activities. The Administrator may request employees to restrict outside employment if the quality of Township work diminishes.

Employee Annual Notification of Outside Employment or Potential Conflict of

Interest:

On an annual basis, all Township employees (including members of the Township Committee) shall be required to complete a form disclosing any interest in, or employment by, any entity that does business, either directly or indirectly, with the Township; is awarded a contract for monetary compensation by the Township; or has a family member who works for such an entity. The form shall be reviewed by the Business Administrator and the Township counsel to determine whether an actual or perceived conflict of interest exists. If so, the Township counsel shall make a recommendation to the Business Administrator and to the Township Committee to determine what steps need to be taken, if any. Completed forms shall be maintained in the Employee's personnel file. On an annual basis, all Township employees shall also be required to complete a form containing a list of all other paid jobs they hold as an employee or an independent contractor; the hours and schedule of work for their other paid jobs and a contact person at their other job. Failure of the employee to list all outside employment may be grounds for discipline up to and including termination of employment.

All Township employees must understand that their work with the Township comes first. If the Business Administrator determines that an employee's other employment is detrimental to the operations of the Township or prevents the employee from performing the functions of his/her job at the Township, even the ability to work overtime or complete job functions in a timely manner, the employee may be required to terminate the other employment or face discipline up to and including termination of employment. Any decision by the Business Administrator in this regard shall be made on a case by case basis and on an annual basis after consultation with the Township Committee, and the Township attorney and the Township's Labor Counsel. The decision by the Township Committee in any year shall not create a practice that requires continued approval by the Township in any subsequent year.

Employees should seek approval of their Department Head and the Business Administrator prior to beginning outside employment, or risk having to give it up after completion of the annual form.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Township duties. Under no circumstances may employees accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Township, or any person or firm seeking to influence Township decisions. Meals and other entertainment over \$50.00 are also prohibited. Employees are required to report to their Department Head who will inform the Business Administrator of any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Violations of this policy may result in discipline up to and including termination of employment.

Nepotism

In order to avoid potential conflicts of interest, it is the Township's policy to prohibit employment of close relatives in any supervisor/subordinate relationship. The Township also discourages the employment of close relatives within the same department, unless there are extraordinary circumstances that may warrant it. A close relative is defined in the case of nepotism as a spouse, registered domestic partner, child, parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, stepchild, stepparent, stepbrother, or stepsister.

If two (2) employees become relatives (whether by marriage or other legal action, including registered domestic partnerships or civil union), both are eligible to keep their jobs if they do not work in the same department, one does not supervise the other, or one is not the supervisor of the other's supervisor. In circumstances where such conflicts arise, efforts will be made to accommodate a transfer of one affected employee, subject to existing business considerations. Where such an accommodation cannot be reached, necessary steps will be taken, up to and including termination of one of the two affected individuals, if necessary, after offering the employees the opportunity for one of them to voluntarily discontinue his or her employment. The Township retains the right to make the final decision in such a case.

All employees, regardless of classification, are covered by this policy.

NO SOLICITATION/DISTRIBUTION

Employees may not solicit other employees during working time or in the presence of any resident or member of the public for any reason not directly related to the employee's job. Employees may also not distribute materials during working time or in areas accessible to the public unless job related. No outside organization shall use space in any Township building for the purpose of providing information to employees.

Use of Vehicles Policy:

Township-owned vehicles shall be used only on official business and all passengers must be on Township business. An employee who is also employed by another governmental entity may use a Township vehicle for that employment only if the employment is pursuant to an inter-local agreement between the Township and the other jurisdiction and, such use is approved in advance by the Business Administrator.

Vehicles may be taken home only with the advance approval of the Administrator or the Department Head in order to facilitate responses to after-hours emergency calls. When an employee takes a Township vehicle home, it is to be used only for official Township business. Employees are not allowed incidental use of Township vehicles even when allowed to take vehicles home. No non-employees may be allowed to ride in or drive Township vehicles. Any other use is not permitted.

No smoking is allowed in Township vehicles.

Township vehicles are provided with fuel from Township pumps. Any other source of fuel must be approved in advance by the Business Administrator.

All Township employees, full time, part time and seasonal, who operate Township vehicles or who operate their own autos while providing services to or on behalf of the Township, will be subject to motor vehicle background checks and are required to immediately report all accidents and traffic moving violations, including DWI, at the time of the incident to the Business Administrator.

In order to drive a Township vehicle, the driver must have a valid driver's license and be otherwise allowed to drive under the law. Employees must advise their supervisor if they have ever had their license suspended and, if so, provide the details to his/her supervisor to determine whether it is safe for the employee to drive a Township vehicle.

Employees driving Township vehicles are required to insure that the vehicle is properly registered and the insurance card and registration are in the vehicles at the time the employee begins to drive. The vehicle must also have a current inspection sticker. Employees must report all problems to their supervisor BEFORE driving the vehicle.

While driving Township vehicles, employee must wear seat belts, and the driver must insure all passengers are also wearing seat belts. Employees who drive municipal

vehicles must not use their cell phones, pagers or other devices. If an employee needs to make a phone call while using a Township vehicle, the employee must pull over to a safe location and stop driving. Cell phones may be used with a hands free device upon approval by the driver's supervisor.

Employees should not eat while driving Township vehicles. All vehicles must be returned to the Township clean and undamaged. Violations should be reported to the Business Administrator.

Any violation of this policy constitutes cause for disciplinary action.

Driver's License Policy:

Any employee whose work requires the operation of Township vehicles must hold a valid New Jersey State Driver's License.

All new employees who will be assigned work entailing the operating of a Township vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employees' drivers' licenses through visual and formal Department of Motor Vehicle Record checks shall be made by Department Heads or the Business Administrator as to any employee whose employment with the Township requires him or her to drive vehicles owned, leased, or controlled by the Township or use his or her personal vehicles to conduct business on behalf of the Township. Any employee who does not hold a valid driver's license will not be allowed to operate a Township vehicle until such time as a valid license is obtained. If the license is required for job duties, the employee may face disciplinary action up to and including termination.

Any employee performing work which requires the operation of a Township vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. An employee that fails to report such an instance is subject to disciplinary action, including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a Township vehicle shall be subject to possible termination.

Any information obtained by the Township in accordance with this section shall be used by the Township only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C. §2721 *et seq.*).

Statements to the Media

No press release or statement to the media relating to any Township matters shall be issued by any employee or the head of any department unless and until permission to issue such release has been obtained from the Business Administrator. The foregoing policy shall not apply to the Police Chief or Fire Chief, who are authorized to issue press releases concerning police force activities and events. Program advertisements are not included under this restriction.

When permission has been obtained from the Business Administrator, the Department Head may issue the approved statement to the press or to a media representative. A copy of said statement shall be forwarded immediately to the office of the Business Administrator.

All inquiries from newspapers or television reporters should be referred to the Business Administrator immediately, who will then refer the issue to the appropriate Department

Head as he or she deems appropriate. The sole exception is the Chief of Police, who may answer questions at his or her discretion.

Any employee who disregards the restrictions imposed on statements to the media shall be subject to disciplinary action, up to and including termination.

Non-Smoking Policy

In accordance with the law of the State of New Jersey, the Township has adopted a smoke-free policy for all buildings. Township facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Township buildings. Employees are permitted to smoke only outside Township buildings more than fifty (50) feet from exterior doorways and windows of Township property.

Employees who desire to smoke may do so outside of the building. However, an employee leaving the work area to smoke may not leave his or her office unattended. Smoking shall not interfere with the employee's productivity and should be done on the employee's allotted break time as established by the Department Head.

This policy shall be strictly enforced and any employee who violates this policy shall be subject to disciplinary action, up to and including termination.

Information System Use Policy:

Scope:

This policy applies to all employees of the Township, both permanent and temporary, and to any non-employee authorized to use Township telephones, computers, printers, software, network connections or data. This policy shall be included in the Employee Handbook which is provided to each employee, and a copy of this policy shall be provided to each non-employee described above before access to information systems is granted. Use of the Township's information and communications equipment constitutes consent to all of the terms set forth herein.

Confidentiality, Privacy, Security and Monitoring

All computer and phone systems, including email, voicemail and internet connections (herein referred to as "equipment"), are the property of the Township. All documents, information and data created, stored and/or copied to the Township's computer and/or phone systems are the property of the Township and may not be copied or in any form transmitted to any third party other than in the ordinary course of business on behalf of the Township. The Township has the right to access, monitor and disclose the contents of any file, email or voice mail message composed, sent, received or viewed on any Township equipment system for any business purpose, including but not limited to breaches of security, violations of Township policy or other computer system, email or voicemail misuse. All communications, including text and images, may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver, if a violation of this policy is suspected. Any information considered sensitive such as human resource, finance, and utility account information shall be secured against unauthorized access through the use of appropriate hardware and software systems. Access shall be restricted to persons designated by the Administrator.

Harassment

The Township's policies against harassment and discrimination apply fully to the use of the equipment. Employees are expressly prohibited from using Township equipment or customer information to distribute electronic communications containing offensive, harassing or defamatory language, or any communication containing ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their sex, sexual or affectional orientation, gender or gender identity or

expression, race, creed, color, religion, national origin, ancestry, age, marital or political status, atypical hereditary or cellular blood trait, disability or handicap, domestic partnership or civil union status, sexual orientation, pregnancy, childbirth, medical condition related to pregnancy or childbirth, genetic information or refusal to submit to a genetic test, or any other class protected by federal, state or local law or regulation. Employees are further prohibited from using the Township's equipment to display or transmit sexually explicit images, messages or cartoons, or any electronic communication that is political or religious, or any potentially offensive communication. Use of the Township's equipment or customer information for any other illegal purpose not spelled out in the manual is strictly prohibited.

Acceptable Use

Access to phone and computer systems including but not limited to email, voicemail and the Internet has been provided to Township employees for the benefit of the Township and its residents. Every employee has a responsibility to maintain and enhance the Township's public image and to use the Township's equipment in a productive manner. To ensure that all employees are responsible, productive users and are protecting the Township's public image, the following guidelines have been established for using these systems.

Telephone Policy

Township telephones and cell phones are for official business. Personal calls are prohibited on Township equipment. Personal cell phones must be shut off or put on silent during working hours and employees are prohibited from using personal cell phones or other personal devices while working except in emergencies. Any employee seen using a personal cell phone or other personal device while on work time shall be disciplined. Personal cell phones or other personal devices may only be used during break times or lunch, outside of the view of the public. Abuse of any Township phone will be subject to disciplinary action. Charges for all other personal calls must be reimbursed to the Township and employees may be disciplined for violation of this rule. The use of personal cell phones while driving Township vehicles or while on Township business is prohibited.

Personal cell phones may not be used in the workplace at any time. Employees may not take cell phone pictures of any resident or member of the public while at work or any co-worker while at work.

Internet and Email Policy

Township email accounts and internet access, where provided, are to be used for Township business only. No Exceptions to this policy are allowed.

The Township Committee and/or Business Administrator shall monitor email and internet usage and will limit times, circumstances, and web addresses in order to protect the Township and its computer network from any physical risks of infection by malicious software and to regulate content appropriate material as deemed by the Administrator. Under no circumstances are users allowed to create, configure, or access personal email or password-protected or other internet accounts on Township computers. The internet shall not be used for personal gain or advancement of individual views. Solicitation of non-Township business or any use of Township email accounts or internet access for personal gain is strictly prohibited. Users are not permitted to download any data, software, or entertainment media unrelated to legitimate Township business. The downloading of business related media shall only be permitted with the knowledge and approval of the appropriate Department Head and the Administrator. Individual users are responsible for the content of emails and attachments sent or forwarded by them and shall always include the name of the sender, title, and contact telephone numbers. The use of abusive, profane or offensive language is not permitted.

Notwithstanding the Township's right to read and retrieve any email messages sent to or transmitted from Township computers, such messages shall be treated as confidential by other employees and accessed only by the intended recipient. Any exception to this policy must receive prior approval from the appropriate Department Head or the Administrator.

Social Media Policy

Use of social media sites on the Township's Internet is prohibited unless used for business reasons within the employee's job description or with advance supervisor approval of use and content. The Township shall monitor internet use for compliance with this policy.

Under state law, the Township is prohibited from requiring employees to provide login information or allow access to their personal accounts on social media sites such as Facebook, Twitter and YouTube. State law also prohibits the Township from retaliating or discriminating against employees for refusing to provide their social media credentials or reporting alleged violations of this law. Notwithstanding these laws, employees are strictly prohibited from using social media sites to discuss confidential Township business or reference their status as a Township employee when making comments.

The Township may access any publicly available information on any social medium, accordingly, the Township may have access to the things employees say on social media sites. The Township may also be provided with access to statements made and pictures shared on social media sites or on the internet in general by other employees and/or by members of the public voluntarily without the employee's consent or knowledge. Employees should therefore exercise caution and good judgment in posting any material to any social medium sites or on the internet. Employees are prohibited from representing themselves as agents of the Township on any personal social media site and may be subject to discipline for information shared on or statements or pictures posted on social media sites or the internet.

The Township may conduct investigations into social media use if it receives specific information about workplace misconduct or the unauthorized transfer of the Township's proprietary or confidential information. Under no circumstances shall any employee post any comments or photographs pertaining to the Township that are not known to the general public, that relate to any resident, resident information or any other confidential MUNICIPAL information on any social medium (i.e. Facebook, Twitter, Instagram, Snapchat, YouTube, etc.) Such violations of confidentiality will not be tolerated, and employees violating this policy will be subject to disciplinary action up to and including termination.

If the Township is made aware that any employee has posted information on any social medium that would cause an employee to be disciplined if the employee used the same language in the workplace, such employee may be subject to discipline up to and including termination of employment.

Network Policy

Township computers may only be used by employees specifically granted permission by their Director. Non-employees performing work for the Township must do so under the supervision of a Director or designee. Each computer user so authorized will be issued a user log on name and password by the Business Administrator. The user shall change the password on the first use and continue to change the password periodically. Each user shall log on to the computer he or she is using with the permanent user log on name and current valid password and shall be responsible for all operations on that computer until he or she logs off. Users shall use password protection of files only upon the approval of the appropriate Department Head. Passwords for such files must be given to

the Department Heads and Department Heads shall keep secure records of these passwords. Users shall not install or cause to be installed, delete or caused to be deleted, any software unless approved by the Business Administrator. Users are not permitted to copy, transfer, rename and/or delete information or programs belonging to other users unless given express permission to do so by the owner. Modems shall only be used in applications where they are necessary and their installation and use must be approved by the appropriate Department Head and the Business Administrator.

Access and Auditing

Access to Township equipment and data shall be authorized by Department Heads and controlled by the Business Administrator.

The Business Administrator is authorized to audit computer, internet and intranet use as needed to ensure adherence to all policies in the handbook, this document and any and all attachments. If auditing uncovers a violation of established policies, the Business Administrator shall report the problem to the Township Committee for further action.

Compliance with Law

Use of the Township's equipment must be in accordance with the law. This equipment shall not be used to send or receive copyrighted materials, trade secrets, proprietary financial information, or any similar materials without prior authorization. No software licensed to the Township shall be copied, loaned or otherwise duplicated without the express written permission of the Township. Violations of applicable laws may result in civil or criminal prosecution, and will result in disciplinary action up to and including termination of employment.

Reporting Incidents and Violations

Any employee who observes or becomes aware of a violation of any guidelines or policies listed in this document shall report the violation to the appropriate Department Supervisor, Department Head and/or the Administrator. Although employees are encouraged to report the violation to their Supervisor, the employee may report the violation to a different Supervisor or Department Head or other individual as needed, including if the employee feels no action is being taken to address the violation. Any violation may result in disciplinary action up to and including termination. If necessary, the Township will advise appropriate legal officials of any violation.

Bulletin Board Policy:

Bulletin boards located in the Township administrative buildings and other facilities are intended for official notices of the Township only. Only personnel authorized by the Business Administrator may post, remove, or alter any notice.

Anti-Harassment Policy

The Township will not tolerate harassment in the work place including harassment motivated by sex, sexual or affectional orientation, pregnancy, childbirth, or medical condition related to pregnancy or childbirth, gender or gender identity or expression, race, creed, color, religion, national origin, ancestry, age, marital or political status, atypical hereditary or cellular blood trait, disability or handicap, domestic partnership or civil union status, sexual orientation, genetic information or refusal to submit to a genetic test, or any other class protected by federal, state or local law or regulation. Township officials, appointees, managers, supervisors, employees, volunteers and outside contractors alike must comply with this policy and take appropriate measures to insure that such conduct does not occur. Violations of this policy will result in disciplinary action up to and including discharge or, in the event non-employees are found to be at fault, other appropriate action. Employees who feel they have been subject to harassment must report the harassment to their supervisor, or if they prefer to the Department Head or the Administrator.

Harassment consists of unwelcome conduct, whether verbal, physical or visual that is based on a person's protected status. Harassment involves behavior that is personally offensive, fails to respect the rights of others, lowers morale and interferes with work effectiveness. Harassment may take many different forms. Whatever form it takes, harassment is insulting and demeaning to the recipient and will not be tolerated in the workplace.

The Township will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance or that creates an intimidating, hostile or offensive working environment.

Sexual Harassment

- One type of harassment is sexual harassment. The Township prohibits sexual harassment of or by its employees in any form. Sexual harassment is unwelcome, unsolicited conduct of a sexual nature or because of one's sex, which an employee reasonably regards as undesirable or offensive. It includes unwelcome sexual advances, requests for sexual favors and any other conduct of a physical nature where:
- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or
- Submission to or rejection of such conduct is used as a factor in decisions affecting that individual's employment; or
- That conduct has the purpose or effect of substantially or unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive working environment.

Complaint Procedure

What you should do if you are a victim of harassment:

- (1) Employees who believe that they have been subject to harassment should report the incident directly to their immediate supervisor, Department Head, or the Business Administrator. The complaining party should specify the name of the alleged harasser and any and all witnesses to such alleged harassment. Completion of a written Complaint form is preferred but not required. The harassment does not have to occur on Township property during regular work hours for an employee to file a complaint under this policy.
- (2) Any individual uncomfortable reporting an incident to their Supervisor, Department Head or Administrator should feel free to go to any management representative that he or she feels most comfortable to relay the problem. Under no circumstances shall an employee be required to make a report of harassment to the person he/she is accusing of harassment.
- (3) It is recommended, but not required, that an individual who believes that he/she has been subjected to harassment from either a co-worker or a supervisor should confront his/her harasser and make clear that such behavior is not welcome.

The Township encourages employees who witness conduct which they believe violates the Township's Anti-Harassment Policy to report the violation pursuant to this complaint procedure. All supervisory personnel are required to ensure adherence to and compliance with this policy. Upon being informed of and/or witnessing possible harassment, supervisory employees are required to inform the Administrator and take appropriate remedial action to stop the harassment.

The Township encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within 120 days to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

Investigation Procedure

The Township shall conduct an investigation into the harassment complaint to determine the merits of the allegations. The investigation shall be completed in a reasonable time to resolve the issue and minimize the effects of such investigation on the parties involved.

- (1) The investigation will, at a minimum, include an interview with the employee bringing the complaint and the accused. If the Township determines that the complaint has merit, the accused shall face appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges against the individual. Disciplinary action may include a written warning, suspension, demotion, and/or termination of employment. Any disciplinary action shall be consistent with applicable collective negotiations agreements and applicable due process safeguards.
- (2) All employees have a responsibility to cooperate fully with the investigation of harassment. Although the extent of each investigation will vary, discretion and cooperation are crucial at all levels.
- (3) In the event that the Township determines the complaint to be intentionally dishonest, appropriate disciplinary action may be taken against the employee who caused the complaint to be filed.

Privacy and Confidentiality

To the extent possible, all complaints will be kept confidential. However, investigation of the complaint will necessitate disclosure to those involved in the investigation. In addition, all persons involved in a harassment complaint will be given the utmost protection of privacy. Specifically, the Township will strive, both during and after the investigation, to maintain confidentiality to the fullest extent possible, including confidentiality of the identities of all persons involved or alleged to be involved in the incident, revealing only those particulars of the matter to the extent necessary for a thorough investigation. Any employee who unnecessarily compromises the confidentiality of an investigation will be subject to appropriate discipline.

Responsibility of Supervisory Personnel

Supervisors are to monitor the work environment to ensure that all subordinates comply with this Anti-Harassment Policy. When a supervisor learns of a violation of this policy, the supervisor shall assist the employee in reporting the alleged incident(s) of harassment. Alternatively, the supervisor shall report the matter to the Administrator.

Any supervisor who receives a harassment complaint from any employee must bring it to the attention of the Administrator for resolution.

Retaliation Prohibited

The Township encourages victims of harassment to bring their complaints to the Business Administrator by ensuring that no reprisals or retaliation will result from the good faith reporting of harassment. It is a violation of this policy for any personnel to retaliate against another because he or she filed a complaint or otherwise participated in the complaint procedure.

Supervisors shall closely monitor the work environment for any forms of retaliation once an allegation has been made. This will include but not be limited to verbal remarks,

irregular assignments or any other activity that may contribute to a hostile work environment.

Any retaliatory conduct or recurrence of the offensive behavior should be reported immediately to the Business Administrator.

Workplace Violence Policy:

The Township will not tolerate workplace violence. Violent acts or threats made by an employee against another person or property are cause for immediate dismissal and will be fully prosecuted. This includes any violence or threats made on Township property, at Township events or under other circumstances that may negatively affect the Township's ability to conduct business.

Prohibited conduct includes:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive, hostile or intimidating behavior that creates a reasonable fear of injury or loss to another person or to personal property or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on Township property or while on Township business except with the authority of the Police Chief; and
- Committing acts motivated by, or related to, harassment or domestic violence.

Any potentially dangerous situations must be immediately reported to the employee's department head or to the Administrator. All reported incidents will be investigated and appropriate action taken in an expeditious manner. The Township will actively intervene in any potentially hostile or violent situation.

Any employee found to have committed violent acts as defined hereunder shall be subject to discipline up to and including immediate termination of employment. Non-employees engaged in violent acts on Township premises will be reported to the proper authorities and fully prosecuted.

Drugs and Alcohol Testing Policy:

The Township has a vital interest in maintaining a safe, healthy and efficient working environment. Being under the influence of illegal drugs or alcohol on the job poses serious safety and health risks to the user and to those who work or come in contact with the user in the workplace. Accordingly, the use, sale, purchase, transfer, possession or being under the influence of illegal drugs or alcohol in the workplace poses unacceptable risks for safe, healthy and efficient operations and will be grounds for immediate discipline up to and including termination of employment. The use of prescription drugs in an illegal manner is also deemed a violation of this policy.

The Township further expresses its intent, through this policy, to comply with federal, state and local rules, regulations and/or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

As a condition of employment, all employees are required to abide by the terms of this policy and to notify the Township of any criminal drug statute conviction for a violation

occurring in the workplace no later than five (5) days after such conviction. In addition, any employee arrested for actions related to a drug statute violation shall advise the Township if such arrest shall require jail time while awaiting trial or other restrictions on the employee which may impact on the employee's ability to perform his/her job.

Scope

This policy applies to all departments, all employees (including all contracted employees) and all job applicants. Employees who are required to maintain a CDL license as an essential function of their job will also be subject to additional procedures (including random testing) pursuant to federal law and regulations. Police personnel may also be subject to additional testing pursuant to Attorney General Guidelines.

Definitions

Alcohol: Any beverage that contains ethyl alcohol (ethanol), including, but not limited to, beer, wine and distilled spirits.

Township premises/ facilities: All property of the Township, including, but not limited to, the offices, facilities and surrounding areas of Township-owned or leased property, parking lots and storage areas. The term also includes all Township owned or leased vehicles and equipment wherever located, and includes all other premises or facilities visited by employees in the course of their employment.

Illegal drug: Any drug which is not legally obtainable; any drug which is legally obtainable, but has not been legally obtained; any prescribed drug not legally obtained, not being used for the prescribed purpose or by the prescribed person or not being used in the prescribed dosage or manner; and any drug being used for a purpose not in accordance with bona fide medical therapy. Examples include, but are not limited to, marijuana, hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), barbiturates and so-called designer or look-alike drugs.

Reasonable Suspicion: A belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is under the influence of alcohol or drugs. Reasonable suspicion must be directed at a specific person and must be based upon specific and articulable facts and the logical inferences and deductions that can be drawn from those facts. Reasonable suspicion may be based upon things such as: observable phenomena – such as the direct observation of the possession or use of a drug or alcohol or the direct observation of physical symptoms of being under the influence of a drug or alcohol such as slurred speech, unsteady gait; a pattern of unusual or abnormal conduct or erratic behavior; information provided by a reliable and credible source; work-related accidents and deviations from safe working practices.

Employee Responsibilities

Each employee has the responsibility to:

- (1) Report to work at all times free of alcohol or illegal drugs and their effects;
- (2) Be aware of the Township's Alcohol-Free and Drug-Free Workplace Policy;
- (3) Seek assistance for alcohol and other drug abuse or related problems through an approved program before job performance is impacted;
- (4) Support the Township's efforts to eliminate alcohol and other drug abuse among employees.
- (5) Report to your Department Head the use of prescription drugs that may impact your work or the safety of you or your co-workers or the public.

Supervisors and other management personnel will be trained in detecting the signs and behavior of employees who may be using illegal drugs or alcohol at work.

Authorized Use of Prescribed Medication

An employee undergoing prescribed medical treatment with any drug that may impair his/her ability to perform his/her job without posing a safety risk to himself/herself or others must report this treatment to his/her Department Head. An employee may continue to work under the influence of a prescribed drug only if, after consultation with a Township medical professional, it is determined that such use does not pose a safety risk and the employee's job performance is not negatively impacted and/or cannot be reasonably accommodated.

If justified by medical information and the employee's work performance, the Township may restrict an employee's work activity, place the employee on a leave of absence, or take other appropriate action in compliance with law.

Employees needing to take prescription medication while on working time, shall keep all prescription medication in the prescription bottles (or with a photocopy of the prescription on his/her person) so that upon a reasonable request, the Township may verify the use of the prescription medication is legal and does not pose a risk to the health and safety of the employee, other employees or members of the public. ALL MEDICAL INFORMATION SHALL BE MAINTAINED IN STRICT CONFIDENCE.

Reasonable Suspicion Testing

Whenever the Township has reasonable individualized suspicion that an employee is under the influence of alcohol or illegal drugs, the following procedures shall be applied:

- (1) An employee reasonably believed to be under the influence of alcohol or illegal drugs shall be immediately prevented from engaging in further work by his/her supervisor and department head and shall be prohibited from returning to work until negative test results are received. Any employee removed from a job for suspected drug or alcohol use will suffer no loss in pay provided the test result is negative.
- (2) The decision to test an employee shall be made by the Department Head after consultation with the Business Administrator and legal counsel.
- (3) If the Township determines to test an employee, the employee will be given a

direct order to submit to the test. Unionized employees shall be given the opportunity to have a union representative present if requested. The test will not be unreasonably delayed waiting for the attendance of a union representative. Refusal on the part of the employee to submit to a test shall be considered as having tested positive and may be subject to termination or may elect to attend rehabilitation.

- (4) The employee shall be transported in a reasonable amount of time to a qualified testing facility where a drug and/or alcohol screening will be administered. The employee will be required to sign a consent form prior to the test. Refusal to sign the consent form or intentional interference with the effective operation of the test shall be considered misconduct and shall be grounds for discharge.
- (5) The Township will afford the employee subject to testing the opportunity to list all prescription and non-prescription drugs they have used or recently used and the circumstances surrounding the use of such drugs and controlled substances.
- (6) The Township will allow a split sample to be taken so the employee may independently test the specimen at his/her own expense.
- (7) All alcohol and drug testing reports shall be treated in a confidential fashion and will only be revealed to those with a business need to know.

Disciplinary Action

Any person violating any of the provisions of this policy, including testing positive for illegal drugs and/or alcohol, will be subject to discipline up to and including termination of employment.

At its discretion based on the individualized circumstances of the case, the Township may provide a one-time opportunity to the employee to enter and successfully complete a rehabilitation program that has been approved by the Township at the employee's own expense. Costs not covered under the employee's health insurance plan shall be paid for by the employee. During rehabilitation, the employee will be prohibited from working and will be required to submit periodic updates to the Township. Upon successful completion of rehabilitation, the employee will be subject to unannounced drug and/or alcohol testing for a period of 36 months. In the event the employee fails to successfully complete the rehabilitation program or tests positive in a test conducted after rehabilitation, the employee will be terminated.

Voluntary Self-Identification

Employees who come forward and identify themselves as having a drug and/or alcohol abuse problem prior to being requested to take a test by the Township based on reasonable suspicion, may be provided the opportunity to successfully complete a rehabilitation program at his/her own expense.

Applicant Testing

All applicants for employment are subject to drug testing after a job offer has been given, but prior to the employee accepting employment. If an applicant refuses to take a drug test, or if evidence of the use of illegal drugs by an applicant is discovered, either through testing or other means, the pre-employment process will be terminated. Applicants who have been given a conditional offer of employment, and who thereafter refuse to take a drug test shall be treated as if they tested positive for illegal drugs and such offer shall be withdrawn. The Township shall abide by all laws, rules and regulations regarding testing of applicants, including the withdrawal of conditional offers of employment.

Notification

Each employee and applicant will receive a printed copy of this policy and will be required to sign a form acknowledging receipt of same.

Contagious or Life Threatening Illnesses Policy:

The Township has a legal obligation and is committed to providing a safe and healthy work environment for all employees and to the public. Accordingly, employees who have been diagnosed with any illness that poses a health hazard to other employees or to the public must immediately disclose this information to their Department Head. The Department Head shall then consult with the Business Administrator and a physician, if necessary, to assist in making a determination as to the appropriate course of action, including what if any reasonable accommodations exist to allow the employee to continue to perform the essential functions of his/her job. All medical information received about the employee will be kept strictly confidential. Employees who fail to disclose illnesses which pose a direct threat to the health and safety of other employees or the public shall be subject to discipline up to and including termination of employment.

The Township treats life-threatening illnesses in accordance with its policy on equal employment opportunity and the requirements of the ADA and NJLAD. The Township encourages employees with life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. As in the case of other disabilities, the Township shall make reasonable accommodations in accordance with legal requirements to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs as long as they are able to meet acceptable performance standards.

Whistleblower Policy:

Employees have the right to complain of anything they perceive to be improper. All complaints will be taken seriously and promptly investigated.

The Township shall not take any retaliatory action or tolerate any reprisal against an employee for any of the following:

- Disclosing or threatening to disclose to a supervisor, Department Head, the Administrator, other official or to a public body, as defined in the New Jersey Conscientious Employment Protection Act ("CEPA") (N.J.S.A. § 34:19-1, et seq.) an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with the statute, the employee must bring the violation to the attention of the Township. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. See Employee Complaint/Grievance Policy. Under

the law, the employee must give the Township a reasonable opportunity to correct the activity, policy or practice. The administration of whistleblower complaints is not subject to the limitations in the Employee Complaint/Grievance Policy. In accordance with the statute, a copy of this policy will be posted in all facilities and will be distributed to all employees on an annual basis.

Employee Complaint/Grievance Policy:

To foster sound employer-employee relations through communication and reconciliation of work-related problems, the Township provides employees with an established procedure for expressing employment-related concerns. **If the employee's complaint is one of harassment, employees should refer to the Township's Anti-Harassment Policy for appropriate procedures.**

A complaint or grievance under this policy is any formal dispute concerning the interpretation, application or enforcement of any personnel policy or procedure of the Township or any work-related issue, dispute or complaint. **All grievances from union employees will be handled pursuant to the terms of the applicable collective negotiations agreement.** All complaints/grievances from non-union employees should be presented within ten working dates after arising. Failure to file a complaint/grievance within such time may be deemed as a waiver of the complaint/grievance.

- **Step One:** Any employee or group of employees with a complaint/grievance shall verbally communicate the complaint/grievance to their immediate supervisor. The supervisor will communicate the decision to the employee within four (4) working days.
- **Step Two:** If the employee is not satisfied with the decision of the supervisor, the employee must submit a written complaint/grievance to the Department Head detailing the facts and the relief requested. The decision in Step One will be deemed final if the employee fails to submit a written complaint/grievance within five (5) working days of the Step One decision. The Department Head will render a written decision to the employee within ten (10) working days after receipt of the written complaint/grievance.
- **Step Three:** If the employee is not satisfied with the decision of the Department Head, the employee must submit a written complaint/grievance to the Administrator detailing the fact and relief requested. The decision in Step Two will be deemed final if the employee fails to submit a written complaint/grievance within five (5) working days of the Step Two decision. The Administrator will render a written decision to the employee within ten (10) working days after receipt of the written complaint/grievance. The decision of the Administrator is final.

Chapter 6 DISCIPLINE POLICY

All employees are expected to meet the Township's work performance standards. The intent of this policy is to formally document problems and provide the employee with a reasonable time to improve performance. The process should encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the Township's policies and procedures and other disciplinary problems. **All disciplinary procedures will comply with collective negotiations agreements where applicable.**

Should a supervisor believe that an employee is not conforming to the Township's policies and rules or to specific instructions, or has acted improperly; the supervisor will first privately discuss the matter with the employee to obtain the employee's view. If the supervisor determines that the employee has acted improperly, the supervisor shall

discuss the matter with the Department Head and/or the Administrator. Depending upon the gravity of the situation and the employee's past record one of the following actions will be taken:

- **Verbal Reprimand:** The supervisor will verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The supervisor will place in the employee's official personnel file a record of the verbal reprimand including the date, time and what was discussed with the employee. The employee should acknowledge receipt of the record of the verbal reprimand and may include additional comments. A copy of the document with a signed acknowledgement of receipt should be placed in the employee's official personnel file along with the employee's comments. The employee should also receive a copy.
- **Written Reprimand:** A written reprimand should clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination, further discipline) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning and may include additional comments. A copy of the written reprimand with a signed acknowledgement of receipt should be placed in the employee's official personnel file along with a record of the discussion and the employee's comments.
- **Suspension:** Whenever an employee is recommended for suspension, the Administrator will make the decision in consultation with the Department Head. The employee should clearly understand both the corrective action and the consequence (i.e., termination, further discipline) if the problem is not corrected or reoccurs.
- **Dismissal:** Whenever an employee is recommended for dismissal, the Administrator will make the decision after consultation with the Department Head. The Administrator should also discuss the termination with the Township Labor Attorney or the Township attorney, and should advise the Township Committee of his/her decision. NOTE: Any discussion of personnel action should be in closed session with the employee being served with a Rice Notice at least 48 hours prior to the closed session. The Administrator should conduct a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal.

Discipline may be given on a progressive basis, i.e. with discipline starting with a verbal reprimand and progressing up to termination only if the employee behavior does not improve. However, progressive discipline is not required and where deemed appropriate, the Administrator may start at any level of the discipline process, and/or repeat levels if deemed appropriate. The Administrator may also warn an employee at any stage of discipline that discipline given shall also serve as a FINAL WARNING, and the next time the employee commits a work violation of any kind, the employee shall face immediate termination.

An employee may be disciplined up to and including termination depending upon the circumstances for any of the following reasons. This list is not all inclusive and the Township may discipline employees for any act deemed inconsistent with the effective delivery of service to the public.

- Incompetence, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Conviction of a crime;

- Conduct unbecoming a public employee;
- Neglect of duty;
- Discrimination that affects equal employment opportunity (as defined in N.J.A.C. 4A: 7-1:1 including sexual harassment);
- Violation of Township policies, procedures and regulations;
- Falsification of public records including personnel records;
- Violation of Federal, State or municipal regulations concerning drug and alcohol use and possession;
- Chronic or excessive absenteeism or lateness;
- Misuse of public property, including motor vehicles; and
- Other sufficient cause.

All discipline and discharges will be in accordance with Federal and State laws including laws against discrimination, laws prohibiting retaliation under the NJ Conscientious Employee Protection Act (“CEPA”), and where applicable collective negotiations agreements and individual contracts. Employees may be represented at any and all hearings relating to discipline by a representative selected by the employee, including but not limited to, union representatives (if any), personal lawyers or lawyers representing the applicable Union. The Township shall not incur any cost relating to the employee’s selection of representation, unless required by law.

Whenever an employee is disciplined up to and including termination, the Township will follow any laws, rules or regulations related to the position held by the employee. For example, Township Managers, Chief Financial Officers, Business Administrators and other jobs within Township government have statutory requirements impacting employment and the termination of employment. The Township will contact labor counsel or the Township attorney for guidance.

Police officers and firefighters have additional rights when being disciplined. When seeking to discipline a police officer or firefighter, the Township will discuss the procedural and legal requirements with their labor counsel and/or Township attorney. In addition, prior to suspending a police officer or firefighter without pay, the Township shall consult with labor counsel and/or Township counsel.

Chapter 7

Resignation Policy:

An employee who intends to resign must notify the Department Head in writing at least two (2) weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two (2) weeks, the employee may not use paid time off except paid holidays and unforeseeable sick leave if applicable unless granted by the Department Head. The Department Head will prepare an Employee Action form showing any pay or other money owed the employee. On the employee’s last day of work, prior to receiving the final paycheck, the employee must return his/her Employee Identification Card and all keys and equipment.

Employees providing two (2) weeks’ notice of resignation may be asked to leave employment prior to the end of the notice period. In such cases, the employee will be provided with all accrued but unused vacation and personal time. The Township may decide whether or not to pay the employee for the remainder of the two (2) week notice period.

Employees who do not provide at least two (2) weeks advance notice of resignation will not be eligible for rehire within the Township unless otherwise required by law, and will not be paid for any accrued but unused vacation or personal time.

Employees shall always receive pay for accrued compensatory time earned in accordance with Township policy or the requirements of a collective negotiations agreement or as required by law.