



Township of Pequannock

PERSONNEL

POLICIES AND PROCEDURES

MANUAL / EMPLOYEE HANDBOOK

The Township of Pequannock is an Equal Opportunity Employer

September 25, 2018

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GENERAL PERSONNEL POLICY:

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 bargaining 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.

All employees, officers and Department Heads shall be appointed and promoted by the Township Manager or Township Council, where appropriate. No person shall be employed or promoted unless there exists a position created by an ordinance adopted by the Township Council as well as the necessary budget appropriation and salary ordinance.

The Township Manager and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Township Manager has appointed staff to assist the Township in implementing personnel practices. The Township Manager and managerial staff shall also have access to the Township Attorney and/or Township Labor Counsel, appointed by the Township Council for guidance in personnel matters, when necessary.

As a general principle, the Township has a "no tolerance" policy towards workplace wrongdoing. Township officials, employees and independent contractors are to report anything perceived to be improper. The Township believes strongly in an Open Door Policy and encourages employees to talk with their supervisor, Department Head, Township Manager, or the Township Attorney concerning any problem

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

<p>To the maximum extent permitted by law, the employment practices of the Township shall operate under the legal doctrine known, as "employment at will." Unless otherwise provided by applicable Federal and State law, by individual employment contract, or by an applicable collective negotiations agreement, the Township has the right to terminate an employee at any time and for any reason, with or without notice, and with or without cause.</p>
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GOVERNMENT

This handbook has been designed to provide information to the employees of the Township of Pequannock regarding personnel policies and benefits. In some cases the terms of an ordinance and/or contract supersedes the policies which appear in this handbook. In such instances, please refer to the applicable ordinance or bargaining unit contract.

The Township of Pequannock is governed as a Faulkner Act Council-Manager community. In adherence to this form of government, the Council consists of five members who represent the citizens of the Township. They are elected for four-year terms. The Mayor, who serves as the presiding officer of the Township Council, is selected annually by council from among themselves. The council serves as the legislative body of the Township, directing the policy decisions. In addition, each department has its own organizational structure available from the Department Head.

The Township Manager serves as the Chief Executive and Administrative Officer of the municipality. The Manager's responsibilities include execution of the policies established by Council, conducting the daily business of the Township and managing all personnel matters, departments and other Township entities. The Council-Manager form of government allows for the day-to-day functions of the Township to be administered in an efficient and businesslike manner.

Township employees are the operators of local government whose actions represent the interests of the public. Your performance of your job reflects a commitment to a safe and efficient Township operation for the good of the community. The public counts on you to do a good job.

CHAPTER ONE

Policies Relating to Employee Rights and Obligations

Chapter 1.01: Anti-Discrimination Policy

The Township is committed to the principle of equal employment opportunity and anti-discrimination pursuant to federal and state antidiscrimination statutes. Under no circumstances will the Township discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, breastfeeding, liability for service in the United States armed forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. The Township is also committed to providing equal pay as required by the federal Equal Pay Act and the Diane B. Allen Equal Pay Act. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, Township Manager, or the Township Attorney.

Chapter 1.02: Americans with Disabilities Act Policy/ New Jersey Pregnant Worker's Fairness Act

In compliance with federal and state antidiscrimination statutes, the Township does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Township will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Township not to discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth, breastfeeding, or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job, provided that the accommodation does not impose undue hardship on the Township, and provided that the accommodation will be effective in allowing the employee to safely perform the essential job functions.

The Township Manager shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

All decisions with regard to reasonable accommodation shall be made by the Township Manager. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Township to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Township facilities. Any questions concerning proper assistance should be directed to Township Manager.

Chapter 1.03: Confidentiality of Medical Information

Information pertaining to the personal health, medical and psychological conditions, illnesses or physical and mental limitations, or impairments of employees, including but not limited to medical and psychological reports and doctor's notes, is confidential, shall not be disclosed to the public, and may be disclosed to such persons only to the extent permitted by applicable law.

The Township will take reasonable precautions to protect employee medical information from inappropriate disclosure, including but not limited the following:

- Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information.
- Information may be disclosed without the prior written consent to qualified individuals for the purpose of conducting management audits, financial audits, and program evaluations, but these individuals shall not identify, either directly or indirectly, the person who is the subject of the record in a report or evaluation, or otherwise disclose the person's identity in any manner. Information shall not be released to these individuals unless it is vital to the audit or evaluation.
- Information may be disclosed to the Department of Health as required by State or Federal law.

Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

Chapter 1.04: 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 accident or accident involving Township facilities, equipment or motor vehicles must also be immediately reported to the supervisor or Department Head.

The Township has appointed a Safety Committee that meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their Safety Committee Representative.

Chapter 1.05: Transitional Duty Policy

The Township will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed and may not exceed forty-five (45) workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

An employee requesting transitional duty or the Workers Compensation Physician shall notify the Township Manager as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will probably be able to perform the essential functions of the position after the transitional duty period. The Township Manager will consult with the Department Head to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be in any department and not just the employee's normal department. The Township Manager will decide if it is in the best interest of the Township to approve a transitional duty request and will notify the employee of the decision. The Township reserves the right to terminate the transitional duty assignment at any time without cause.

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Township Manager who will render a written response within 24 hours.

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Township Manager. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Township Manager informed of the medical progress. Employees assigned to transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason. If at the end of transitional duty period the employee is not able to return to work without restrictions, the Township reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers Compensation or disability. This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, or other Federal or State law.

Chapter 1.06: Drug and Alcohol Policy

The Township recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is observed by a supervisor or department head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor or Department Head will immediately report any reasonable suspicions to the Township Manager.

An employee will be required to submit to alcohol, drug or controlled substance testing when the employee's work performance causes a reasonable suspicion that that employee is impaired due to current intoxication, drug or controlled substance use, or in cases where employment has been conditioned upon remaining alcohol, drug, or controlled dangerous substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action, including termination. Supervisors or Department heads that observe behavior constituting reasonable suspicion are required to institute testing and do not have the option of sending the employee home as an alternative.

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs on Township premises or during work hours by employees is strictly prohibited.

Employees must notify their supervisor within five (5) days of conviction for a drug or alcohol related violation, whether or not the violation occurred in the workplace.

Employees who are required to maintain a Commercial Driver's License (CDL) are subject to random drug testing as required by the federal government. Police officers shall be subject to random drug testing as required by the directives of the New Jersey Attorney General and by Police Department rules, regulations and standard operating procedures.

Employees using prescription drugs that may affect job performance or safety must notify the Township Manager of this fact. The specific medication being taken and the condition being treated shall not be disclosed. The employee need only report that his or her ability to safely and effectively perform job functions will be impaired.

No prescription drug should be used by any person other than the individual to whom it is prescribed. Such substances or non-prescription (over-the-counter) drugs should be used only as prescribed or indicated. Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Township property or while performing Township business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

Chapter 1.07: 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, but is not limited to, examples such as:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person 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, sexual harassment or domestic violence.

Any potentially dangerous situations must be immediately reported. The Township will actively intervene in any potentially hostile or violent situation.

Chapter 1.08: General Anti-Harassment Policy

It is the Township's policy to prohibit and prevent harassment of an employee by any other employee or any management representative, supplier, volunteer, business invitee, or any other person, including non-employees, on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), gender identity or expression, liability for service in the United States armed forces, and/or any other characteristic protected by law. Harassment of non-employees by our employees is also prohibited. Prohibited conduct includes, but is not limited to, slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings or images, and other similar verbal, written, printed or physical conduct.

If an employee is witness to or believes to have experienced such prohibited conduct committed by any person, immediate notification of the supervisor or other appropriate person should take place. See the Employee Complaint Policy.

Notification of appropriate personnel of any prohibited conduct is essential to the success of this policy and the Township generally. The Township cannot resolve an issue unless it knows about it. Therefore, it is the responsibility of all employees to bring prohibited conduct to the attention of the appropriate officials so that steps are taken to correct them.

Violation of this policy will subject employees to disciplinary action, up to and including immediate discharge.

Chapter 1.09: Anti-Sexual Harassment Policy

It is the Township's policy to prohibit and prevent sexual harassment of an employee by another employee or any management representative, supplier, volunteer, business invitee, or any other person, including non-employees. The Township prohibits sexual harassment from occurring in the workplace or at any other location at which Township sponsored activity takes place. Sexual harassment of non-employees by our employees is also prohibited and to be prevented.

Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct are expressly prohibited.

Other prohibited conduct includes but is not limited to: offering employment benefits in exchange for sexual favors; visual conduct (leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters); verbal sexual advances, propositions or requests; verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, caricatures or representations of persons using electronically or physically altered photos, drawings, or images; notes or invitations; and/or, physical conduct (touching, assault, impeding or blocking movements).

If an employee is witness to or believes that the employee has experienced conduct prohibited by this policy, they must immediately notify their supervisor or other appropriate person. See the Employee Complaint Policy.

No Township official or employee shall use his or her position to demand sexual favors or conduct from any Township employee or other person, to compel Township employee(s) or other person(s) to submit to conduct prohibited by this policy, or to retaliate against any other employee or person for refusing to submit to demands for sexual favors or conduct and/or conduct prohibited by this policy. Such conduct will not be tolerated and will lead to termination.

Notification to appropriate personnel of any prohibited conduct is essential to the success of this policy. The Township cannot resolve an issue unless it is reported. Therefore, it is the responsibility of all employees to bring prohibited conduct to the attention of management so that steps are necessary to correct them.

Violation of this sexual harassment policy will subject employees to disciplinary action, up to and including immediate discharge.

Chapter 1.10: “Whistleblower” Policy

Employees have the right under the “Conscientious Employee Protection Act (CEPA) to disclose, object to, refuse to participate in, provide information about, or testify about specific activities, policies or practices that the employee reasonably believes is in violation of a law, rule, or regulation promulgated pursuant to law without fear of retaliation or reprisal. The Township shall conspicuously display and annually distribute to all employees, in written or electronic form, a notice of employee protections, obligations, rights and procedures under CEPA, prepared and distributed by the New Jersey Department of Labor and Workforce Development. The annual notice shall be in English and Spanish. Employees will be required to provide written or electronic confirmation of their annual receipt of this notice. A copy of the notice also is attached as an exhibit to this Handbook.

The Township shall not take any retaliatory action or tolerate any reprisal against an employee for taking or participating in any action protected by CEPA.

Certain protections afforded to employees under CEPA are subject to a notice requirement. That is, to enjoy those protections, an employee who intends to report alleged wrongdoing to a public body must in normal circumstances first the Township Manager in writing, and afford the Township a reasonable opportunity to correct the complained of activity, policy or practice before a disclosure to a public body is made. Disclosure to a the Township Manager is not required where the employee is reasonably certain that the activity, policy or practice is known to one or more department heads and/or supervisors of the employer and/or where the employee reasonably fears physical harm as a result of the disclosure provided, however, that the situation is of emergent nature.

An employee wishing to report or file a complaint concerning alleged violations of law as described in this policy must submit his/her written complaint to:

Adam Brewer
Township Manager

Complaints under this policy will be taken seriously and promptly investigated in accordance with the provisions of this manual.

Chapter 1.11: Employee Complaint Policy

Employees who observe actions they believe to constitute violations of policy, improper or unauthorized workplace conduct, or violations of established norms of workplace behavior, including, but not limited to violations of the General Anti-Harassment and Anti-Sexual Harassment Policies, should immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Department Head or the Township Manager, or a member of the governing body. Reporting of such incidents is encouraged both when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of wrongdoing will be promptly investigated by a person who is not involved in the alleged wrongdoing.

No employee will be penalized in any way for submitting a complaint in good faith, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in good faith in the investigation of a complaint.

Actions taken internally to investigate and resolve complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report an incident. Appropriate corrective or other action shall be taken as deemed necessary or appropriate by the Township.

It is critical that all persons, including the complaining party, the subject of the complaint, and any witnesses, be truthful and honest in the information they provide during the complaint and investigation process. The providing of intentionally false information by any person is strictly prohibited and will result in discipline, regardless of the outcome of the underlying complaint.

Chapter 1.12: Grievance Policy

A grievance is any complaint by an employee or group of employees concerning the interpretation, application and enforcement of any personnel policy or procedure of the Township as it applies to him/her/they.. Grievances from union employees will be handled pursuant to the terms of the applicable bargaining unit agreement. All grievances from non-union employees must be presented within five working days after the grievance arises. Failure to report a grievance within such time shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty working days prior to the date the grievance was first presented in writing. The following steps shall be taken in this order

1. Express the grievance orally with your immediate supervisor, within five (5) working days of the event leading to the grievance.
2. If not satisfied, submit the problem in writing to the Department Head. The Department Head shall render a decision within five (5) working days after written submission of the grievance.
3. If the grievance cannot be settled at this level, it should be submitted as an appeal to the Township Manager. This appeal should contain a complete explanation of the problem and the terms of the settlement offered by the Department Head.
4. The Manager may request a conference with the parties involved. The Manager shall render a decision within seven (7) working days of receipt of the written appeal.

The provision of this Policy shall not apply to allegations presented under the Whistleblower Policy or the Employee Complaint Policy.

Chapter 1.13: Access to Personnel Files Policy

The official personnel file for each employee shall be maintained in the Office of the Township Manager. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Electronic personnel and medical records will be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Township premises in the presence of the Township Manager or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

Personnel files will not contain confidential employee medical information. Any such information that the Township may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements.

The Township endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Township will release information contained in personnel or medical records to persons outside the Township. These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Township's compliance with applicable law;
- To the Township's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Township are parties;
- In a workers' compensation proceeding;
- To administer benefit plans;
- To an authorized health care provider;
- To first aid or safety personnel, when necessary; and
- To a potential future employer or other person requesting a verification of your employment as described in the following section titled, "Requests for Employment Verification and Reference Procedure."

Chapter 1.14: 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 nature and unrelated to Township business. However, business dealings that 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 Township Clerk a state mandated disclosure form. The Township Clerk 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, 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 Township Manager or the Township Attorney to obtain clarification.

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 Township Manager may request employees to restrict outside employment if the quality of Township work diminishes. Any employees, or their immediate relatives as defined in the above paragraph, who hold an interest in, or is employed by, any business doing business with the Township must submit a written notice of these outside interests to the Township Manager. The Township Manager must be advised of employment with another public agency.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Township duties. Under no circumstances 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 are also prohibited. Employees are required to report to the Township Manager any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Employees shall not represent private interests before the Township Council or any board, commission or agency of the Township. Employees shall not represent any private interest in any action or proceeding against the interests of the Township in any litigation to which the Township is a party.

Employees shall not use their official position to obtain personal discounts, preferential or favorable treatment, special rights, benefits, advantages or privileges for one's self, a family member or any other person.

Personal use of Township-owned property, equipment, supplies or services is prohibited. When operating equipment or using supplies, it is to be done for authorized functions only. Any employee found taking unjustified advantage of Township property will be subject to disciplinary action, based on the seriousness of the offense.

Any Township property that becomes lost or stolen is to be immediately reported to the Department Head and a written "Accident/Theft/Loss Notification Report" form must be submitted to the Manager's Office with the Department Head's signature. In a case where the loss or damage is due to employee negligence, the employee is to be held responsible for their actions.

This Policy shall be applied in a manner consistent with the New Jersey Local Government Ethics Act. In case of conflict, the provision of the New Jersey Local Government Ethics Act shall control.

Chapter 1.15: Political Activity Policy

Employees have exactly the same right 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. 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 supervisor, Department Head, Township Manager, or a member of the governing body.

Chapter 1.16: Employee Evaluation Policy

The Department Head will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. After completing the evaluation, the supervisor or Department Head will review the results with the employee and return the form(s) with the signed acknowledgement to the Township Manager. After review by the Township Manager, the form(s) are to be forwarded to the Office of the Township Manager for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Township Manager.

Chapter 1.17: Employee Discipline Policy

An employee may be subject to discipline for any of the following reasons:

- Falsification of public records, including attendance and other personnel records.
- Failure to report absence.
- Harassment of co-workers and/or volunteers and/or visitors.
- Theft or attempted theft of property belonging to the Township, fellow employees, volunteers or visitors.
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on Township property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Township property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on Township property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Township premises during work time, without the approval of the Township Manager. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Township or suppliers' property.
- Sleeping on the job.
- Carrying weapons of any kind on Township premises and/or during work hours, unless carrying a weapon is a function of your job duties.
- Violation of established safety and fire regulations.
- Unscheduled absence, and chronic or excessive absence.

- Chronic tardiness.
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours.
- Defacing walls, bulletin boards or any other Township or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential Township information.
- Unlawful gambling on Township premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Township premises.
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort.
- Conviction of a crime or disorderly persons offense.
- Violating any Township rules or policies.
- Conduct unbecoming a public employee.
- Violation of Township policies, procedures and regulations.
- Violation of Federal, State or Township laws, rules, or regulations concerning drug and alcohol use and possession.
- Misuse of public property, including motor vehicles.
- Unauthorized use of computers, Internet, and email.
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less.

In cases of employee misconduct, the corrective action taken will be based upon the gravity of the situation, the number and kind of previous infractions, and other considerations pertaining to the matter under consideration deemed by the Township to be relevant.

Employees who dispute disciplinary action taken against them may submit a grievance under the Grievance Policy. Employees entitled to utilize specific disciplinary review procedures under applicable law, individual employment contracts or collective negotiations agreements shall utilize those procedures.

Unless otherwise provided by applicable law, individual employment contract or collective negotiations agreement, all Township employees are employees at will who may be terminated at any time, with or without cause and with or without notice. Nothing in this policy manual or any other Township ordinance, guideline, policy or practice creates a right to removal for cause, or entitles an employee to any disciplinary review process other than the Grievance Policy.

Chapter 1.18: Resignation Policy

When resigning from a position, a minimum of two weeks prior written notice to the Department Head is required in order to be considered "resignation in good standing." Oral and short notice (less than two weeks) resignations shall be binding but will not be regarded as being "in good standing."

Chapter 1.19: Workforce Reduction Policy

The Township may institute layoff actions for economy, efficiency or other related reasons, but may first consider voluntary alternatives. Seniority, lateral or other re-employment rights for employees will be determined by the Township Manager.

Chapter 1.20: Driver's License Policy

Any employee whose work requires that 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 may 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 or an unsatisfactory driving record may result in denial or termination of employment.

Periodic checks of employee's drivers' licenses through visual and formal Department of Motor Vehicles review checks may be made by Department Heads or Division Supervisors. 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.

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. S 2721 et seq.)

Chapter 1:21 Workforce Democracy Enhancement Act

Supervisory and managerial employees, and elected and appointed officials, shall not encourage employees represented by an exclusive representative employee organization, (labor union), to resign or relinquish their membership in an exclusive representative employee organization, and shall not encourage such employees to revoke authorization for the deduction of fees to an exclusive representative employee organization.

Supervisory and managerial employees, and elected and appointed officials, shall not encourage or discourage employees from joining, forming or assisting an employee organization.

Every 120 calendar days beginning on January 1, 2019, exclusive representative employee organizations shall be provided, in an Excel file or similar format agreed to by the employee organization, the following information for all negotiations unit employees: name, job title, worksite location, home address, work, home and personal cellular telephone numbers, date of hire, and work email address and personal email address on file.

Exclusive representative employee organizations shall have the right to use the employer's email systems to communicate with negotiations unit members regarding collective negotiations, the administration of collective negotiations agreements, the investigation of grievances, other workplace-related complaints and issues, and internal union matters involving the governance or business of the union.

Exclusive representative employee organizations shall have the right to use government buildings and other facilities that are owned or leased by government entities to conduct meetings with their unit members regarding collective negotiations, the administration of collective negotiations agreements, the investigation of grievances, other workplace-related complaints and issues, and internal union matters involving the governance or business of the union, provided such use does not interfere with governmental operations. Meetings conducted in government buildings pursuant to this section shall not be for the purpose of supporting or opposing any candidate for partisan political office, or for the purpose of distributing literature or information regarding partisan elections. An exclusive representative employee organization conducting a meeting in a government building or other government facility pursuant to this section may be charged for maintenance, security and other costs related to the use of the government building or facility that would not otherwise be incurred by the government entity.

CHAPTER TWO

Workplace Policies

Chapter 2.01: Personnel Action Report

The "Personnel Action Report" or PAR form is used when an employee or Department Head wants to initiate action on behalf of themselves or an employee. The form is used when applying for paid time off or other leave of absence. This form is also used by Department Heads when recommending an employee for pay increase, suspension, dismissal, or to record employee achievements or commendations. The PAR form requires processing by the Department Head before it is submitted to the Manager for final action, when and where appropriate.

The PAR form has been standardized to expedite any action described above in a simple and direct manner. It must be used whenever applicable. It should be accompanied by any supportive information, as required (i.e. Workers' Compensation claim, etc.).

Chapter 2.02: Job Description Policy

A job description including qualifications shall be maintained for each position. All job descriptions must be approved by the Township Manager. Copies of job descriptions are available upon request in the Office of the Township Manager.

Chapter 2.03: 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. The normal working hours for administrative departments are 8:30 AM to 4:30 PM. Extended hours of operation are scheduled for the second Tuesday of every month from 8:30 a.m. to 7:30: p.m. with the following Friday from 8:30 a.m. to 1:00 p.m. The working hours for other departments are established by departmental procedures and bargaining unit agreements.

Some employees, because of the nature of their work, are on special schedules which are developed by the employee's Department Head and/or established by an applicable bargaining agreement.

Alternate work hours, for specific days may be established by the Township Manager, with the approval of the Township Council.

Chapter 2.04: Early Closing and Delayed Opening Policy

In the event of unsafe conditions, the Township Manager may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Township Manager shall notify Department Heads of a delayed opening and a new opening time. Each Department will have a calling system in place. If the employee chooses not to report to work, a full Paid Time Off (PTO) day or compensating time will be charged. Paid Time Off (PTO) or sick time, where applicable, will only be charged for a legitimate illness. If work is called off for the day, no time will be charged for the day. This provision does not apply to the Department of Public Works, Police, or any personnel who may be required to assist in an emergency. Certain non-essential employees of the Departments of Public Works and Police may also be excused, subject to the recommendation of the employee's Department Head and approval of the Township Manager.

Chapter 2.05: Dress Code Policy

Township of Pequannock Employees are required to present themselves in a neat, orderly business manner and to dress appropriately for the work they perform.

Employees issued uniforms by the Township are expected to wear such uniforms while on duty. Refusal to wear such uniforms may be cause for disciplinary action.

With the advance approval of the Township Manager, the Township will make necessary reasonable religious and/or disability accommodations that do not violate safety standards or other requirements that are job related and consistent with business necessity.

Employees violating this policy shall be required to take corrective action or will be sent home without pay.

The Dress Code for employees of the Township of Pequannock will be business casual with the following specific exceptions and examples.

- Business casual dress typically includes slacks or khakis, dress or skirt, dress (button down) shirt or blouse, open collar polo type (two/three button) shirt, knit shirt, optional tie, seasonal sport coat or sweater and dress shoes, loafers or other appropriate shoes that covers all or most of your foot.
- Employees issued uniforms by the Township are expected to wear such uniforms while on duty. Prescribed equipment shall also be worn, including but not limited to safety equipment.
- For those employees who may be working in the field, conducting inspections or supervising construction or other activities which may result in clothing becoming easily soiled, jeans or uniforms are acceptable and shall be authorized by the respective Department Head.
- Jeans may be worn on Fridays, provided the jeans are neat, without stains, rips, tears or fraying, schedule permitting.
- Specifically prohibited items of attire include attire such as: t-shirts (except those that are a component of a uniform or otherwise approved), tank tops, flip flops, and any item of clothing that includes obscene or profane statements or images.

Chapter 2.06: No Smoking Policy

As required by State law, the Township has adopted a smoke-free policy for all buildings. Township facilities are smoke-free. No employee or visitor will be permitted to smoke anywhere in Township buildings. Employees are permitted to smoke only outside Township buildings and in such locations that will not allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Township, smoking near equipment that may be adversely affected by smoke, and smoking in any location in which smoking may cause a fire or explosion hazard is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

Chapter 2.07: Use of Vehicles Policy

Unless an employee receives permission from the Township Manager, Township owned vehicles shall be used only on official business, and all passengers must be on Township business.

Vehicles may be taken home only with the advance approval of the Township Manager, except the Manager may also grant temporary approval 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; any other use is not permitted. At no time shall children be in the Township vehicle when responding to an emergency. Any violation of this policy constitutes cause for disciplinary action.

Any agreements pertaining to the use of vehicles established prior to the enactment of this policy may be discontinued in the Township's discretion.

Any municipal employee or official who is involved in a motor vehicle accident while driving a municipal vehicle shall submit to a drug and alcohol screen immediately following the accident or within four (4) hours thereafter.

Use of Personal Vehicle: From time to time, employees may be asked to use their personal vehicle for travel to meeting, work sites, seminars, etc. For those who use their vehicles on an occasional basis, and for everyone who is required to travel outside of the Township, a per mile rate (the current IRS reimbursement rate) will be paid for the actual distance traveled, from home or work, whichever is shorter.

Chapter 2.08: Communication Media Policy/ Social Media Policy

The Township's Communication Media are the property of the Township and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the Township, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, social media accounts, and fax. **Employees are restricted from accessing or using the company's Communication Media for personal purposes during company time on company equipment without prior authorization from the Township Manager to do so.**

All data stored on and/or transmitted through Communication Media is the property of the Township. For purposes of this policy, "Data" includes "electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Township business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Township's, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Township's local or wide-area networks."

The Township respects the individual privacy of its employees. However, employee communications transmitted by the Township's Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Township. The Township reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Township's Communication Media.** By using the Township's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Township personnel. The existence of passwords does not restrict or eliminate the Township's ability or right to access electronic communications. However, pursuant to New Jersey law the Township cannot require the employee to provide the password(s) to his/her personal account(s).

All email, social media accounts, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Township are required to use the assigned municipal email and municipal social media accounts for ALL Township business and correspondence. The use of private email and social media accounts for ANY Township business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on their personal emails, social media accounts, cell phones, or other personal Communication Media, it is also subject to the provisions of the Open Public Records Act. However, nothing in this social media policy prevents employees from using his/her own personal Communication Media during the employee's non-working hours to engage or participate in protected concerted activities pursuant to the National Labor Relations Act. Protected concerted activities include when an employee addresses group concerns with the employer; forms, joins or helps a labor organization; initiates, induces or prepares for group action; or speaks on behalf of or represents other employees. Nevertheless, employees are encouraged to resolve workplace grievances internally by discussing issues with their supervisor and/or the Administration, and are asked to refrain from posting comments or materials on

Communication Media that can be viewed as malicious, obscene, threatening, intimidating, or that could create a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law if the employee chooses to address their grievances using Communication Media.

Employees can only use the Township's Communication Media for legitimate business purposes. Employees may not use the Township's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Township rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances. Further, discriminatory remarks, harassment, bullying, threats of violence and similar behavior that is not tolerated in the workplace are also not acceptable through Communication Media, whether same is performed on the Township's equipment or on the employee's own personal Communication Media.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Township. Certain data, or applications that process data, may require additional security measures as determined by the Township. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

Information security is necessary to protect the Township's information (data and software) from accidental or intentional unauthorized disclosure, modification, or loss. Information security is managed under guidelines dealing with identification, authentication, authorization, production environment, and ability to audit. All employees should be familiar with such security measures adopted by the Township

All employees may access only data for which the Township has given permission. All employees must take appropriate actions to ensure that Township data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized. All Township data must be stored centrally as required by Township. This provides greater security, and ensures backup of all Township data is performed.

- a. Review of Stored Information and Temporary Files: Township Communication Media devices including computers, laptop computers, iPads, net books, smart phones, cellphones and other electronic devices record the history of an individual's Internet usage, including, but not limited to the uniform resource locator (URL) of sites viewed, screen shots and images of the webpages visited and viewed as well as other information specific to the Internet usage. Such information can be maintained on the hard drive or other storage device for the electronic device. Further, such information can be stored for a duration of 30 or more days and reviewable by the IT Manager and/or Township Manager or an agent of the IT Manager and/or Township Manager with authorization to review such information. Files that have been deleted from the computer hard drive can also be recovered and reviewed by the IT

Manager and/or Township Manager or an agent of the IT Manager and/or Township Manager with authorization to review such information. Emails, including password protected web-based email programs such as Gmail, Yahoo, Hotmail. Etc., or other files and documents that have been saved on the Township's server or sent through the Township's mail server can be recovered and reviewed through the appropriate server by the IT Manager and/or Township Manager or a an agent of the IT Manager and/or Township Manager with authorization to review such information regardless of whether the email was sent with a personal or Township issued device and regardless of whether the email continues to be stored on the individual's electronic device.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Township's computing environment.

1. Connection of any external devices, including cell phones, USB flash drives, external hard drives etc. need to be approved by IT before use.

Without the approval of the Township Manager, employees may not install, modify or remove ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Township. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Township, or licensed to the Township. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized. Workstation settings and configurations and network settings must not be modified by unauthorized employees. Internet security settings (where applicable) must not be changed. The foregoing includes but is not limited to the systems Network ID (or Computer Name), IP Address, Gateway and DNS addresses etc.

Social Media and its uses in government and daily life are expanding each year; however, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Only those Employees directly authorized by the Township Manager may engage in social media activity during work time through the use of the Township's Communication Media, as it directly relates to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential Township information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

No Township employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Township Manager. In addition

employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Township's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Township Manager. Except in "emergency situations," employees are prohibited from taking digital images or photographs with media equipment not owned by the Township."

For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Township's Communication Media. If such situation occurs, employee agrees that any images belong to the Township and agree to release the image to the Township and ensure its permanent deletion from media device upon direction from the Township.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the Township or on behalf of the Township, through the use of the Township's Communication Media may be issued unless it has first been approved by the Township Manager. Specifically, employees are forbidden from using the Township's Communication Media to impersonate the employer; to make statements on behalf of the employer without authorization; and/or to make statements that can be construed as establishing what the employer's official position or policy is on any particular issue. In addition, employees are prohibited from placing or posting on the Internet through the employer's Communication Media or the employee's own personal media, either during working or non-working hours, any employer-related confidential, sensitive or other employer information of a proprietary nature, including but not limited to employer records or documents, trade secrets, internal reports, tips based on inside information that may be considered insider trading, screenshots of computer stations, pictures of monitors and/or actual documents of the employer, any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incidents or occurrences.

Because authorized postings placed on the Internet through use of the Township's Communication Media will display on the Township's return address, any information posted on the Internet must reflect and adhere to all of the Township's standards and policies.

All users are personally accountable for messages that they originate or forward using the Township's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Township Manager) is prohibited

Employees must respect the laws regarding copyrights, trademarks, rights of public Township and other third-party rights. Any use of the Township's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Township, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

If employees choose to identify themselves as a Township employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Township, as such no employee shall knowingly represent themselves as a spokesperson of the Township. Township employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Township employees.

To the extent that employees use social media outside their employment while engaging in protected concerted activities as defined above, employees will not be subject to discipline or retaliation for expressing views, opinions, and/or facts surrounding the Township's employment policies. For all other communications by employees on personal social media sites in which matters related to the Township are discussed, employees must add a disclaimer on the front page stating that the posting does not express the views of the Township, and that the employees are expressing their own personal views. For example: **"The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer."** The disclaimer must be placed in a prominent position and repeated for each posting that is expressing an opinion related to the Township or the Township's business, with the exception of postings and social media communications by employees engaging in protected concerted activities. Employees are advised that if they post information on social media that is in violation of either the terms and conditions of the within social media policy, or in violation of federal, state, or local laws, the disclaimer will not shield them from disciplinary action. However, no retaliation or discipline will result if and when employees are engaging in protected concerted activity, and/or choose to report inappropriate social media activities to the Township Administration.

Nothing in these policies is designed to interfere with, restrain, or prevent social media communications by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment in accordance with applicable law. All Township employees have the right to engage in or refrain from such activities.

Chapter 2.09: Use of Internet

The Township provides Internet access to its employees in order to make available a vast array of information resources and to allow participation in and access to increasing county and state resources.

Employees must comply with all policies adopted by the Township, including but not limited to policies regarding prohibition of discrimination and harassment and all applicable federal, state and local laws, including laws governing the transmission and dissemination of information while accessing the Internet.

Employees who are using the Township's Internet may not:

- Use the network to make unauthorized entry into other computational, informational or communication services or resources;
- Distribute unsolicited advertising;
- Invade the privacy of others;
- Make any attempt to damage computer equipment or software;
- Engage in any activity that is harassing or defamatory;
- Use the Internet for any illegal activity, including violation of copyright or other rights of third parties, or in a manner inconsistent with the Township's tax-exempt status or its proper operation; and/or
- Download unauthorized software, fonts, templates or scripts.

As stated in the Communications Policy above the Township reserves the right to monitor the employee's Internet usage. In addition the Township has the right to restrict access to specific types of prohibited content through the use of a content filtering system.

Chapter 2.10: Video Surveillance

The Township may install video surveillance camera systems within public buildings and throughout public areas within the Township, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the Township will ensure compliance with federal, state and local laws governing such usage.

The Township's video surveillance camera systems are a significant tool to which the employees of the Township will avail themselves in order to complete the goals and objectives of the Township. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Township's designee will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the Township's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission for the designee of the Township.

The Township shall designate a person to be responsible for the maintenance and administration of the video surveillance camera system. Such designee will be responsible for maintaining a user access log detailing the date and name of individuals who view/access a stored recording.

Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that the Township Manager is immediately informed of such breach.

Chapter 2.11 Bulletin Board Policy

The bulletin boards located in the Township administrative building and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Township Manager may post, remove, or alter any notice.

Chapter 2.12: Employee Dating Policy

Romantic relationships among employees frequently lead to problems in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among co-workers, or the perception that they generate such problems. Therefore, the Township has adopted the following policy.

No elected official, officer or employee holding a supervisory, administrative, or managerial position having the authority to affect or recommend changes in the terms and conditions of employment, shall engage in a romantic, dating, or intimate/sexual relationship with another employee of the Township whom he/she supervises, or whose terms and conditions of employment he or she can influence. Examples of terms and conditions of employment for purposes of this policy include but are not limited to promotion, evaluation, assignment, review or allocation of work, termination, training, discipline and compensation. Violations of this policy may be met with appropriate discipline, transfer, or other appropriate personnel action as the Township deems appropriate under the circumstances. No person who is currently on the payroll of the Township shall be placed or continued in a position that provides supervision over someone with whom that person has a romantic or dating relationship. Further, the Township reserves the right to address any workplace issues that may result from the relationship in a manner it deems appropriate.

Employees considering entering into a dating, romantic or intimate relationship with another Township employee, even in circumstances not prohibited under this policy, are strongly encouraged to review and consider all Township policies regarding workplace conduct, including but not limited to policies pertaining to sexual and other forms of workplace harassment, as well as the policies on conflicts of interest and anti-nepotism, and to be guided accordingly. Further, all employees, irrespective of their personal relationship, are expected to conduct themselves in a professional manner while at work and during Township's formal events and functions and refrain from overt displays of affection or emotion that are or may be perceived as inappropriate in a professional setting.

Employees may report violations of this Dating Policy to the Township Manager.

CHAPTER THREE

Paid and Unpaid Time Off Policies

Chapter 3.01: Paid Holiday Policy

The following official holidays shall be observed by the Township for Class I employees:

- New Year's Day
- Martin Luther King's Birthday
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

The observed holidays may be modified by resolution of the Township Council.

The Township Manager may, at his discretion, change an official holiday or provide one (1) floating holiday, in lieu of a holiday, provided that in no case shall holidays exceed eleven (11) days per annum or as contained in contract.

Each Class II employee shall observe the above-referenced holidays on a prorated basis provided the employee was normally scheduled to work on the day of observance for the holiday.

In the event that a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday. In the event that the holiday falls on a Sunday, the holiday shall be observed on the following Monday, or as designated by the Township.

Chapter 3.02: Paid Time Off

A. Class I employees earn cumulative paid time off with pay for each full calendar month of service in accordance with the following schedule or as provided for in approved agreements:

<u>Months of Continuous Service</u>	<u>Days of Paid Time Off Leave Earned*</u>
1 - 48 months	1.83 days/month
49 - 108 months	2.25 days/month
109 - 192 months	2.67 days/month
193 - 228 months	2.75 days/month
229 - 240 months	2.83 days/month
241 - 252 months	2.92 days/month
253 - 264 months	3.00 days/month
265+ months	3.08 days/month

* Class II employees shall earn prorated paid time off with pay based on the above schedule. Prorating for Class II employees shall be determined by schedule articulated on the employee's offer letter or mutually executed Personnel Action Report. Should an employee's schedule change after his/her hire, it is the supervisor and Department Head's responsibility to submit a PAR with the revised schedule, which shall be the bases for recalculating the prorated paid time off.

B. Earned paid time off may be taken only at such time as the employee's department head and/or the Township Manager may approve.

C. With the exception of one (1) day, as articulated below in paragraph "F", paid time off may be taken in increments not less than one-half day as approved by the employee's department head and the Township Manager. A minimum of one week written notice is required to request paid time off in excess of two consecutive days. Paid time off in excess of twenty-one (21) consecutive work days is prohibited in any twelve month time frame unless approved by the Township Manager.

D. Any employee, who is terminated from the services of the Township as a result of a reduction in force for matters of economy and efficiency shall be paid for unused paid time off, accumulated under this section, at their then current rate of pay up to a maximum of thirty-five (35) days.

E. All vacation and sick leave benefit time accumulated prior to January 1, 2014 will be converted to paid time off.

F. For Class I employees, in a calendar year, up to one (1) day of paid time off may be taken in one (1) hour increments. For any other Class of employee, he/she may take up to one (1) prorated day of paid time off in one (1) hour increments, in a calendar year.

G. Any employee who resigns or retires or is terminated for any reason other than a reduction in force shall not be eligible for compensation for any accrued paid time off upon or following separation from the Township of Pequannock.

Chapter 3.03: Compensatory Time – Accrual & Use

Compensatory Time Accrual

All eligible Class I and Class II employees may accrue compensatory time when preapproved by the Department Head. Compensatory time may accrue in two separate pay situations.

Overtime: Eligible employees in an active pay status more than thirty five (35) hours per week may receive compensatory time instead of receiving overtime pay. For eligible employees whose normal work week is thirty five (35) hours compensatory time may be received at a rate of one hour for each hour worked up to forty (40) hours and one and one-half (1 ½) hours for each hour worked over forty hours. For eligible employees whose normal work week is forty (40) hours per week compensatory time may be received at a rate of one and one-half (1 ½) hours for each hour worked over forty hours.

Holiday Pay: Eligible employees who work on a day observed as a holiday may receive holiday compensatory time.

All accrual of compensatory time shall be documented on employee time sheets and personnel action reports (PARs.)

At no time may accrual on compensatory time exceed twenty five (25) hours on December 31st of each year.

Excluded from this policy are those positions categorized as professional, administrative and executive and which have been deemed overtime-exempt.

Compensatory Time Use

Employees may use compensatory time at a time that is mutually agreeable to both the employee and the Department Head. Accordingly, the use of compensatory time requires advanced approval by an individual's Department Head. A Department Head has the responsibility and authority to approve or disapprove an employee's request to use accrued compensatory time based on his/her judgment of departmental necessity.

Compensatory time must be used in intervals of no less than one hour and documented by a PAR signed by the employee and the employee's Department Head.

Upon termination of employment, unused compensatory time shall be paid to the employee at the employee's final regular rate of pay.

Compensatory time may not be used during any scheduled work period that results in earning overtime, holiday pay or additional compensatory time.

Chapter 3.04: Compliance With New Jersey Paid Sick Leave Law, (P.L. 2018, Ch. 10)

A. Any employee otherwise entitled to at least forty (40) hours of paid time off under the terms of this policy manual, or under any applicable ordinance, resolution or practice of the Township, shall be entitled to use up to forty (40) hours of such paid time off per calendar year for the following purposes:

- (1) time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- (2) time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
- (3) absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member: 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; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
- (4) time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others; or
- (5) time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

For purposes of this Policy only, "family member" means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union 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.

If the employee's need to use paid time under this Policy is foreseeable, the employee will be required to produce advance notice, not to exceed seven calendar days prior to the date the leave is to begin, of the intention to use paid time under this Policy and its expected duration, and shall make a reasonable effort to schedule the use of paid time under this Policy in a manner that does not unduly disrupt the operations of the employer. If the reason for the use of paid time under this Policy is not foreseeable, the employee shall provide notice of the intention to use paid time under this Policy as soon as practicable.

For use of paid time under this Policy extends for three or more consecutive days, the following supporting documentation shall be required:

- If paid time under this Policy is being taken under paragraph (1) or (2), above: documentation signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, number of days of leave.
- If paid time under this Policy is being taken under paragraph (3), above: medical documentation; a law enforcement agency record or report; a court order; documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense; certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.
- If paid time under this Policy is being taken under paragraph (4), above: a copy of the order of the public official or the determination by the health authority.
- If paid time under this Policy is being taken under paragraph (5), above: any reasonable documentation showing that a conference, meeting, function, or other event has been scheduled or is occurring.

B. Effective October 29, 2018, any employee not entitled to at least forty (40) hours of paid time off under the terms of this policy manual, or under any applicable ordinance, resolution, or practice of the Township, shall accrue one (1) hour of paid sick leave for every thirty (30) hours worked, up to a maximum of forty (40) hours accrued, used or carried over in any calendar year. Said paid sick leave may be used for any purpose listed in Section A, above, under the conditions set forth in Section A, above. For those employed as of October 29, 2018, earned sick leave under this Section shall begin to accrue effective October 29, 2018, and may be used at any time beginning on the 120th calendar day after the employee began employment. For those employed after October 29, 2018, earned sick leave under this Section shall begin to accrue on the first day of employment and may be used at any time beginning on the 120th calendar day after the employee began employment.

C. Nothing in this Policy shall be construed as requiring payment for any form of unused paid leave upon separation from employment unless otherwise provided under the terms of a different provision of this policy manual, or under any applicable ordinance, resolution, or practice of the Township. Employees receiving paid sick leave under Section B of this Policy shall not be entitled to payment for unused paid sick leave upon separation from employment under any circumstance.

D. The calendar year shall be deemed the “benefit year” for purposes of *N.J.S.A.* 34:11D-1.

E. This Policy shall not apply to those employees who are provided with sick leave with full pay pursuant to any law, rule, or regulation of the State of New Jersey.

Chapter 3.05: Bereavement Leave Policy

In case of death in the immediate family, a Class I, II, or III employee shall be granted up to three (3) days' bereavement leave. Immediate family shall be defined as the employee's spouse, child, stepchild, mother, father, brother or sister, father-in-law, mother-in-law, brother-in-law, or sister-in-law, maternal and paternal grandparents.

In the event of a death in the immediate family in which extenuating circumstances exist, additional days may be granted by the Township Manager.

Chapter 3.06: Jury Duty Policy

A paid leave of absence will be granted to any employee summoned for jury duty. A PAR form must be filled out and approved by the Manager.

Chapter 3.07: Leave of Absence Policy

Employees may be granted a personal leave of absence for up to six months at the sole discretion of the Township Manager if the leave does not cause undue operational disruption. The leave must include the use of any accrued vacation and sick leave time, regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of vacation and sick leave will be without pay or longevity credit. In exceptional circumstances, the Township Manager may extend a leave of absence for an additional six months, if such extension is considered in the best interests of the Township.

Personal leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees on personal leave of absence for more than two weeks in any month will not receive holiday pay, and will not accrue personal leave, sick leave or vacation time for that month. Health benefits may also be impacted. Refer to the Township Health Benefits Policy. A personal leave is granted with the understanding that the employee intends to return to work for the Township. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have resigned.

Chapter 3.08: Family and Medical Leave Act Policy

1. Family and Medical Leave

A. **General Policy.** There may be occasions when an employee requests to be temporarily relieved of his or her work responsibilities for family or medical leave. In such instances, the Township will grant leaves of absence in accordance with the requirements of the federal Family Medical Leave Act (“FMLA”) and New Jersey Family Leave Act (“FLA”). Under the FMLA, eligible employees who request leave because of (i) the birth, adoption or placement of child in foster care with the employee; (ii) the employee’s serious health condition; or (iii) the serious health condition of the spouse, child or parent of the employee, will be granted unpaid family or medical leave of up to twelve (12) weeks in any twelve (12) month period. Under the FLA, eligible employees who request leave because of (i) the birth or adoption of a child, or (ii) the serious health condition of the spouse, child or parent of the employee, will be granted family leave of up to twelve (12) weeks in any twenty-four (24) month period. Leave under either the FMLA or the FLA provides the employee with certain assurances of job security and continued employee benefits during the leave.

B. **Eligibility.** Full-time (and some part-time) employees may be eligible for family or medical leave if they meet the requirements set forth below:

- (i) **FMLA.** Employees are eligible for FMLA leave if:
 - (1) They have worked for the Township for at least 12 months; and
 - (2) They have worked at least 1250 hours during the 12 month period immediately preceding the start of the requested leave.
- (ii) **FLA:** Employees are eligible for FLA leave if:
 - (1) They have worked for the Township for at least 12 months; and
 - (2) They have worked at least 1,000 hours during the 12 month period immediately preceding the start of the requested leave.

C. **12 or 24 Month Period.** Eligible employees may use up to twelve (12) weeks of FMLA leave within a 12-month period. Eligible employees may use up to twelve (12) weeks of FLA leave with a 24-month period. The Township will use a rolling 12- or 24-month period measured backward to determine the amount of leave available to an employee. This means that the Township will review how much, if any, of the leave entitlement the employee has used during the 12-month period prior to the date when the requested leave is supposed to commence for purposes of the FMLA, or the 24-month period prior to the date when the requested leave is supposed to commence for purposes of the FLA.

D. **FMLA Leave Entitlement vs. FLA Leave Entitlement:**

- (i) **FMLA Leave** may be taken for the following reasons:
 - (1) The birth, adoption or placement in foster care of a child;
 - (2) The employee’s serious health condition; or
 - (3) The serious health condition of the spouse, child or parent of the employee.
- (ii) **FLA Leave** may be taken for the following reasons:
 - (1) The birth or adoption of a child; or

- (2) The serious health condition of the spouse, child, domestic partner, civil union partner or parent of the employee.

If an employee requests leave that is covered by both the FMLA and the FLA, the leave simultaneously counts against the employee's entitlement under both acts. For example, if the employee requests leave for the birth of a child, such leave would be covered under both the FMLA and the FLA. The employee would therefore only be entitled to a total of 12 weeks of leave. If, however, the employee requests leave that is only covered by the FMLA, it shall not abridge the employee's right to request leave for reasons allowed under the FLA. This means that in certain limited circumstances, the employee may be entitled to up to twenty-four (24) weeks leave in a twelve (12) month period. For example, if the employee requests leave to care for his/her own serious health condition, such leave would only be covered by the FMLA. The employee could then request an additional 12 weeks for reasons allowed under the FLA, such as to care for a family member with a serious health condition.

E. **Definition of a "Serious Health Condition":** An illness, injury, impairment or physical or mental condition that involves:

- (i) inpatient care in a hospital, hospice or residential medical care facility, or
- (ii) continuing treatment by a health care provider.

F. **Procedure.**

- (i) Notice. To the extent possible, advance written notice of a request for family or medical leave is required. When the need for leave is foreseeable, request for leave under this policy must be submitted in writing to the Department Head and the Township Manager at least thirty (30) days prior to the date on which the employee wishes to commence leave. **Forms are available from the Township Manager for this purpose.** If it is not possible to give thirty (30) days notice, the employee must submit written notice as soon as is possible. When the leave is for a planned medical treatment, the employee should endeavor to schedule the leave so as not to unduly disrupt his or her work. Employees seeking an extension of approved leave time must submit their request to the Department Head and the Township Manager at least one (1) week prior to the expiration of the approved portion of his or her leave.
- (ii) Medical Certification: Medical certification of the need for leave is required where the leave is due to the serious health condition of the employee or the employee's spouse, parent or child. The Township will provide the employee with the appropriate medical certification form to be completed by the health care provider of the employee or his/her spouse, parent or child. The Township may also require subsequent recertifications on a reasonable basis. Failure to comply with the certification requirements may result in the delay or denial of family or medical leave.

If the Township has reason to doubt the validity of the medical certification provided by the employee, the Township may require a second medical certification, at the Township's expense. Such certification will be completed by the health care provider of the Township's choice. If the second opinion differs from the opinion in the original certification, the Township may require,

at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee concerning the information in the certification. The opinion of the third health care provider shall be final and binding on the Township and the employee.

G. Use of Paid Leave. All accrued vacation, personal leave, sick days, family leave, compensatory time and other paid time off, must be used by the employee for all or part of the employee's twelve (12) week family and medical leave. During medical leave once any accrued paid leave is used, the remainder of the twelve (12) week leave shall be unpaid. When an employee is out of work on temporarily disability or receiving workers compensation benefits, his or her FMLA leave will run concurrently.

If the employee takes family leave to care for a family member with a serious health condition or to bond with a newborn or newly adopted child, the employee may be eligible to receive up to six (6) weeks of the leave benefits under the New Jersey Family Leave Insurance (NJFLI) Program, as described in more detail below. To receive NJFLI benefits, an employee must provide at least fifteen (15) days notice of the need for taking the leave (if the leave is for the care of a newborn child the leave must be requested at least thirty (30) days prior to the date when the employee seeks to take the leave). If the employee is entitled to NJFLI benefits, then the employee will receive two-thirds (2/3) the employee's salary, but no more than \$615 per week (for leave commencing on or after January 1, 2016) or \$633.00 per week (for leave beginning on or after January 1, 2017). The maximum benefit rate is subject to adjustment by the New Jersey Department of Labor. Further, no more than two (2) weeks worth of accrued leave time (vacation, personal, sick, etc.) will have to be used by the employee prior to receiving NJFLI benefits.

H. Maintenance of Benefits: While an employee is on family or medical leave, the Township will maintain its contributions to the employee's health insurance under the same terms as the plan in effect at the time the request is made, for a period of up to twelve (12) weeks, if the employee is enrolled in the Township's health care plan at the time the request for leave is made. If applicable, the employee will be responsible for making timely payment to the Township of his or her share of the premium cost. To the extent the employee is still receiving a paycheck from the Township because of accrued paid leave, said premiums will be deducted from the employee's paycheck. If the employee is not receiving a paycheck from the Township during all or any portion of the leave, the employee shall make applicable premium payments in person or via mail to the Township Manager by the 15th day of each month the employee is on leave. If the employee's premium payment becomes more than thirty (30) days overdue at any time during the leave, coverage will be terminated by the Township. If the employee fails to return from family or medical leave, the employee will be required to repay the Township for its share of health insurance premiums paid for the employee during the leave, provided that the failure to return to work is not due to (i) the continuance, recurrence or onset of a serious health condition, or (ii) other circumstances beyond the employee's control.

I. Accrual of Paid Time Off: Vacation, personal leave, sick days and any other paid time-off does not accrue during any period of unpaid leave.

J. **Return to Work:** Except for employees in key positions as defined by the law (see below), upon the employee's return to work, an employee taking an approved leave under this policy will be restored to the same or an equivalent position as held prior to the leave, with equivalent pay and benefits (unless the employee is unable to perform the essential functions of that position, with or without reasonable accommodation). In order to be restored to the same or an equivalent position, the employee must return from leave on the agreed-upon date (including any approved extensions) and the entire leave must last no more than twelve (12) weeks. When an employee is returning from leave due to the employee's own serious health condition, the Township may require the employee to submit a medical certification of fitness-for-duty.

K. **Key Employee Exception:** The Township may deny job restoration to certain highly compensated "key" employees. The Township will endeavor to advise employees of their status as a "key" employee at the time they request leave. However, if the Township deems it necessary to deny job restoration to a key employee who is already out on leave, the Township will inform the employee of its intention to so designate the employee and will offer the employee the opportunity to return to work immediately.

L. **Intermittent or Reduced Leave Schedule:** Generally, FMLA leave or FLA leave will be taken as a block of time (i.e. consecutive days off from work up to 12 weeks). However, family or medical leave in connection with own or a family member's serious health condition may be taken intermittently, or on a reduced schedule. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the Township with fifteen (15) days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the Township with a regular schedule of days for intermittent leave. If an employee requests an intermittent or reduced leave schedule for reasons that are foreseeable based upon planned medical treatment, the Township may, at its discretion, temporarily reassign the employee to another position with equivalent pay and benefits that will better meet the needs of the Township and the public (if the employee is qualified for the position and a vacancy exists).

Military Family Leave

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or

family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; *or*
2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; *or*
3. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; *or*
4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any *one* of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon Township's request, an employee must provide a copy of the covered military member's active duty orders to support request for qualifying exigency leave. In addition, upon an Township's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon an employer's request, an employee must provide a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Chapter 3.09: Domestic Violence Leave

The New Jersey Security and Financial Empowerment Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

- Seek medical attention for physical or psychological injuries;
- Obtain services from a victim services organization, pursue psychological or other counseling;
- Participate in safety planning for temporary or permanent relocation;
- Seek legal assistance to ensure health and safety of the employee or the employee's relative; or
- Attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

To be eligible for the leave, an employee must meet the following criteria:

- The employee or their child, parent, spouse or domestic partner must be a victim of domestic violence or a sexually violent offense;
- The employee must have worked for the employer for at least twelve months and for at least 1,000 hours during the twelve (12) month period immediately preceding the requested leave; and
- The twenty (20) day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis but such leave can not be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employee seeking leave must provide proof that they qualify for the leave. Such proof may include restraining order, letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave act. If so, the Township will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The Township shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

The Township shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

Chapter 3.10: Military Leave Policy

When a full-time employee (either permanent or temporary) who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. Thereafter, the employee shall be paid the difference between military salary and the employee's regular salary. The paid leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

Employees on military service will also continue to receive paid health insurance coverage during the period of the paid leave plus an additional thirty days calendar days after the paid leave is exhausted. 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. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during the period of paid leave.

Pursuant to the Uniformed Services Employment and Reemployment Rights Act, any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits: for service less than thirty-one (31) calendar days, the employee must return to work on the beginning of the first regularly scheduled workday or eight (8) hours after the end of military duty, with reasonable allowances for commuting; for service of thirty-one (31) to one hundred eighty (180) calendar days, the employee must submit an application for reinstatement within fourteen (14) calendar days after completing military duty; for service greater than one hundred and eighty (180) calendar days, the employee must submit an application for reinstatement within ninety (90) calendar days after completing military duty.

Chapter 3.11: New Jersey Family Leave Insurance Program-Bonding Leave

The NJFLI provides for up to six (6) weeks of benefits in a twelve (12) month period to employees who would otherwise suffer wage loss as a result of the need to participate in providing care for a family member with a serious health condition or to bond with a newborn or newly adopted child. The program provides eligible individuals a monetary benefit but not an additional leave. Payments are made from the pool of monies collected through a mandatory payroll deduction. The Township is not responsible for any payments made or applications denied by the New Jersey Department of Labor (DOL).

Definitions

For the purposes of this Policy, “family member” means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. “Child” means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.

Eligibility

To be eligible, the employee must have worked at least twenty (20) weeks at minimum wage within the fifty two (52) weeks preceding the requested leave, or have earned at least 1,000 times the minimum wage. For more specific information please contact the DOL.

NJFLI benefits to bond with a child may be granted only during the first twelve (12) months after the child’s birth (if the employee is the child’s biological parent) or placement (if the child was adopted).

Benefits

The weekly benefit is 2/3 of employee’s weekly salary up to a maximum of \$615.00 per week (for leave commencing on or after January 1, 2016) or \$633.00 per week (for leave beginning on or after January 1, 2017) for up to six (6) weeks. The maximum benefit rate is subject to adjustment by the New Jersey Department of Labor.

An employee cannot receive simultaneous disability benefits under this program while also receiving any other disability benefit or unemployment compensation.

Application Process

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. Applicable forms are available from the DOL. Employees may contact customer service for this program at 609-292-7060.

An employee who intends to apply for benefits to bond with a child must provide written notice at least thirty (30) calendar days prior to beginning the leave, unless the need for leave is unexpected or changes due to unforeseen circumstances. Failure to provide this thirty-day notice may result in a fourteen (14) day reduction in the employee's maximum Family Leave Insurance benefits. An employee who intends to apply for benefits for intermittent leave must provide written notice at least fifteen (15) calendar days prior to beginning the leave.

Use of Accumulated Leave

An employee may be required to use up to fourteen (14) workdays of earned personal, sick or other earned leave in connection with a period of paid benefits under NJFLI.

CHAPTER FOUR

Compensation & Employee Benefits Policies

Chapter 4.01: Salaries and Payment

All Township employees are paid in accordance with the current salary ordinance which sets the salary or salary ranges for each position in the Township. Employees who are represented by unions are paid in accordance with their respective bargaining agreements. Applicants with outstanding qualifications or experience may be hired above the minimum with approval of the Township Manager. Current copies of the salary ordinance are available in the Township Clerk's office. Employees are paid once every two weeks by check, with appropriate deductions made.

Salary Adjustments

Salary adjustments are based upon the annual policy established by Council. Individual increases are determined by the Manager based upon individual merit. An increase in pay is usually awarded on the first anniversary date of the employee's last change resulting from hiring. Subsequent salary adjustments are effective the first of January of each year. Salary increases are based on the recommendation of the Department Head with approval of the Township Manager. Increases for employees represented by organized bargaining units are stipulated in their respective agreements. At times where policy determines or salary negotiations go beyond the first of January, such adjustments may be made retroactive to the beginning of the year. All salary adjustments are subject to final approval of the municipal budget in accordance with the salary schedule as adopted by ordinance of the Township Council.

Retroactive Pay

In order to be eligible for retroactive pay, an employee must be currently employed by the Township on the date the action establishing the retroactive pay is taken, e.g. adoption of the salary ordinance, execution of the collective bargaining unit contract establishing the new rate of pay, adoption of the municipal budget, etc.

Chapter 4.02: Longevity Pay

In addition to the salaries as provided by the current salary ordinance, all Class I employees hired prior to August 26, 1997, not covered by collective bargaining agreements shall be entitled to receive longevity payments in accordance with the following schedule, based upon continuous and complete years of service with the Township or as contained in bargaining agreements.

<u>Years of Service</u>	<u>Amount</u>
1 - 3	No Compensation
4 - 9	\$ 600 per year
10 - 14	\$ 700 per year
15 - 19	\$ 900 per year
20+	\$1,400 per year

Service Years Credit

Employees who become reclassified from Class II, III, or IV to a Class I employee shall be entitled to service years credit according to the following formula for that period of uninterrupted service immediately preceding reclassification. Service years credit will be used for calculations of benefit days and longevity.

$$\frac{\# \text{ years service } \times \text{ hours worked part time}}{1820} = \text{SERVICE YEARS CREDIT}$$

Chapter 4.03: Health Benefits

- A. All Class I employees shall receive Health and Insurance benefits as prescribed by the Township Council of the Township of Pequannock. All other employee classifications shall not be entitled to such benefits unless provided by approved agreement.
- B. The Township shall implement the provisions of P.L. 2011, Chapter 78 which requires employee contributions towards health benefit costs. The associated phase in of contributions and percentage of premiums are hereby recognized and are established in accordance with state law.
- C. After twenty-five years of full-time service to the Township, a Class I employee upon retirement will be eligible to receive paid health benefits in effect at the time of retirement and pursuant to paragraph B of this section (Major Medical and Hospitalization) until he/she is eligible for Medicare/Medicaid coverage.
- D. Effective January 1, 2002 all employees that qualify for hospitalization coverage upon retirement from the Township shall be entitled to receive the same coverage for the retired employee's spouse at a cost to the retired member of \$4,200.00 per year payable at a rate of \$350.00 per month. Said cost will be adjusted from time to time.
- E. Effective January 1, 2013 all employees that qualify for health benefits (Major Medical & Hospitalization) and are not covered by a separate employment contract are eligible to elect to opt-out of the coverage upon evidence of alternate coverage. Each eligible employee who elects to opt-out of the Township's health benefit coverage will be paid an incentive of \$1,200 per year, paid in equal monthly payments. Should the employee elect to re-enroll in the Township sponsored health benefits program the employee will be subject to the program as offered at the time of re-enrollment without preexisting conditions.
- F. Effective January 1, 2014 accumulated paid time off benefit time in excess of forty five (45) days may be used by the employee to buy back benefit time at the employees then current rate of pay to offset any mandatory health benefit costs. Benefit costs shall be calculated on a quarterly basis to allow the employee an opportunity to determine the employees selected method of payment. At any time accumulated paid time off is reduced below the minimum forty five days (45), payroll deductions shall be made at the employees then current rate of pay to cover the employees mandatory health benefit costs, except the minimum of forty five (45) days shall be waived when an employee either; declares their retirement date and such date is accepted by the Township; or, the employee is pension eligible.

G. Retired employees who are eligible for health insurance as provided for in paragraph C of this section shall, when they become eligible for Medicare/Medicaid be enrolled in such program and shall maintain that enrollment. The Medicare/Medicaid plan shall then become the primary health insurance program. The Township shall only provide reimbursement for secondary Part B coverage for the employee as a supplement to Medicare/Medicaid. However, should there be a younger spouse for whom the retired employee would otherwise be entitled to purchase continuing health benefits coverage under the provisions of paragraph D of the section, that provision shall continue until such time that the spouse is eligible for Medicare/Medicaid at which time the Township plan for the spouse shall be terminated.

H. Retired employees who are eligible for continued health coverage under the terms of paragraph C of this section and become eligible for a group health plan as a result of post retirement employment shall enroll in the employer sponsored health plan and notify the Township of the effective date of the alternate coverage. The retiree can resume coverage under the Township's plan in the event that group coverage is no longer available to him/her.

Chapter 4.04: Group Life Insurance

Class I employees are provided \$6,500 Group Life Insurance coverage at no cost to the employee. Upon termination of employment with the Township, the employee can, if they so choose, continue the Life Insurance policy at the employee's own expense.

Chapter 4.05: Ancillary Benefits

Dental, Prescription and other ancillary benefits may be provided to Class One (1) employees in a manner constant with the applicable plan document. For additional information on ancillary benefits, please see the Payroll Administrator.

Chapter 4.06: Deferred Compensation Policy

The Township participates in a 403(b) tax sheltered retirement savings program commonly know as "Deferred Compensation." This program allows employees to invest pre-tax dollars into various investment vehicles with all funds, including interest, credited to the employee's account tax sheltered until retirement or 70 years of age. Additional details of this program may be obtained from the Finance department of the current investment companies authorized by the Township.

Chapter 4.07: Retirement Policy

Benefits paid upon retirement are in accordance with provisions of the State Public Employee Retirement System and/or the Police and Fire Retirement System plan. New members will be enrolled in the appropriate system. Additional information explaining benefits and membership is available from the Payroll Administrator.

Chapter 4.08: Workers Compensation Policy

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 through its membership in a joint insurance fund. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the Township's joint insurance fund and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Unless explicitly provided for in a bargaining agreement, the Township will only pay, either directly or through its Workers' Compensation insurer, those benefits that are specifically provided for under the Workers' Compensation Act and will not supplement these benefits with additional benefits pursuant to *N.J.S.A. 11A:6-8*.

Any employee who is injured while on the job is to complete an "Accident/Theft/Loss Notification Report" and a Workers' Compensation report. Department Heads will review and forward reports to the Manager's Office. The payroll office will receive copies of compensation forms.

Chapter 4.09: Employee Assistance Policy

The Township of Pequannock provides an Employee Assistance Program to full time employees through the Township's insurance provider. Should anyone have any questions regarding access to the benefits provided, please contact your Department Head or the Township Manager. Part-time / seasonal employees who require such services from a job related incident may be provided coverage through the Township's workers' compensation insurance provider, should the incident be determined as one that is covered.

Chapter 4.10: Educational Assistance and Training Policy (Conferences and Seminars)

The Township encourages training and professional development, which is a benefit to both the Township and the employee. Subject to the availability of funds, seminars and training sessions for employees are paid for by the Township when and where such action is deemed appropriate for reaching Departmental goals.

Department Heads may be provided with the means of attending:

- one national professional conference each year,
- the State League Conference,
- state professional association conferences, and
- payment for membership in national, state and local professional associations subject to the availability of funds.

An Employee who is not a Department Head may be provided the opportunity to attend conferences, seminars, and training sessions. Any conference or training session that is less than one (1) day, in length, may be approved by the employee's Department Head. Any conference that is greater than one (1) day, in length, is subject to recommendation by the employee's Department Head and approval of the Township Manager.

Federal and State regulations require training be provided to employees according to specific job classifications. The Township is committed to provide training necessary to protect the health and safety of all personnel.

CHAPTER FIVE

Managerial/Supervisory Procedures

Chapter 5.01: Employment Procedure

- **Recruitment:** The Township Manager in conjunction with the Payroll Administrator will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal employment opportunity requirements. When a vacancy occurs, it is the responsibility of the Department Head to notify the Township Manager who will distribute notification of the vacancy to all departments. The Township Manager will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Township is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.
- **Interviews:** The Township Manager or Department Head will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. The Township will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job, provided the accommodation does not impose an unreasonable hardship on the Township, and provided the accommodation will be effective in allowing the individual to perform the essential functions of the job.
- **Physical Examinations:** Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Township Manager may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. Pre-employment, post-offer examinations may be conducted only if all applicants for the position are required to undergo such examinations. The Township Manager may require periodic physical examinations to determine the employee's continued ability to safely perform the essential functions of the position. All physical examinations must be performed by a physician chosen by the Township at the expense of the Township. All medical records of employees and prospective employees are confidential and are to be maintained by the Payroll Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.
- **Drug Screening:** All new employees hired into safety-sensitive positions will be subject to a drug screen via urinalysis. Failure of the initial employment drug screen will be grounds for not hiring the prospective employee or the termination of the employee's employment, should the employment have initiated prior to receipt of the results of the drug screen.

- **Job Offers:** The final decision will be made by the Township Manager or his/her designee after all references and other information has been verified. The employment offer may be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.
- **Acceptances and Rejections:** If the first offer is rejected, the Township Manager may decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Employability Proof:** After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.
- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Payroll Administrator of Office of the Township Manger. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least seven years. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

Chapter 5.01A: Criminal Background Checks and Procedures for Employees and Candidates for Employment

Purpose of the Policy

The purpose of this policy is to create a uniform process for conducting criminal background checks in those circumstances in which the Township deems is to be job-related and consistent with business necessity to conduct such background checks in connection with employment in specific officer or positions. This policy allows the Township to become aware of pertinent information regarding employees and candidates for employment that is job-related and consistent with business necessity, and to avoid foreseeable risks of harm to employees and the public, without discriminating against employees and candidates for employment based upon characteristics protected by state and federal anti-discrimination laws. As required by New Jersey law, (P.L. 2017, c.183), this policy is designed to assure compliance with the Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions issued by the Equal Employment Opportunity Commission (EEOC), Number 915.002, on April 25, 2012.

Background Checks When Required

If required for the specific offer or position in questions, the Township will perform criminal background checks on candidates, after they receive and accept an offer of employment with the Township. Background checks may continue to be administered every three years for any employee who works directly or indirectly with children/youth/minors. Periodic background checks may also be conducted for other positions or offices when required by law, or as necessary to assure the individual's ability to continue to perform the essential functions of the office or position he or she holds.

A criminal record does not automatically disqualify an employees or candidate for employment from employment with the Township. As described in more detail below, the Township will review any revealed criminal history and make a determination on case by case basis in light of the nature of the crime, the time elapsed since conviction or completion of sentence, and the office or position in question.

Background Check Procedure

The Township Manager, or such other Township official as may be assigned, will perform or initiate background checks, and be the recipient of reports from outside agencies or contractors.

The background check process is initiated by having the employees and candidates for employment complete a written consent form to perform the criminal background check.

- Written information received from the State Bureau of Identification, New Jersey Division of State Police, pursuant to a "Request for Criminal History Record Information for a Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose to the extent so required by applicable regulations. Such information will be kept confidential and will not be published or disclosed in any manner not

consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.), as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

- If the Township decides to contract with a private contractor to process the background checks, that contractor may be authorized to inform the person in writing of any information which disqualifies the person from employment. Background checks conducted by private contractors shall be conducted in accordance with the federal Fair Credit Reporting Act.

The Township Manager, or such other Township official as may be assigned, will discuss the revealed criminal background information received with individual. If the individual disputes the information, he/she shall be allowed a reasonable period of time to correct the information. However, when the revealed information disqualifies the employee from fulfilling or performing the essential functions of his or her office or position or reveals a risk of harm to other employees or the public, the individual shall be relieved of all such responsibilities pending this reasonable period of time. If an existing employee does not contest the information or is unable to have the information corrected after a reasonable period of time, the employee will be placed on immediate suspension pending the outcome of any appeal. Employee suspensions may be with or without pay at the discretion of the Township.

Should the Township determine that a criminal record prevents an individual from holding his/her office or position with the Township, the Township shall inform the individual in writing of the basis for disqualification.

Conditions Under Which an Employee or Candidate for Employment Will Be Disqualified

An employee or candidate for employment may be disqualified from employment when a criminal background check reveals a record of conviction of any crime or disorderly persons offense, as defined by New Jersey law, by analogous laws in other States, or by federal law, that reflects adversely on the employee's ability to perform the job he/she was hired for. For example, employees and candidates responsible for working with children/youth/minors may be disqualified based on a conviction for:

- Homicide (*N.J.S.A. 2C:11*);
- Assault, reckless endangerment, threats, stalking (*N.J.S.A. 2C:12*);
- Kidnapping (*N.J.S.A. 2C:13*);
- Sexual Offenses (*N.J.S.A. 2C:14*);
- Offenses Against the Family, Children and Incompetents (*N.J.S.A. 2C:24*);
- Controlled Dangerous Substances (*N.J.S.A. 2C:35* except for *2C:35-10(a)4*);
- Robbery (*N.J.S.A. 2C:15*); or
- Theft (*N.J.S.A. 2C:20*).

Disqualification will be based upon a conviction for a disqualifying crime and offense. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement

of a crime or offense (except when applicable law requires consideration of expunged crimes or offenses), will not be considered a disqualifying conviction.

An arrest record standing alone shall not be used as the basis for an adverse employment action. An arrest may in some circumstances trigger further inquiry into the underlying facts and circumstances. In such a case, adverse employment action may be taken based on the underlying facts and circumstances to the extent they are job related for the specific office or position in question and are consistent with business necessity. However, adverse action will not be taken solely based on the fact that a candidate has an arrest record.

In making a determination whether the record of conviction disqualifies an employee or candidate for employment, the Township shall take into account the nature of the crime or offense, the time that has elapsed since conviction or completion of sentence, and the nature of the employee's position. Specifically, the Township shall determine whether the exclusion is job related for the specific office or position in question, and consistent with business necessity.

In applying these criteria, the Township shall treat employees and candidates for employment equally, and shall not discriminate based on race, nationality or any other characteristics protected by the state or federal discrimination laws.

Appeal Process

Once an employee or candidate has been notified of a disqualifying conviction, such individual has 14 calendar days to file a Notice of Appeal with the Township. Such Notice of Appeal must be submitted in writing to the Township Manager. The Notice of Appeal should explain whether the information on which disqualification is based is inaccurate or incomplete or provide evidence of rehabilitation. The decision on appeal shall be made by the Appeals Committee, which shall be comprised of at least three persons whom the Township shall designate.

During the 14-day period listed above, and until the issuance of the decision on the appeal, an employee will remain on suspension if the Township determines that suspension is warranted.

In making a determination on the appeal, the following information will be considered:

1. The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.
2. The nature and seriousness of the crime or offense.
3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.
5. The age of the individual when the crime or offense was committed.
6. Whether the crime or offense was an isolated or a repeated incident.

7. Any social conditions which may have contributed to the commission of the crime or offense.
8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.
9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.
10. Whether the individual performed the same type of work after the conviction, with the same or different employer, with no known incidents of criminal conduct.
11. The length and consistency of employment history before and after the offense or conduct.
12. Employment and character references and any other information regarding fitness for a particular position.

The Township will issue a written determination on the individual's appeal of their disqualifying conviction, setting forth the reasons for the determination. Such decision shall be final.

Chapter 5.02: Open Public Meetings Act Procedure Concerning Personnel Matters

Discussions by the governing body or any body of the Township concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the governing body or any body of the Township concerning such matters, the Township shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session. If the individual(s) does not request that the discussion be held in open session, the governing body or other body of the Township may at its sole discretion invite the affected individual(s) to attend the applicable portion of the closed session.

Chapter 5.03: Processing and Orientation of New Employees Procedure

All new regular full-time and regular part-time employees will be scheduled to meet with the Township Manager, Payroll Administrator and Department Head on their first day for a general orientation. Copies of all forms and acknowledgements must be returned to the Payroll Administrator for inclusion in the employee's official personnel file. The orientation will include:

- A tour of the appropriate facilities to acquaint the new employee with overall operations as they relate to the specific position;
- The completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Employee Handbook and acknowledgement of receipt;
- A review of the Personnel Policies and Procedures Manual if the employee is a manager or supervisor and acknowledgement of receipt;
- The Employee Complaint Policy letter and acknowledgement; and
- Arrangements for the new employee to complete required PEOSHA safety training, when and where appropriate.

If a newly hired employee is hired into a position represented by an exclusive representative employee organization, (labor union), the exclusive employee representative organization shall be entitled to meet with the newly hired employee within thirty (30) calendar days of the date of hire for a minimum of 30 minutes to a maximum of 120 minutes, without loss of pay or charge to the leave time of the employee. These meetings may occur in conjunction with the newly hired employees' general orientation meetings.

Unless otherwise negotiated, within 10 calendar days from the date of hire of a new negotiations unit employee, the following contact information shall be provided to the applicable exclusive representative employee organization in an Excel file format or other format agreed to by the exclusive representative employee organization: name, job title, worksite location, home address, work telephone numbers, any home and personal cellular telephone numbers on file, date of hire, work email address and any personal email address on file.

Chapter 5.04: Initial Employment Period and Categories of Employment

Probationary

All new employees, except police officers, will serve a probationary period of three (3) months. The probationary period for police officers is one (1) year after graduation from the police academy. During the probationary period, the employee may be discharged for any reason.

Permanent

Any employee who successfully completes their probationary period for either a part-time or full-time position becomes a permanent employee. The Township has four levels of employment based on hours worked. Each Classification level has varying degrees of personnel benefits associated with their respective level. The definition of each Class is as follows:

Class I Employee - Employment for a period of at least thirty-five (35) hours per week for fifty-two (52) weeks per year.

Class II Employee - Employment for a period less than thirty-five (35) hours but more than ten (10) hours per week for fifty-two (52) weeks per year.

Class III Employee - Employment for a period more than ten (10) hours per week at least twenty-six (26) but not more than fifty-one (51) weeks per year.

Class IV Employee - Employment for a period less than eleven (11) hours per week or less than twenty-six (26) weeks per year.

All employees, regardless of their classification are bound by the policies of the Township and are subject to uphold all rules and regulations. The benefits you qualify for depend on the actual position you hold.

Holding permanent status does not guarantee continued employment. Unless otherwise provided by law, individual contract of employment or collective negotiations agreement, all Township employees are employees at will who may be terminated with or without notice and with or without cause.

Chapter 5.05: Employee Handbook Procedure

The Township Manager, with the assistance of the senior and associated staff will prepare the Manual/Handbook for the Township Council's Approval. Once approved, copies will be distributed and employees will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. The Manual/Handbook will be revised and re-distributed as needed and at least every two years.

Chapter 5.06: Performance Evaluation Procedure

Periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as training needs, promotion and termination. In addition to day-to-day feedback to the employee, a performance evaluation must be conducted for all employees at least annually. The completed appraisal becomes part of an employee's permanent record.

Performance discussions must also provide employees with guidance regarding their ability to meet job standards. Extraordinary skills or abilities should be recognized in addition to areas for improvement. Supervisors or Department Heads should review future training needs and career planning. The reviewer should also encourage the employee to make suggestions about how the department can improve. The reviewer should ask employees for feedback regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates. Open communication is the key to improvement.

- **Setting the Stage:** The reviewer must create a productive climate for the discussion. In preparing the evaluation form, prior evaluations should be reviewed to identify trends. Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form. The meeting should be private without interruptions in a comfortable environment.
- **Confirm Expectations:** The reviewer should start the discussion of each performance area by reviewing expectations. Ask the employee to confirm the employee's understanding of job requirements. Refer to the job description as appropriate.
- **Rating:** Continue the discussion by giving the employee's rating in each performance area. The supervisor should be prepared to refer to documentation. Employees should be evaluated based on set standards, not as they compare to other employees. It is rare that any person's rating in all areas is either high or low. The evaluation should consider performance during the entire period, not just the recent past. Care should be taken to avoid allowing one aspect of a person's performance to overshadow all other performance factors be it positive or negative. Ideally, each performance area should be evaluated individually based on specific behaviors exhibited.
- **Discussing Future Plans:** This is where the reviewer should turn to the discussion to the future performance and development of the employee. Specific performance goals must be established for the next review period along with plans for achieving those goals.
- **Closing the Discussion:** When all performance areas have been discussed, close the discussion by summarizing all of ratings in an overall rating for the review period.

It is crucial that all reviewers complete the evaluation forms with care and with complete candor. Although reviewers are encouraged to set forth areas of strength and utilize tact in presenting criticism, it is important that all performance issues of any significance be addressed thoroughly and in unambiguous terms in the evaluation form, and verbally with the employee.

After completing the evaluation, the reviewer will return the form(s) with the signed acknowledgement to the Township Manager. After review by the Township Manager, the form(s) are to be maintained in the Office of the Township Manager for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Township Manager to review his/her evaluation.

Chapter 5.07: Disciplinary Action Procedure

All employees are expected to meet the Township's work performance standards. The intent of the Disciplinary Action Procedure is to formally document problems and, when deemed by the Township to be appropriate, provide the employee with a reasonable time to improve performance. Supervisory personnel should take care to distinguish between remediable issues of inadequate work performance that would warrant action of a corrective nature, as opposed to acts of serious misconduct warranting immediate sanctions of a more severe nature, up to and including termination, regardless of the employee's prior record or job performance.

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, except in exigent circumstances, the supervisor will first investigate the matter, including meeting with the employee whenever possible. If the supervisor determines that the employee has acted improperly, the supervisor shall take one of the following actions depending upon the gravity of the conduct and all relevant facts and circumstances. At the discretion of the supervisor and the Township Manager, action may begin at any step, and/or certain steps may be repeated or by-passed. Except where applicable law, an individual contract of employment or applicable collective negotiations agreement Township reserves the right to terminate the employment of any individual based on the Township's determination that continued employment of that individual is no longer in the best interests of the Township and/or the public.

- **Verbal Reprimand:** Depending on the circumstances, the supervisor may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The supervisor will prepare a record of the verbal reprimand including the date, time and what was discussed with the employee. This record must be forwarded to the Office of the Township Manager for the employee's official personnel file.
- **Written Reprimand:** When a supervisor determines that a written reprimand is appropriate, the situation must be discussed with the Township Manager. The 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) 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 the signed acknowledgement and comments must be forwarded to the Office of the Township Manager for the employee's official personnel file.
- **Township Manager Review:** Should the supervisor consider the offense sufficiently serious to warrant consideration by the Township Manager, the employee will be so advised and a meeting arranged with the Township Manager at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at that time of disciplinary action, if any.

- **Suspension:** Whenever an employee is recommended for suspension, the Township Manager will make the decision and may seek the advice of the Township Attorney or applicable special counsel, if appropriate.
- **Dismissal:** Whenever an employee is recommended for dismissal, the Township Manager will make the decision only after seeking the advice of the Township Attorney or applicable special counsel. There must be a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal.

Chapter 5.08: Personnel File Procedure

The official personnel files shall be maintained by the Office of the Township Manager and employee medical information will be maintained in a separate file. At least annually, the files will be reviewed to make sure they are up-to-date and will follow-up with the Department Heads as necessary.

The Official file may include at least the following:

- The original application signed by the employee;
- Notes from any pre-employment interview and reference check;
- The original letter detailing an offer of employment and any additional correspondence concerning the employee's hiring;
- A signed acknowledgement that the employee received a copy of the Employee Complaint Policy letter;
- A signed acknowledgement that the employee has received the Employee Handbook;
- A signed acknowledgement that the employee received the safety orientation, when and where appropriate;
- Annual written performance evaluations including documentation that the evaluation was reviewed with the employee;
- Counseling Action Plans;
- Records relating to on-the-job accidents;
- Disciplinary actions including an acknowledgement that the employee was notified of the proposed disciplinary action and was given an opportunity to respond;
- Records relating to any other employment actions including promotions, demotions, transfers, resignations, leaves, etc.;
- Emergency Information Form – Upon appointment, employees are required to complete an “Emergency Information Form.” This enables municipal officials to contact family or friends in the event of accident or illness. It is the responsibility of the employee to keep the information on this form current.
- Educational transcripts; and
- Any other pertinent information.

Chapter 5.09: Employee Complaint Investigation Procedure

These procedures shall be utilized to investigate complaints filed by employees.

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.
- **Identification/Screening:** The supervisor, Department Head, or member of the governing body must report all written or verbal complaints to the Township Manager unless the complaint is against the Township Manager. Upon receipt, the Township Manager will determine the nature of the complaint and the applicable complaint policy under which the complaint is to be processed, and shall open a file on the matter.
- **Investigation:** The Township Manager will seek the advice of the Township Attorney or applicable special counsel when planning the investigation. The investigation should be overseen by the Township Attorney or applicable special counsel. The Township may designate an investigator from among Township personnel or, in its discretion, retain a qualified professional to conduct the investigation. The attorney who is overseeing the investigation and shall be providing legal advice to the Township regarding same shall not be assigned to investigate the matter. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. Allegations involving potential criminal wrongdoing are to be referred to the County Prosecutor, and the Township shall take further investigatory action only as the County Prosecutor directs.
- **Response Plan – No Corrective Action Required:** The Township Manager will discuss the conclusions with the Township Attorney or applicable special counsel and render a decision as soon as practicable after the investigation is complete. If the validity of a complaint cannot be determined or the complaint is unsubstantiated, the complaining employee should be notified in writing. The employee should be assured that future complaints will be investigated and that the Township is committed to eliminating wrongful employment practices when they are found to exist. If the investigation reveals that the complainant intentionally and maliciously levied false charges against the alleged wrongdoer, appropriate disciplinary action, up to and including termination, shall be taken.
- **Response Plan – Corrective Action Required:** If the investigation reveals that the complaint is substantiated or that corrective action is necessary, the Township Manager will formulate with the advise of the Township Attorney or applicable special counsel a corrective action plan as well as possible disciplinary action. The complaining employee will be notified, in writing that the complaint was sustained and/or that an appropriate response plan has been formulated. The response plan should provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

- **Warning Against Retaliation:** Regardless of the outcome of the investigation, all participants shall be cautioned in writing against taken retaliatory action against any person, and shall be invited to report any retaliatory action taken against them.

Chapter 5.10: Requests for Employment Verification and Reference Procedure

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred to the Payroll Administrator. No employee may issue a reference letter without the permission of the Township Manager. Under no circumstances should any information be released over the phone.

In response to a request for information, the Payroll Administrator will only verify an employee's name, job title, position, salary, payroll record, length of service, date of separation and reason therefor and, if applicable, the amount and type of pension received. No other data or information will be furnished unless (1) the Township is required to release the information by law or (2) the employee or former employee authorizes the Township in writing to furnish this information and releases the Township from liability.

Chapter 5.11: Continuing Education Procedure

The Township, in conjunction with the joint insurance fund will arrange for employment practices seminars at least biennially to train all managerial/supervisory personnel. The Township will also offer non-mandatory training to all other employees with special emphasis on employee rights and protections under various Federal and State laws as well as Township employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure.

Managerial and supervisory personnel will also update employees periodically by department meetings and memos that should address specific problems and concerns that may arise. Every effort will be made to encourage employee suggestions about ways to avoid employer-employee disputes and violations of employment rights.

CHAPTER SIX

Model Forms



Township of
Pequannock
 530 NEWARK-POMPTON TURNPIKE
 POMPTON PLAINS, NJ 07444-1799

Tel: (973) 835-5700
 Fax: (973) 835-1152

_____, 2018

Via Hand Delivery
 [Name]

Re: Notice of Closed Session Discussion of Personnel Matter

Dear _____:

The Township of Pequannock hereby advises you that it intends to discuss and act upon matters concerning your employment. Specifically, the Township Council shall discuss {subject}. The Township Council will meet at its regularly scheduled meeting at approximately __:00 p.m. on _____, _____, in [insert name of room] at the Township Municipla Building. The Township Council intends to discuss this matter in closed session unless you request in writing, on the attached Response Notification Form, that the discussion be conducted in public session.

No formal action will be taken during any closed session; however, upon conclusion of the closed session discussion, the Township Council may take such action in open public session as it deems appropriate based upon the results of its closed session discussion.

Please be further advised that under the New Jersey Open Public Meetings Act, you have the right to have the discussion of this matter conducted during an open public session rather than closed session. If you want this discussion to be conducted during the open public session, you must complete the form below, sign it, and return the signed copy to the Township Manager's office not later than 5:00pm on _____, _____, _____. **Please note that discussion of this matter in open public session may result in public disclosure of otherwise-confidential personnel-related information about you that would remain confidential if the discussion takes place in closed session. By requesting an open public discussion, you therefore are knowingly consenting to public disclosure of matters concerning you that otherwise would have remained confidential.**

Please submit the completed Response Notification Form to the Township Manager's office not later than 5:00pm on _____, _____, ____.

RESPONSE NOTIFICATION FORM

LOCATION: [insert location here]

REQUEST FOR TOWNSHIP COMMITTEE TO GO INTO PUBLIC SESSION – I, [insert name], hereby request that the Township Council conduct its discussion of the personnel matter involving me in a public session. I am aware that discussion of this matter in open public session may result in public disclosure of otherwise-confidential personnel-related information about me that would remain confidential if the discussion takes place in closed session. By requesting an open public discussion, I am knowingly consenting to public disclosure of matters concerning me that otherwise would have remained confidential.

[insert name]

Dated: _____



Tel: (973) 835-5700
Fax: (973) 835-1152

September 24, 2018

Re: Employee Complaint Notification Letter

To all Township of Pequannock Employees:

Enclosed is a Conscientious Employee Protection Act ("Whistleblower Act") Notice prepared by the State of New Jersey. State law requires that this Notice be distributed to you annually.

Please sign the acknowledgement below and return it to the Office of the Township Manager.

Sincerely,

/S/ Adam W. Brewer

Adam W. Brewer
Township Manager

Conscientious Employee Protection Act

“Whistleblower Act”

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call (609) 292-7832.



Pequannock Township Employee Complaint Form

Date _____

Attach additional sheets if necessary to fully complete all questions

NAME: _____ **DEPARTMENT:** _____

TITLE: _____ **SUPERVISOR:** _____

Time period covered by this complaint: _____

Individuals who allegedly committed the acts being complained of:

Describe the nature and dates of the acts allegedly committed by each individual:

Identify all persons with knowledge of the complained conduct:

Are there any documents or other evidence that supports the occurrences described above?

If you previously complained about this or related acts to a supervisor or official, please identify the individual to whom you complained, the date of the complaint, and any action taken.

Have you missed any time from work or incurred any un-reimbursed medical expenses as a result of the alleged acts?

Are you afraid that someone may retaliate against you because you filed this complaint? If so, please identify the person(s) and indicate the reasons why you feel the person(s) may retaliate against you.

What is your requested remedy for this complaint?

ACKNOWLEDGMENT

The information provided above is true and correct to the best of my knowledge.

BY: _____ DATE: _____

To investigate your complaint, it will be necessary to interview you, the accused party, and any witnesses with knowledge of the allegations or defenses. All persons involved in the investigation will be notified that (1) the complaint is confidential, (2) that any unauthorized disclosures of information concerning the investigation or retaliation could result in disciplinary action up to and including discharge.

I am willing to cooperate fully in the investigation of my complaint and to provide whatever evidence is deemed relevant.

BY: _____ DATE: _____

Township of Pequannock

530 Newark-Pompton Turnpike
Pompton Plains, NJ 07444

Date: _____

Employment Application:

Applicant Information:

Name (Last, First, Middle): _____

Address: _____

City/Town: _____

Phone (Work): () _____ (Home): () _____

Social Security Number: _____ - _____ - _____

Position applied for: _____

Have you ever applied to the Township before: ___ Yes ___ No If yes, give date _____

Date you can start: _____ Salary desired: _____

Are you available to work: ___ Full time ___ Part time ___ Shift work ___ Temporary

Are you currently employed: ___ Yes ___ No May we contact you at work: ___ Yes ___ No

May we contact your current employer: ___ Yes ___ No

Are you currently on layoff status and subject to recall: ___ Yes ___ No

Do you possess a current driver's license: ___ Yes ___ No

Do you possess a current commercial driver's license: ___ Yes ___ No

Please list any endorsements: _____

If you are under eighteen years of age, can you provide proof of eligibility to work: ___ Yes ___ No

Are you legally eligible to work in the United States of America: ___ Yes ___ No

Pursuant to Federal Law, proof of US Citizenship or immigration status will be required if you are hired.

The Township is an Equal Opportunity Employer M/F

Employment History: This section must be completed even if you attach a resume. List your last four employers, major assignments within the same employer. Begin with the most recent. Include any military service. Explain any gaps in employment in the space on this form marked comments located on the bottom of this page.

Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			

Comments:

Education: Provide information on your formal schooling and education. Include elementary, secondary, and post-secondary education, if any. Include any formal vocational or professional education. For high school and post-secondary education, indicate any major or specialty, such as Academic, Business, or Trade.

School:	Years completed: (Circle)	Graduated: (Circle)	Major Field:
High:	1 2 3 4	Yes No	
College:	1 2 3 4	Yes No	
Other:	1 2 3 4	Yes No	

Languages: List any foreign languages you know and indicate your level of proficiency.

Language:	Speak Some:	Speak Fluently:	Read:	Write:

Special Skills & Experience: State any special skills, experience, training, licenses, certifications or other factors that make you especially qualified for the position for which you are applying.

Comments & Additional Information: Is there any additional information about you we should consider?

References: Provide the names, addresses and phone numbers of three people whom we may contact as a reference. They should not be relatives or former supervisors.

Name & Address:	Phone Number:	Years Known:

Understandings and Agreements:

As an applicant for a position with the Township, I understand and agree that I must provide truthful and accurate information in this application. I understand that my application may be rejected if any information is not complete, true and accurate. If hired, I understand that I may be separated from employment if the Township later discovers that information on this form was incomplete, untrue, or inaccurate. I give the Township the right to investigate the information I have provided, talk with former employers (except where I have indicated they may not be contacted). I give the Township the right to secure additional job-related information about me. I release the Township and its representatives from all liability for seeking such information. I understand that the Township is an equal-opportunity employer and does not discriminate in its hiring practices. I understand that the Township will make reasonable accommodations as required by the Americans with Disabilities Act and New Jersey Law Against Discrimination. I understand that, if employed, I may resign at any time and that the Township may terminate me at any time in accordance with its established policies and procedures. No representatives of the Township may make any assurances to the contrary. I understand that any offer of employment may be subject to job-related medical, physical, drug, or psychological tests. I also understand that some positions may involve complete background and criminal checks. *For your application to be considered, you must sign and date below.*

Applicant's Signature _____ Date _____

TOWNSHIP COUNSELING ACTION PLAN

EMPLOYEE NAME: _____ DATE: _____

DEPARTMENT: _____ POSITION: _____

I met with the above employee to discuss performance regarding the following problem(s):

This is a *verbal*, *written*, *final* meeting with this employee concerning this matter.

State the reason for the counseling session:

Employee's performance is not acceptable for the following specific reasons:

Employee must achieve the following goals in order to reach acceptable standards:

Employee should reach these goals by:

- Immediately
- Employee is on a probationary status and will be re-evaluated on _____
- Employee is Suspended: Dates: _____

Consequences of failure to improve or achieve goals:

- May result in further disciplinary action, up to and including termination.
- Termination.

Employee's Comments:

I have read the above. I understand that it constitutes a warning and I understand the amount of time I have to attain the stated performance goals. I also understand the consequences of my failure to improve or attain the above goals.

Employee Signature: _____ **Date:** _____

Department Head Signature _____ **Date:** _____

Township Manager Signature: _____ **Date:** _____

TOWNSHIP EMPLOYEE EVALUATION CHECKLIST

BE PREPARED

- Know the objectives and goals of the meeting.

TIME AND PLACE

- Choose a quiet, private spot with as few interruptions as possible.

CONDUCTING THE INTERVIEW

- Create a positive environment and help the employee feel at ease.
- Give balanced feedback, both positive and negative, but start with the positive.
- Focus on the job, NOT the person.
- Ask questions and allow the employee to provide feedback.
- When discussing areas for improvement, discuss methods and objectives for improving.
- Discuss possibilities for advancement, the employee's aspirations and professional development necessary to be a candidate for such future positions.

CONCLUSION

- Summarize and review the important points of the discussion.
- Restate the action steps that have been recommended and provide a time frame for completion.
- Make sure employee reviews the appraisal and provides comments.
- Have employee sign the acknowledgement that the employee has read the appraisal (does not signify agreement with the content).

FOLLOW-UP

- Follow-up with the employee to see how plans are proceeding within the given time frames.
- Offer the employee assistance in achieving objectives and encourage discussion of successes and obstacles.

**Fingerprint and Background Check Consent Form
For Employees, Job Applicants, and Volunteers That May Work or Have
Contact with Minors**

In accordance with Township policy and N.J.S.A. 15A:3A-1 et seq, I understand that, as a condition of continued employment, new employment, or my volunteer service, the Township requires background checks on all individuals who will be working with children. .

By signing this form, I agree to be fingerprinted and consent to a criminal background record check as a condition of new employment, continued employment, or voluntary service. I also represent, attest, and certify that I have never been convicted of any of the following crimes or disorderly persons offenses as defined by New Jersey law or the law of any other state, or that the guilty disposition of any of the crimes and/or offenses has been amended to a status of not guilty, or that any previous charges, as listed below, have been expunged:

2C:11 HOMICIDE all offenses

2C:12 ASSAULT, ENDANGERING, THREATS all offenses

2C:13 KIDNAPPING all offenses

2C:14 SEXUAL OFFENSES all offenses

2C:15 ROBBERY all offenses

2C:20 THEFT all offenses

2C:24 OFFENSES AGAINST THE FAMILY, CHILDREN AND INCOMPETENTS
all offenses

2C:35 CONTROLLED DANGEROUS SUBSTANCES
all offenses **except** paragraph (4) of subsection a. of NJS.2C:35-10

Name (please print)

Applicant's signature

Date

Parent's signature (if applicant is under 18)

Date

Receipt for Personnel Policies and Procedures Manual

I acknowledge that I have received a copy of Township's Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my supervisor, Department Head or the Township Manager. I understand that Township is an "at will" employer and consistent with applicable Federal and State law as well as applicable bargaining unit agreements, employment with the Township is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the Township has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states Township's personnel policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with Township for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Office of the Township Manager.

Date: _____

Signature: _____

Print Name: _____

Department: _____



Tel: (973) 835-5700
Fax: (973) 835-1152

Employee Complaint Notification Letter Acknowledgement of Receipt

I, hereby acknowledge receipt of the Employee Complaint Notification Letter.

Please sign and date this receipt and return it to the Office of the Township Manager.

Print Name: _____

Department: _____

Signature: _____

Date: _____