

SECTION 9. TRANSGENDER POLICY:

9.1 – GENERAL STATEMENT OF POLICY

Shrewsbury Township is committed to provide a safe, supportive, and inclusive environment for all employees. In furthering this goal, the Township adopts this policy to ensure all employees, including transgender employees, have equal opportunities. Shrewsbury Township will comply with Federal and State Laws and regulations regarding transgender employees and no employee shall be subjected to discrimination on the basis of gender identity or expression.

9.2 – DEFINITIONS

- A. Gender expression refers to the way an employee represents or expresses gender to others, often through behaviour, clothing, hairstyles, activities, voice, or mannerisms.
- B. Gender identity means an employee's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.
- C. Gender identity or expression also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.

SECTION 10. AMERICANS WITH DISABILITIES ACT POLICY / NEW JERSEY PREGNANT WORKER'S FAIRNESS ACT:

In compliance with the Americans with Disabilities Act and the New Jersey Law Against Discrimination, as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Township does not discriminate based on a known or perceived disability, pregnancy, pregnancy related medical condition, breastfeeding, or childbirth. The Township will endeavour to make every work environment handicap accessible 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 to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. The Township will not 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. The Township 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 and also provided that the accommodation does not impose undue hardship on the Township.

The Personnel Committee shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the Personnel Committee. 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. All decisions with respect to accommodations shall be made by the Personnel Committee or Township Committee as appropriate.

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 the Personnel Committee.

SECTION 11. "WHISTLE BLOWER" POLICY:

Employees have the right under the "Conscientious Employee Protection Act," N.J.S.A. 34:19-1, et seq., ("CEPA") to complain of anything they perceive to be improper. All complaints will be taken seriously and promptly investigated.

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

- Disclosing or threatening to disclose to a Supervisor/Department Head or Township Committee person in charge of the activity/department as defined in N.J.S.A. 34:19-1, et seq. an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with the statute, the employee must bring the violation to the attention of the Township. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. Under the law, the employee must give the Township a reasonable opportunity to correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy. In accordance with the statute, a copy of this policy will be posted in all facilities.