

City of Estell Manor

Employee Policies and Procedures Handbook

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Employee Policies and Procedures Manual

City of Estell Manor

General Information

The City of Estell Manor is committed to providing a high level of service to its residents while maintaining a high level of morale among City employees. Toward this goal, the City of Estell Manor has developed this Employee Manual.

As an employee of the City of Estell Manor, it is important that you understand and follow these policies and procedures if we are to achieve our goals.

Purpose of Manual

The purpose of this manual is to establish policies and formalize procedures for the City in order to further the following goals:

1. To provide a uniform system of personnel administration throughout the City.
2. To ensure that recruitment, selection, placement, promotion, retention and separation of City employees are based upon employee's qualifications and fitness, and are in compliance with Federal and State laws.
3. To assist managers in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the City.
4. To promote communication between Council members, department heads, supervisors, and employees.
5. To ensure, protect and clarify the rights and responsibilities for employees.

Each Employee will:

1. Refer any questions or problems with the contents of the manual to their Department Head or the City Council via the form provided for this purpose (see Section 6-Forms).
2. Keep the manual assigned to him/her up-to-date at all times by immediately filing any revisions to the contents.

This Policies and Procedures Manual is not to be construed as a contract or other legal promise.

The City of Estell Manor reserves the right to rescind or revise any and all policies that are not set by any New Jersey or Federal Law.

GENERAL PERSONNEL POLICY

It is the policy of the City to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the City shall apply to all employees, volunteers, elected or appointed officials, independent contractors and in certain cases the public. In the event there is a conflict between these rules and Federal or State law, the terms and conditions of that law shall prevail. In all other cases, these policies and procedures shall prevail.

The Mayor with the consent of City Council shall appoint all employees, officers and Department Heads.

No person shall be employed or promoted unless there exists a position created by a resolution adopted by City Council, as well as, the necessary budget appropriation and salary ordinance.

The Mayor or his designee and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Mayor or his designated Personnel Committee shall also have access to the Employment Attorney/Advisor appointed by the City Council for guidance in personnel matters.

As a general principle, the City has a “no tolerance” policy towards workplace wrongdoing. City officials, employees, independent contractors or volunteers are to report anything perceived to be improper. The City believes strongly in an Open Door Policy and encourages employees to talk with their supervisor, the City Clerk, the Mayor, or the Personnel Committee concerning any problem.

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

The City of Estell Manor is an Equal Opportunity Employer.

To the maximum extent permitted by law, the employment practices of the City shall operate under the legal doctrine known, as “employment at will.” Within Federal and State law, the City shall have the right to terminate an employee at any time and for any reason, with or without notice, except the City shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City of Estell Manor to ensure equal employment opportunity for all persons regardless of race, color, creed, national origin, political, civil union, sexual orientation, or religious opinions or affiliations, ancestry, age, pregnancy, marital status, sex, domestic partnership, physical disability which does not interfere with the ability to perform the work required, or liability for service in the Armed Forces of the United States. Age shall be a valid factor for employment only where it is required for the position by law and where it is a lawful occupational requirement.

This policy is applicable to all phases of employment, such as recruitment, selection, appointment, placement, promotion, demotion, transfer, training, wages, benefits, working conditions, and such personnel actions as layoffs, recall, discharge, disciplinary action, performance evaluations and use of all facilities.

DEFINITIONS OF TERMS

POLICY: An adopted and approved management approach and attitude toward the general handling of personnel administration matters which mandate or constrain the performance of activities used in achieving City's goals.

PROCEDURE: A systematic design or plan for implementing policy, or a series of steps or instructions, describing a way of doing things.

APPOINTING AUTHORITY: The Mayor or group of persons having power of appointment or removal. In the City of Estell Manor, the Mayor makes the appointment with the advice and consent of City Council.

APPOINTMENT: The offer, acceptance and commencement of employment.

BASE SALARY: An employee's rate of pay exclusive of any additional payments or allowances.

DAYS: Calendar days unless otherwise specified.

DEMOTION: A reduction in job title.

DEPARTMENT: In local service, where not otherwise defined by statute, means the largest type of organizational unit established by ordinance or resolution, as appropriate that is not a sub-unit of any other organizational unit for the purpose of administering the political sub-division.

FULL-TIME POSITION (employee): One that requires the incumbent to work the full number of hours established by the City of Estell Manor for the position or group of positions, which is thirty-three and one-half (33 ½) hours per week not including time taken for lunch.

GRIEVANCE: An employee complaint regarding any term or condition of employment, which is beyond the employee's control is submitted to management for review.

IMMEDIATE FAMILY: An employee's spouse, domestic partner, child, legal ward, grandchild, foster child, father, mother, unless otherwise specified in a specific policy.

LAYOFF: Separation of a permanent employee from employment because of economy, efficiency or other related reasons other than discipline.

PART-TIME EMPLOYEE: An employee whose regular hours of work are less 33 ½ hours per week.

POSITION: The assignment of specific duties and responsibilities requiring the employment of one person.

PROMOTION: Advancement in job title.

REMOVAL: Termination of an employee for disciplinary reasons.

SUSPENSION: Temporary separation from employment for disciplinary reasons.

TITLE: A descriptive name that identifies a position or group of positions with similar duties, responsibilities, and qualifications.

SECTION ONE

Policies Relating to Employee Rights and Obligations

Anti-Discrimination Policy

The City is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD). Under no circumstances will the City 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, 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. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, the City Clerk, the Personnel Committee, or if they prefer the Mayor.

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 City does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The City 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.

It is the policy of the City to comply with all relevant and applicable provisions of the Americans with Disabilities Act and the LAD. We will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known disability, pregnancy, breastfeeding, pregnancy related medical condition or childbirth. 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 and also provided that the accommodation does not impose under hardship on the City.

The Clerk will engage in an interactive dialogue with disabled/ pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician with the employee's written consent. 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.

With consultation with the labor relations attorney (LRA) all decisions with regard to reasonable accommodation shall be made by the Clerk. 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 City to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Contagious or Life Threatening Illnesses Policy

The City encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The City shall make reasonable accommodations to known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of their job and also provided that the accommodation does not impose an unreasonable hardship on the City.

The City will take reasonable precautions to protect such information from inappropriate disclosure, including 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.

Safety Policy

The City will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The City is equally concerned about the safety of the public. Consistent with this policy, employees will receive periodic safety training, safety procedures, and may 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 City Clerk. Any on-the-job accident or injury involving City facilities, equipment or motor vehicles must also be immediately reported to the supervisor and/or Clerk.

The City has appointed a Safety Committee (Public Works Department & Public Works Committee) that meets, as necessary, to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their supervisor and/or the Public Works Committee of City Council.

Drugs and Alcohol Policy

The City 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. In compliance with the Drug-Free Workplace Act of 1988, the City has a commitment to providing a safe, quality-oriented and productive work

environment consistent with the standards of the community in which we operate. Alcohol and drug abuse pose a threat to the health and safety of City employees and to the security of our equipment and facilities.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy continues to apply to all employees, volunteers and officials, and all applicants for employment. The City Clerk and the Personnel Committee is responsible for policy administration.

TESTING:

Pre-employment: Potential candidates for employment with the City of Estell Manor shall be subject to pre-employment drug and alcohol screenings. All offers of employment shall be conditional upon satisfactory results of drug and alcohol screenings.

Reasonable Suspicion: Any employee who is observed to be intoxicated or under the influence of alcohol or drugs during working hours or is under the reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. An Employee who observes a co-worker to be under the influence of alcohol or drugs must immediately report it to the City Clerk, Mayor or Chairperson of the Personnel Committee.

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 discipline up to and including termination. The Clerk, Department Heads and/or supervisors that observes behavior constituting reasonable suspicion are required to institute testing and **do not** have the option of sending the employee home as an alternative.

Post-accident: Employees may be subject to testing when they cause or contribute to accidents that seriously damage a City vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring off-site medical attention. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*

Follow-up: Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending upon the circumstances and the employee's work history/record, City may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City for a minimum of one (1) year but not more than two (2) years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

COLLECTION AND TESTING PROCEDURES

Employees, volunteers and officials subject to alcohol testing shall be driven to a City designated facility and directed to provide breath specimens. Breath specimens shall be tested by trained technicians using approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breathe alcohol concentration is .04 or more, a second

breath specimen shall be tested approximately 20 minutes later. The results of the second test shall be determinative. Alcohol tests may, however, be a breath, blood or saliva test, at the City's discretion. For purposes of this Policy.

Applicants, volunteers and employees subject to drug testing shall be driven to a City designated medical facility and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens shall be sent to a laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone and propoxyphene use. Where indicated, specimens may be tested for other illegal drugs. The laboratory shall screen all specimens and confirm all positive screens. An employee has the ability to request that two or three specimens be taken and maintained for future testing purposes.

CONSEQUENCES

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. *If the employee refuses to be tested yet we believe they are impaired, under no circumstances will the employee be allowed to drive himself or herself home.*

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

INSPECTIONS

The City reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. Anyone who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

CRIMES INVOLVING DRUGS

The City prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on City premises or while conducting City business. Employees are also prohibited from misusing legally prescribed or drugs. Law enforcement personnel shall be notified, as appropriate, where criminal activity is suspected.

DEFINITIONS

“Premises” includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased, funded or managed by the City or on any site on which the City is conducting business.

“Illegal Drug” means a substance whose use or possession is controlled by law but that is not being used or possessed under the supervision of a licensed health care professional.

“Refuse to Cooperate” means to obstruct the collection or testing process; to submit an altered, adulterated, or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

“Under the Influence of Alcohol” means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

“Under the Influence of Drugs” means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly over-the-counter) where there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient’s name, the name of the substance, quantity/amount to be taken, and the period of authorization).

“Employee” means any employee, volunteer or official of the City or any employee, volunteer or official of the City that utilizes or drives a city owned vehicle.

REASONABLE SUSPICION AND POST-ACCIDENT TESTING PROTOCOL

1. The employee, volunteer or officials will be advised that City believes that there is reasonable suspicion to believe that he/she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
2. The employee will be transported to any one of the City’s testing facilities. One member of management/designated attendant will accompany the employee along with a union representative, if requested by the employee. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*
3. After returning to the City or when leaving the testing facility, the supervisor/manager **MUST** make arrangements to transport the person home (unless testing results are immediate). Under no circumstances will the tested employee be allowed to drive himself or herself home.

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

Employees must notify the City Clerk, who in turn must notify the Mayor and Chairman of the Personnel Committee, within five (5) days of conviction for a drug or alcohol related violation, whether or not the violation occurred in the workplace.

Employees using prescription drugs that may affect job performance or safety must notify their supervisor who is required to maintain the confidentiality of any information regarding an employee’s medical condition in accordance with the Health Insurance Portability and Protection Act. City personnel who hold a Commercial Driver’s License (CDL) are subject to the provisions of the Commercial Driver’s Licenses Drug and Alcohol Testing Policy.

Workplace Violence Policy

The City 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 City property, at City events or under other circumstances that may negatively affect the City's ability to conduct business.

Examples of prohibited conduct includes:

- 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 City property or while on City business, except if performing police duties; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

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

General Anti-Harassment Policy

It is the City's policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee 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 partner status, pregnancy, civil union status, atypical heredity, cellular or blood trait, genetic information, disability, 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. While it is not easy to define precisely what harassment is, it includes 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 harassment, immediate notification should be made to the City Clerk, the Mayor or the Chairman of the Personnel Committee or other appropriate person (see Employee Complaint Policy).

Harassment of any employees, in connection with their work, by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee should report such harassment to his or her supervisor. Appropriate action will be taken against any non-employee.

Notification of appropriate personnel of any harassment problem is essential to the success of this policy and the City generally. The City cannot resolve a harassment problem unless it knows about it. Therefore, it is the responsibility of all employees to bring those kinds of problems to the attention of the appropriate officials so that steps are taken to correct them.

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

Anti-Sexual Harassment Policy

It is the City policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The City prohibits sexual harassment from occurring in the workplace or at any other location at which City sponsored activity takes place. Sexual harassment of non-employees by our employees is also prohibited. The purpose of this policy is not to regulate personal morality or to encroach upon one's personal life, but to demonstrate a strong commitment to maintaining a workplace free of sexual harassment.

Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Regarding unwelcome sexual advances toward non-employees, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly in exchange for a benefit;
- Submission to or rejection of such conduct by an individual is used as the basis for a decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's activities or creating an intimidating, hostile or offensive environment.

Sexual harassment may include unwanted sexual advances; 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 sexual harassment, they must immediately notify their supervisor or other appropriate person. See the Employee Complaint Policy.

Harassment of City employees, in connection with their work, by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee should report such harassment to his or her supervisor. Appropriate action will be taken against any non-employee.

Notification by employee to appropriate personnel of any harassment problem is essential to the success of this policy and the City generally. The City cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring those kinds of problems 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.

“Whistle Blower” Policy

Employees have the right under the **“Conscientious Employee Protection Act (CEPA)”** (see CEPA in forms Section Six) to complain about any activity, policy or practice that the employees reasonably believe is in violation of a law, rule, or regulation promulgated pursuant to law without fear of retaliation or reprisal. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written acknowledgement that the employee received, read, and understood this letter will be included in the employee’s official personnel file. The annual notice shall be in English and Spanish and must contain the name of the person who is designated to receive written notification of policies or practices that might violate CEPA. This right will also be communicated in the Policies & Procedures Manual. All complaints will be taken seriously and promptly investigated.

The City 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, Mayor, other official or to a public body, as defined in the **Conscientious Employee Protection Act** (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 City. 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 (see Employee Complaint Policy). Under the law, the employee must give the City 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.

Employee Complaint Policy

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing 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 City Clerk, Mayor and/or the Chairman of the Personnel Committee. If there is no resolution at the previous step than contact may be made with the City Council. Reporting of such incidents is encouraged when either 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 (see Section Six-Forms), 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 harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

No employee will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, 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 the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment 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 of an incident.

Grievance Policy

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the City. 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 dates after arising, and failure to report a grievance within such time shall be deemed as a waiver of the grievance. Any written grievances must be drafted on employee time, including, lunch breaks, after or before work hours, but not during working hours.

- **Step One:** Any employee or group of employees with a grievance shall verbally communicate the grievance to the City Clerk. The City Clerk after consultation with supervisor, if appropriate, will communicate the decision to the employee within five working days.
- **Step Two:** If the employee is not satisfied with the decision, the employee must submit a written grievance to the Personnel Committee detailing the facts and the relief requested, the City Clerk's decision and copies of all relevant materials. The decision in step one will be deemed final if the employee fails to submit a written grievance within five work days of the step one decision. The Personnel Committee, after review of the provided information, may request a meeting to discuss the facts, which meeting may include the City Clerk. The Personnel Committee's decision shall be communicated to the employee within fifteen working days of receipt of the grievance as step two.
- **Step Three:** If the employee is not satisfied with the decision, the employee must submit a written grievance to the City Council detailing the facts and the relief requested, previous decision of step one and two, and copies of all relevant materials and decisions. The decision in step two will be deemed final if the employee fails to submit a written grievance within five days working days of the step two decision. After consulting with the Chairman of the Personnel Committee, the City Council will render a written decision to the employee within thirty working days after receipt of the written grievance.

These limitations do not apply to employee complaints made under the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy or the Whistle Blower Policy.

Access to Personnel Files Policy

The official personnel file, for each employee, shall be maintained by the City Clerk. The City Clerks personnel file will be maintained and may be reviewed by the Mayor & Chairman of the Personnel Committee in conjunction with a specific personnel matter or review. 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. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Each employee is responsible for notifying the Clerk and Chief Financial Officer of any changes of vital information (see Section Six- Changing Vital Information Form in Forms Section)

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the City premises in the presence of the City Clerk. 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 do not contain confidential employee medical information. Any such information that the City 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 City endeavors to maintain the privacy of personnel records. There are limited circumstances in which the City will release information contained in personnel or medical records to persons outside the City. 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 City's compliance with applicable law;
- To the City's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the City 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."

Conflict of Interest Policy

Employees including City 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 City. Violations of this policy will result in appropriate discipline including termination.

The City recognizes the right of employees to engage in outside activities that are private nature and unrelated to City business. However, business dealings that appear to create a conflict between the employee and the City'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 City Clerk a state mandated disclosure form. The City Clerk will notify employees and City officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an employee including a City official is in a position to influence a City 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 City 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 Mayor and/or the City Solicitor to obtain clarification.

Employees are allowed to hold outside employment as long as it does not interfere with their City responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using City time, supplies or equipment in the outside employment activities. The Mayor and the Council President may request employees to restrict outside employment if the quality of City work diminishes. Any employees who holds an interest in, or is employed by, any business doing business with the City must submit a written notice of these outside interests to the City Council.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their City duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the City or any person or firm seeking to influence City decisions. Meals and other entertainment valued in excess of \$100 are also prohibited. Employees are required to report to the City Council any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

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 City time, supplies or equipment in any political activity. Any violation of this policy must be reported to the Mayor, City Clerk, or the City Solicitor.

Employee Evaluation Policy

An employee's supervisor must complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year. The supervisor must complete the written evaluation form prior to the employee's anniversary date and review the written evaluation with the Personnel Committee before it is presented to the employee. The evaluation will 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 will review the results with the employee and return the form(s) with the signed acknowledgement to the Clerk. This review should coincide with the anniversary date of the appointment to the position being evaluated. After review by the Mayor and the Personnel Committee, the form(s) are to be given to the Clerk who will include the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Mayor and Chairman of the Personnel Committee.

The City Clerk shall create and maintain a log containing each employee's total years of service and anniversary date of employment. In order to ensure that evaluations are completed in a timely manner, the Clerk shall notify the Personnel Committee at least 30 days prior the anniversary date.

Employee Discipline Policy

An employee may be subject to discipline for any of the following reasons (this list is not intended to be all-inclusive):

- Falsification of public records, including attendance and other personnel records.
- Failure to report absence;
- Violation of the Attendance Policy;
- Harassment of co-workers and/or volunteers and/or visitors.

- Theft or attempted theft of property belonging to the City, fellow employees, volunteers or visitors.
- Failure to report to work prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on City property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on City property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on City property and at any time during work hours.
- Insubordination.
- Entering the building without permission from the Mayor or Council President during non-scheduled work hours and/or outside of regular business hours; this is not intended to prohibit attendance at public meetings.
- Soliciting on City premises during work time. 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 City or suppliers' property.
- Sleeping on the job.
- Carrying weapons of any kind on City 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 City or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential City information.

- Gambling on City premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on City 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 person's offense.
- Violating any City rules or policies.
- Conduct unbecoming a public employee.
- Violation of City policies, procedures and regulations.
- Violation of Federal, State or City 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. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

In cases of employee misconduct, the City believes in corrective action for the purpose of correcting undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances. In every case, employees will be given an opportunity to state the situation from their point of view.

In order to correct undesirable behavior, supervisors and managers may utilize the following corrective tools: verbal reprimand; written reprimand; suspension; fines, and, dismissal. At the discretion of City, action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

Neither this manual nor any other City guidelines, policies or practices create an employment contract. Employment with City may be terminated at any time with or without cause or reason by the employee or City.

Resignation Policy

An employee who intends to resign must notify the City Clerk in writing at least two weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two weeks, the employee may not use paid time off except paid holidays. The Chief Financial Officer, in conjunction with the Clerk, will prepare an Employee Action form showing any pay or other money owed the employee. A COBRA notification letter will be sent to the employee's home address. On the last day of work, and prior to receiving the final paycheck, the employee must return the City Code Book, all keys and equipment. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

Work Force Reduction Policy

The City may institute layoff actions for economy, efficiency or other related reasons. Circumstances permitting, the City shall provide advance notice to employees who will be effected by a reduction in hours or a layoff.

Driver's License Policy

Any employee, official or volunteer, whose work requires that the operation of City vehicles, must hold a valid New Jersey State Driver's license or a valid Commercial Driver's License, as required by law. All job candidates, new employees, officials or volunteers who may be assigned work entailing the operating of a City vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment. If the report indicates a suspension or revocation of license, a volunteer or officials shall be banned from driving any City vehicle. The City shall conduct yearly checks of an employee, officials or volunteer's drivers' licenses through visual and formal Department of Motor Vehicles review checks shall be made by the City Clerk. Any information obtained by the City in accordance with this section shall be used by the City 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.)

Any employee, official or volunteer performing work which requires the operation of a City vehicle must notify the City Clerk 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, or a commercial driver's license. An employee that fails to report such an instance is subject to disciplinary action, including demotion or termination. Any employee who does not hold a valid driver's license will not be allowed to operate a City vehicle until such time as a valid license is obtained.

In the event an employee, who is required to maintain a valid driver's license for his or her employment, loses his or her license for any reason, and said lose of license extends beyond six months, the employee shall be terminated from his or her employment with the City. Any official or volunteer of the City who loses his/her license for any reason for more than six months shall be forever precluded from driving a City vehicle.

Volunteers only:

Any organization of volunteers or any department who uses volunteers, who drive City owned vehicles shall in addition to the above provisions, provide the following information to the City Clerk:

1. A list of volunteers that are permitted to drive City owned vehicles.
2. A list of vehicles and the volunteers who are permitted to drive said City owned vehicles.
3. A list of employees who hold CDL licenses.
4. The Fire Chief or the department head shall notify the City Clerk of any CDL violations related to drugs or alcohol immediately upon knowledge of same.
5. The Fire Chief or department head shall notify the City Clerk if any of the volunteers have had their driver's licenses suspended immediately upon knowledge of same.

The City, at its discretion, may require volunteers to receive any training relating to the operation or utilization of a City owned vehicle including safety classes at the City's cost. A volunteer's failure to attend any assigned training is prohibited from driving a City vehicle until the training is completed.

Background Checks and Procedures for Candidates, Employees and Volunteers

- **Background checks required:** Criminal background checks are required of all candidates over the age of 18, whether for paid or volunteer positions, who will be working directly or indirectly with children/youth/minors. Criminal background checks will also be performed every three years for each employee or volunteer that works directly or indirectly with children/youth/minors.
- **Background check procedure:** The City Clerk will perform or initiate criminal background checks and be the recipient of reports from outside agencies or contractors. These reports shall include, but are not limited to, court records; police department and correction agency records; registries or watch list; state criminal record repositories; and the Interstate Identification Index maintained by the FBI. The City Clerk will discuss potentially disqualifying information received with the employee's or volunteer's department head and determine that the information is disqualifying shall be made based on whether the disqualification shall be made based on whether the disqualification is job-related for the position and is consistent with business necessity. Written information received as a result of a "Request for Criminal History Record Information for a Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. 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.).

When a disqualification decision has been made as a result of the employer's "targeted screening process" described below, the City Clerk will inform the candidate, volunteer, or

employee, in writing, of any information that would disqualify the person from working with children/youth. If the City contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from working with children/youth/minors.

In addition, the individual shall be advised that he/she has the opportunity to explain the criminal record and to demonstrate why the exclusion based on the employer's targeted screening process should not apply to him/her under the circumstances. This information may include evidence of an error in the criminal record; facts surrounding the conviction; age at the time of the conviction and/or release from prison; evidence of a clean criminal and employment record since release; rehabilitation efforts; positive references; and evidence that he/she is bondable. Thereafter, the employer shall give the individual further consideration. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the City Clerk and the Personnel Committee.

- **Conditions Under Which An Individual Will Be Disqualified From Working With Children/Youth:** A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:

- 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)
- Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses. As a result of the employer's targeted screening process, by which the employer has taken into account the following factors:

(a) The nature and gravity of the offense or conduct, including the consideration of (i) the harm caused by the crime; (ii) the legal elements required to prove the crime; and (iii) the classification of the crime (i.e., felony or misdemeanor, etc.); (b) The time that has elapsed since the offense, conduct, and/or completion of the sentence; (c) The nature of the job held or sought, including the consideration of: (i) the job duties (not merely the job title); (ii) the level of supervision to be provided; (iii) the working environment (e.g., private home, outdoors, warehouse); (iv) interaction with others, especially with vulnerable individuals such as children/youth/minors; and (v) the relationship of the criminal history to the job to be performed. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction. Further, an arrest record standing alone may not be used to disqualify a candidate, volunteer, or employee from an employment opportunity. However, the employer may make a disqualification decision based on the conduct underlying the arrest if the conduct makes the individual unfit for the position in question, in which case the conduct, not the arrest, is relevant for employment purposes.

- **Appeal Process:** The Appeals Committee will be comprised of the Personnel Committee.

Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the employee has 14 calendar days to file a Notice of Appeal with the City. Such Notice of Appeal must be sent in writing to the City Clerk. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to NJAC 13:59-1.6.

During the 14-day period listed above, and until the issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

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.

The City will issue a written determination on the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

Open Public Meetings Act Procedure concerning Personnel Matters

Discussions by the governing body or any public body of the City 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. Ultimately, the guidance as to the notification of employees and the right to have the discussion in executive or the

open session should be discussed with and be based upon the guidance and advice of the legal counsel for the public entity and recent court decisions.

SECTION TWO

Workplace Policies

Job Description Policy

It is the policy of the City of Estell Manor to maintain written job descriptions for each job title held within the City employ. These job descriptions shall define and describe the representative duties and responsibilities and shall set forth the minimum requirements essential to the performance of the work associated with the position. All job descriptions must be approved by the Personnel Committee with approval of the mayor. Copies will be available upon request.

Attendance Policy

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. All absences must be reported to the City Clerk, prior to the start of the normal workday. The City Clerk will inform the Chairman of the Personnel Committee or the Mayor of any absences. The normal working hours for administrative departments are 9:00 AM to 3:30 PM. Employee shall also work extended hours from 6:00 PM to 8:00 PM on Wednesdays. The working hours for other departments are established by departmental procedures.

Employees shall use the City's time clock to punch in and out on a daily basis. If an employee forgets to punch in or out, he/she shall contact the City Clerk immediately to report the failure to clock in or out. Employees are also required to punch in and out for lunch breaks. Failure to punch in and out for lunch breaks must be reported to the City Clerk immediately.

Authorized overtime is also subject to time clock punch in and punch out procedures.

Employee time records will be reviewed periodically to identify chronic absenteeism and/or tardiness problems. Employees who exhibit attendance and/or tardiness problems will be subject to progressive discipline. Employees may also be subject to discipline for failing to comply with the time clock procedures.

Bulletin Boards

The bulletin boards located in the City of Estell Manor's Administrative building and other facilities are intended for official notices regarding policies, procedures, meetings, and special events. Only personnel authorized by the Mayor, City Clerk, and/or City Council may post, remove or alter any notice.

Early Closing and Delayed Opening Policy

In the event of unsafe conditions, the Mayor may authorize Supervisors to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Mayor shall notify employees 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 vacation day or a full day of compensatory time will be charged to the employee. Sick time will only be charged for a legitimate illness, or as otherwise provided in the sick leave policy. If work is called off for the

day, no time will be charged for the day and the City shall pay the employee for said day. This provision does not apply to the Department of Public Works, or any personnel who may be required to assist in an emergency.

Dress Code Policy

Dress, grooming and personal hygiene must be appropriate for the position. Uniforms are required for certain jobs and are to be worn in accordance with applicable departmental standards. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees shall not wear suggestive attire, athletic clothing, shorts, flip-flops, T-shirts, novelty buttons, and similar items of casual attire that do not present a businesslike appearance. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. The City will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action or will be sent home without pay.

No Smoking Policy

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the City has adopted a smoke-free policy for all buildings. City facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in City buildings. Employees are permitted to smoke only outside City buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoke breaks will be taken during designated break times only. Smoking inside vehicles owned by the City and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

Use of Vehicles Policy

Unless an employee receives permission from the City Clerk, City owned vehicles shall be used only on official business and all passengers must be on City business. Vehicles may be taken home only with the advance approval of the Mayor. When an employee takes home a City vehicle, it is to be used only for official City business; any other use is not permitted. At no time shall children be in the City vehicle when responding to an emergency. Any violation of this policy constitutes cause for disciplinary action. Employees are required to follow all State & Federal laws, in effect, regarding vehicle use, including but not limited to, seatbelts and cell phone use.

Communication Media Policy/ Social Media Policy

The City's Communication Media are the property of the City 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 City, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, 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 Administration to do so.

All data stored on and/or transmitted through Communication Media is the property of the City. 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 City business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the City's mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the City's local or wide-area networks."

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

All email, voicemail and Internet messages are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the City are required to use the assigned municipal email account for ALL City business and correspondence. The use of private email accounts for ANY City business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on their personal emails, 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 City's Communication Media for legitimate business purposes. Employees may not use City's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any City 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 City'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 the City. Certain data, or applications that process data, may require additional security measures as determined by the City. 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 City'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 City.

All employees may access only data for which the City has given permission. All employees must take appropriate actions to ensure that City 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 City data must be stored centrally as required by the City. This provides greater security, and ensures backup of all City data is performed.

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 City's computing environment.

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 City. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the City, or licensed to the City. 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.

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 Administration may engage in social media activity during work time through the use of the City'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 City 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 City 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 City Council. 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 City'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 City Council. Except in “emergency situations”, Employees are prohibited from taking digital images or photographs with media equipment not owned by the City. 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 City’s Communication Media. If such situation occurs, employee agrees that any images belong to the City and agree to release the image to the City and ensure its permanent deletion from media device upon direction from the City.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the City or on behalf of the City, through the use of the City’s Communication Media may be issued unless it has first been approved by the City’s Administration. Specifically, employees are forbidden from using the City’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 postings placed on the Internet through use of the City’s Communication Media will display on the City’s return address, any information posted on the Internet must reflect and adhere to all of the City’s standards and policies.

All users are personally accountable for messages that they originate or forward using the City’s Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user’s identity on any Communication Media is prohibited. “Spoofing” is prohibited.

Employees must respect the laws regarding copyrights, trademarks, rights of public City and other third-party rights. Any use of the City’s name, logos, service marks or trademarks outside the course of the employee’s employment, without the express consent of the City, 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 City 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 City, as such no employee shall knowingly represent themselves as a spokesperson of the City, post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the City expresses views that are detrimental to the City’s mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. City employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as City 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 City's employment policies. For all other communications by employees on personal social media sites in which matters related to the City are discussed, employees must add a disclaimer on the front page stating that the posting does not express the views of the City, 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."** 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.

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 pursuant to the National Labor Relations Act. All City employees have the right to engage in or refrain from such activities.

Use of Internet:

The City 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 (local unit), 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 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 City'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 City reserves the right to monitor the employee's Internet usage. In addition the City has the right to restrict access to specific types of prohibited content through the use of a content filtering system.

Video Surveillance

The City may install video surveillance camera systems within public buildings and throughout public areas within the City, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the

City will ensure compliance with federal, state and local laws governing such usage.

The City's video surveillance camera systems are a significant tool to which the employees of the City will avail themselves in order to complete the goals and objectives of the City. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The City'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 City'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 City.

The City 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 City Clerk and the Mayor are immediately informed of such breach.

Personal Visitations

Employees should remember that they are at a work place and therefore are strongly discouraged from entertaining personal visitors during work hours. Should such visits occur, the length of the visit should be restricted to 10 minutes, or during the employees' lunch or coffee breaks. Employees are not permitted to bring their children to work for any amount of time over one-half hour in emergency situations. Failure to adhere to this policy shall result in disciplinary action, up to and including termination.

Reimbursement for Personal Expenses

Employees must receive advance approval from the Mayor and the Finance Committee for appropriate and legitimate expenses, including the use of personal vehicles, for reimbursement of said expenses. All requests for such reimbursements, if previously approved by the Mayor and the Chairman of the Finance Committee, must be itemized and accompanied by receipts. All such previously approved expenses will be approved on the monthly City Council bill list.

Special Licenses and Membership Fees

The City will pay an annual lump sum payment equal to the current annual dues on fees to each employee who is required by ordinance, or State or Federal law to be a member of a professional organization or who must maintain current a particular certification or license as a condition of employment. Payment will be made upon approval by the City Council.

Employees who belong to professional organizations that promote individual professional growth, competence and effectiveness in functioning as City employees will be allowed time off with pay to attend local, state, and national meetings subject to approval by the Mayor & Chairman of the

Personnel Committee subject to budgetary limitations. Membership in outside organizations shall be in the name of the City of Estell Manor, when possible.

SECTION THREE

Paid and Unpaid Time Off Policies

Paid Holiday Policy

Employees are entitled to paid holidays as designated by Resolution of the Governing Body at the annual reorganization meeting.

Part-time employees shall receive holiday pay for days and hours in which the employees is normally scheduled to work.

A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

The observance of religious holidays other than those designated by Resolution of the Governing Body at the annual reorganization meeting will be granted and charged as personal or vacation/personal days.

When a holiday falls on a Full-time employee's regularly scheduled day off, the employee, with the approval of the employee's supervisor, may take a regular working day off in lieu of the holiday.

Employees must work the business day before and the business day after a holiday to receive payment for said holiday (except when vacation days were approved in advance). If an employee is sick the business day before and the business day after the holiday, the employee must provide a doctor's note to receive holiday pay. If an employee does not provide a doctor's note, he or she shall not receive pay for the holiday.

Vacation Leave Policy/Personal Leave Policy

A. Vacation Leave

New full-time employees shall receive pro-rated vacation if they start employment with the City after January 1.

On January 1 each year, full-time employees will receive annual vacation leave as follows:

1 year	5 days	2 years	10 days	3 years	11 days	4 years	12 days
5 years	15 days	6 years	16 days	7 years	17 days	8 years	18 days
9 years	19 days	10 years	20 days	15 years	22 days		

Employees may carry over no more than 14 days of his/her earned vacation time into the next calendar year, and must be used by March 31 or forfeited. Any time in excess of this carry-over allowance will be forfeited. Vacation days can only be used in full day or half day increments.

Employees that work at least 30 and less than 33 ½ hours per week are entitled to five vacation days, which shall be defined to mean the number of hours an employee is normally scheduled to

work on a day. Eligible employees shall begin to earn vacation time commencing on January 1 of each year. Employees may carry over no more than 14 days of his/her earned vacation time into the next calendar year, and must be used by March 31 or forfeited. Any time in excess of this carry-over allowance will be forfeited.

Employees shall not be paid for any carry over or annual vacation time upon termination, resignation or retirement. In other words any vacation time on the books upon termination, resignation or retirement shall be forfeited.

B. Personal Leave

Full-time employees, only, will receive three (3) personal leave days annually. Personal days cannot be carried over from year to year. All personal days must be used within the year allotted; otherwise, they will be forfeited.

C. Vacation and Personal Leave Rules

Vacation and personal time may be denied by the City Clerk with the approval of the Personnel Committee in the event that the best interest of the City would be adversely affected by the granting of said request.

Vacation and personal days are credited at the beginning of the calendar year in anticipation of continued employment. If employment terminates prior to the end of the calendar year, an adjustment will be made in the employee's final paycheck for any vacation and personal leave which has been used but not yet earned.

All compensatory time must be exhausted prior to using vacation and/or personal time.

D. Vacation and Personal Leave Request Procedure

A request for vacation or personal leave for periods exceeding two consecutive days shall first be approved by the department Supervisor and then submitted to the City Clerk, who will communicate said request to the Personnel Committee, via the Request for vacation and personal leave form. Employees must submit said request at least two weeks prior to the first day off to request vacation or personal leave. In the event an employee must use a personal leave day for an unforeseeable event or emergency, the employee need not obtain approval from the Supervisor or the City Clerk; however, the employee must notify the City Clerk one-half hour before the start of his/her shift or as soon as practicable before the start of the shift, whichever is earlier.

For requests less than two consecutive days, the employee should seek verbal approvals from the City Clerk, who will communicate said request to the Personnel Committee, once their intention is known.

Request submitted appropriately will be honored if possible; however, proper staffing must take precedence over all other considerations in scheduling time off. Should conflicts arise because

more than one employee desires the same time off, length of service according to date of hire will prevail.

Sick Leave Policy

During the initial month of employment, full-time employees will receive 1 working day of sick leave if they begin work on the 1st through the 8th day of the calendar month, and ½ working day if they begin on the 9th through the 23rd day of the calendar month. No credit is earned if an employee begins work on the 24th day of the month or after. After the initial month and up to the end of the first calendar year, full-time employees earn ½ working days for each month of service. At the beginning of each subsequent calendar year thereafter, full-time employees shall have 10 working days of sick leave credited in anticipation of continued employment.

Sick time for full time employees shall be credited on January 1 of each year; however, if an employee does not work the entire 12 calendar months, their sick time will be prorated. Part-time employees shall receive 1 hour of sick time for every 30 hours of work they perform up to a total of 40 hours in a calendar year.

Sick time can only be used in full day or half day increments for full-time employees. If employees generally work less than 7 hours days, they must use a full day of sick time. Part time employees must use sick time consistent with their daily work schedule.

Employees that work 30 hours or more a week may accumulate unused sick time from year to year with a limit of 30 sick days total accumulation. Excess sick time will be forfeited.

Sick leave may be used for personal illness or injury, exposure to contagious diseases, doctor or dental appointments, maternity leave, care for a seriously ill member of an employee's immediate family. For the purposes of this policy, immediate family shall include an employee's father or step-father, mother or step-mother, spouse, child or foster child, sister, brother, mother-in-law, father-in-law, and any relative of the employee residing in the employee's household.

All employees must notify City Clerk, if they will be absent due to illness within 30 minutes of the employee's normal start time. If an employee is unable to reach the City Clerk, the Mayor must be notified. Failure to follow the procedure for notification of absence due to illness could result in denial of sick leave for that absence and/or other disciplinary action.

When an employee calls out sick, the employee must be charged for a sick day. The employee shall not call in sick and request to take the day without pay, unless the employee does not have any sick time. Employees should note that they may be disciplined for excessive use of sick time.

Employees are to make their best effort to schedule doctor or dental appointments outside or after work hours. Employees, who must attend a doctor or dental appointment during working hours, must utilize sick time for said leave, and must give notice to the City Clerk at least five days in advance, except in emergency situations. Failure to adhere with this requirement may result in disciplinary action.

Employees may be required to submit official proof of illness or inability of work when they have been absent on sick leave of two (2) or more consecutive working days.

Employees must work the business day before and the business day after a holiday to receive payment for said holiday. If an employee is sick the business day before and the business day after the holiday, the employee must provide a doctor's note to receive holiday pay.

In the event an employee is absent from work for more than three consecutive days, the City may require a medical certification from an attending physician stating an employee is able to return to his/her regular duties and that returning to work would not jeopardize the health of the employee or other employees. The employee should provide such certification to the City Clerk to be added to the employee's personnel file. The City may further require that an employee obtain a medical release from the City of Estell Manor's physician.

If an employee is out of work for over ten working days for medical reasons, the City shall require a fitness for duty examination by a City doctor at the City's cost. If the fitness for duty reveals that the employee is not fit for duty, the employee may present a doctor's note to the contrary. The cost of any visit to a doctor selected by the employee shall be at the employee's cost. In the event, the employee's doctor concludes that the employee is fit for duty, the City and the employee shall agree on a third doctor for the employee to be evaluated by at the City's cost.

If an illness is of chronic or recurring nature, employees shall only be required to provide a proof of illness every six months. Such proof must specify the nature of the illness and that it is likely to cause periodic absences.

Paid sick days shall not accrue during a leave of absence without pay, during a suspension, or after an employee has resigned even if his/her name remains on the payroll.

An employee who exhausts all of his/her paid sick leave in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year.

Vacation, personal, and compensatory may be used to supplement sick leave if the employee has exhausted sick leave accruals. All compensatory time must be exhausted prior to using vacation and personal days.

Sick time must be used to be paid. There is **NO** buy back provision.

If an employee terminates employment prior to the end of the calendar year, an adjustment will be made in the final paycheck for any sick leave which has been used, but not yet earned.

Bereavement Leave Policy

All employees are entitled to three (3) consecutive calendar days leave of absence for each death of an employee's immediate relative.

For the purposes of this policy, "Immediate relative" includes spouse or significant other, civil union partner, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, mother-

in-law, father-in-law, brother-in-law, sister-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household.

The City may grant an employee one (1) day of leave for the death of any other member of the employee's family. The granting of this day shall only be for the day of the funeral. If additional time is necessary, it shall be taken as a compensatory time, vacation, personal, sick or unpaid leave, if leave days have been exhausted, with advance authorization by the Personnel Committee.

Employees who request bereavement leave must immediately notify the City Clerk as appropriate of their intent to take such leave. The City Clerk shall notify the Personnel Committee that an employee is utilizing bereavement leave.

The employee may be required to submit proof of death or relationship.

Jury Duty Policy

An employee required to render jury service shall be entitled to be absent from work during that service and will be paid the difference between any payment received for jury duty and the employee's regular salary. Part-time employees are entitled to be absent from work during that service, but shall not receive any pay from the City. The full-time employee must submit necessary paperwork, including notice of jury attendance and amount received from the Court for service, in order to receive the difference in payment for jury duty and regular salary. In the event an employee is released from jury duty before the end of the work day, the employee must report to work for the remainder of the day in order to be compensated for the time spent at jury duty.

Family and Medical Leave Act Policy

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("FLA"). In order to be eligible for such leave, employees must have: one (1) year of service with [the local unit type]; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months, and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite (for Federal leave). Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee's health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Upon written notice, eligible employees are entitled to a family or medical leave for up to twelve weeks to care for a newly born or adopted child or a seriously ill immediate family member, including civil union partner, or for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The City reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the City Clerk.

Family Medical Leave Related To Military Service

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 employer'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 employer'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.

Family Temporary Disability

Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in connection with a family member's serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in one day increments. An

employee seeking intermittent paid family leave is required to provide the City with 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 City with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) weeks in a year to care for a family member on active duty in the military or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a member of the National Guard or Reserves is called to active duty 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.

Military Leave Policy

When an 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 leave shall be without pay but without loss of time. 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 calendar days after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the current group health plan by taking advantage of the COBRA provision. Members of the State administered retirement systems 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.

Leave of Absence Policy

Employees may be granted a personal leave of absence for up to six months at the sole discretion of the City 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 City may extend a leave of absence for an additional six months, if such extension is considered in the best interests of the City.

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 City Health Benefits Policy. A personal leave is granted with the understanding that the employee intends to return to work for the City. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have resigned.

SECTION FOUR

Compensation & Employee Benefits Policies

Overtime Compensation Policy

When the demands of the job exceed the normal hours worked, non-exempt employees may be scheduled and authorized to work beyond the hours of their normal work week; any and all hours above the regularly scheduled work week are defined as overtime. Employees working such overtime hours will be paid in accordance with the following:

1. Hours worked between 33.5 and 40 in one week will be compensated at the employees' straight hourly rate, or on an hour-for-hour basis when given compensatory time in lieu of wages.
2. Hours worked above 40 in one week will be compensated at the rate of 1.5 times the employee's hourly rate; likewise, compensatory time will be credited at a rate of 1.5 for every hour worked above 40.

Overtime must be authorized by the employee's supervisor in writing with a copy of said authorization to the City Clerk. If the overtime is worked by a supervisor, the supervisor must obtain written approval for the overtime from at least one member of the public works committee, (for public works employees), or, for non-public works employees, from at least one member of the personnel committee. Authorization is not necessary in legitimate emergency situations. Employees who work unauthorized overtime shall be subject to disciplinary action.

Any employee called to work after hours or on a scheduled day off shall be credited a minimum of two (2) hours overtime and paid in accordance with the above provisions

Employees called to work on a recognized City holiday shall be compensated for such hours at the rate of two (2) times their regular rate, regardless of whether or not he/she has worked forty (40) hours in that week.

Overtime/Compensatory time earned by an employee shall be recorded on the individual's time sheet/card. Overtime wages will be paid in timely fashion in accordance with State and Federal Laws. The Clerk will maintain a running record of compensatory time earned and used.

Timesheets

Non-exempt employees are required to accurately record their work time on the designated time record, sign it and return into his/her supervisor. Non-exempt employees and exempt employees are required to report their sick time, vacation time and holiday time on the designated time record. Non-exempt and exempt employees should turn the time record into his/her supervisor. The supervisor shall review the record for accuracy and approve it and submit it to the designated payroll representative.

Payment for Accumulated Absence:

To the extent that a local ordinance, collective bargaining agreement, or an employment agreement provides for the payment of compensation for pay while absent from work, the City shall only make such payment if the chief financial officer or Executive Director certifies that such amount is due and that proper documentation establishing that the amount of the accumulated absence has been provided and funds are available to pay. Proper Documentation includes:

- A copy of the agreement, ordinance and/or resolution;
- Documentation of the amount of accumulated absence time; and
- The total value of the compensation due.

Nothing in this section grants employees compensation for absences from work.

Emergency Call-In Policy

The City recognizes that there may be times when employees are asked to return to work after they have already left for the day, or on scheduled days off, to accommodate what are considered emergency situations. Emergency situations include, but are not limited to, adverse weather conditions that pose a threat to public property or safety such as snow storms or heavy winds.

Under these circumstances, the Mayor must communicate with the Clerk and declare that an emergency exists; by doing so, he will authorize the Clerk to “CALL-IN” essential employees for overtime hours. When the Mayor has declared that an emergency exists, those employees called-in to work shall be paid/compensated at the rate of one-and-one half (1.5) times their regular rate of pay for all hours worked outside of their regular schedule. This does not apply to instances when an employee simply works past the scheduled end of his/her shift in order to complete routine tasks; this type of overtime is paid in accordance with the “Overtime Compensation Policy” outlined on page 29.

In the absence of the Mayor, the Council President and/or the Clerk may authorize emergency overtime.

Employees shall receive no less than two (2) hours credit when called to work after hours or on scheduled days off (e.g. if the task at hand only takes 45 minutes to complete, the employee shall receive 2 hours of overtime credit).

In the event that the emergency overtime is worked on a City recognized holiday it will be paid at the rate of 2 times the employee’s regular wages.

Compensatory Time Policy

When the demands of the job exceed the normal hours of work, non-exempt employees may be scheduled and authorized to work beyond the hours of their normal work week as discussed in the Overtime Compensation Policy. Employees may elect to be paid for overtime worked or receive

compensatory time. Compensatory time is credited as outlined in the Overtime Compensation Policy.

All compensatory time must be used within 60 days of the time it was acquired unless special circumstances arise and prior approval has been granted by the Mayor and/or Chairman of the Personnel Committee allowing for carryover for an additional 60 days.

Compensatory time off shall be scheduled subject to vacation and personal time off request procedures. Compensation time earned by an employee shall be recorded on the individual's time sheet/card and the Clerk will maintain a running record of time earned and used.

Compensatory time may be taken in hourly increments. All other time must be taken in full or half-day increment.

Health Insurance Policy

Medical

All full-time and part-time employees who work more than 30 hours per week are eligible to select one of the health plans administered by the New Jersey State Health Benefits Program. The Plans change periodically, therefore the employee must check with the Clerk for the most up-to-date information. The City reserves the right to change provider networks, claims agents, and insurance mechanisms. The complete benefit plan is on file in the Clerk's office and a Summary Plan Description will be provided to all employees.

The City of Estell Manor pays all premiums for eligible employees for the traditional and PPO plans. As required by New Jersey State Law, employees are required to pay a percentage contribution toward medication benefits in accordance with Chapter 78, PL. 2011 towards health benefits. The same amount of premiums is applied to the cost of the HMO plan. If the employee selects HMO benefits, additional costs over and above the traditional plan rate, if any, will be paid by the employee through payroll deductions. Coverage for new employees will begin on the first day after the completion of two full months of employment.

Health insurance coverage for employees on a Leave of Absence or who cease City employment will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the COBRA provision for a period of up to eighteen months to thirty-six months. For more information, consult the Clerk.

Waivers:

Employees who qualify for medical benefits may waive coverage. Effective with all new waivers filed on or after May 21, 2010, the employee shall receive one quarter (25%) of the amount saved by the City or \$5000.00 whichever is less per year. Payment for opting out of health insurance shall be included in the employee's first paycheck of every month.

Dependents:

Employees with eligible dependents may enroll their dependents in the State Health Benefits Program solely at their own cost. The employee will be responsible to pay the difference in premiums between the individual rate paid by the City and the family/dependent coverage selected by the employee.

The City Clerk will provide enrollment forms and information about the features of the available programs for all employees. New employees will be enrolled in the selected plan immediately with coverage effective the first day after the completion of two full months of employment. All employees must select one of the available plans or indicate that they wish to waive coverage.

Any employee who fails to enroll wishes to change from one plan to another may only make such changes or corrections during the annual enrollment period.

Errors in either enrollment or claims forms are the responsibility of the employee and not the employer.

Dental, Prescription, Vision

The City has created a Vision reimbursement program for all full-time employees only. The plan will reimburse the cost of eye care services for eligible persons up to a yearly amount of \$200.00 per employee per year. Coverage for new employees will begin on the first day after the completion of two full months of employment. Employees must submit copies of paid eye care services in order to be reimbursed.

The City provides Dental and Prescription coverage for all full-time employees only. Coverage is currently provided through the State Health Benefits Program, but the City reserves the right to change insurance providers, provider networks, claims agents, and insurance mechanisms.

Workers Compensation Policy

Employees who suffer job related injuries and illnesses might be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act (WC). The City covers workers compensation benefits through its membership in a joint insurance fund. Any occupational injury or illness must be immediately reported to the supervisor. All required medical treatment must be performed by a WC Physician appointed by the joint insurance fund. Payment for unauthorized medical treatment may not be covered pursuant to the Act. Any employee on leave for workers compensation for over six months may be terminated.

The City 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.

Educational Assistance and Training Policy

Attendance at training programs, continued certification classes, seminars, conferences and other work related educational functions may be paid by the City with prior approval of the City Council. Requests to attend such functions are subject to the approval of the immediate Supervisor for scheduling purposes. Employees must complete the training request form and submit it to the City Clerk, who will present it to the Personnel Committee for approval at least one month before the start of said function, or as soon as possible. Approval is contingent upon the availability of funds; priority to attend training events may be given to those employees who are licensed or certified and who require continuing education credits in order to maintain certification status.

Training shall generally be arranged during regularly scheduled work hours. The Mayor or Personnel Committee may change the standard work hours to accommodate attendance at such training activities. Such required training shall be recorded as time worked within the meaning of this policy.

When training (inclusive of seminars, conferences, etc.) is paid for by the City, the employee must present certificates of completion, or other proof of attendance, to the City Clerk for inclusion in the employee's personnel file.

Employees who acquire training on their own time and expense are encouraged to notify the City Clerk so the information can be noted in the employee's personnel file. The City, however, shall not pay for non-work related and/or non-work required training.

SECTION FIVE
FORMS

City of Estell Manor
Employees and/or Property
Incident Report Form

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Brief description (including all pertinent information such as weather conditions):

Describe any property damage, injuries, etc. (If possible, include estimates of cost for repair and replacements, extent of injuries, etc.)

If any injuries were involved, did the injured parties accept treatment? where?

Please note name, addresses and telephone numbers of all parties involved, including witnesses, on the reverse of this form.

Please fill out and return to Clerk's Office by the end of the next working day.

Completed By: _____ Telephone #: _____

Department: _____

Received By: _____ Date: _____

Report of Unsafe Working Conditions

Person Filing Report: _____ Date: _____

Identify Unsafe Conditions:

Location:

Recommended Corrective Measures:

Referred to for Action: _____ Date: _____

Action Taken:

Completed By: _____ Date: _____

Vacation/Compensatory Time

Request for Leave Time

Request is hereby made for Vacation and/or Compensatory Leave (Circle One) as follows:

Employee Signature:

Note: Approval of Vacation and/or Compensatory Leave is subject to department scheduling needs and seniority provisions.

Department: _____

Date Filed: _____

Date Granted: _____

Department Head and/or Mayors Signature:

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. 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.
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

The following contact person has been designated to answer your questions or provide information regarding your rights and responsibilities under this act (N.J.S.A. 34:19-4):

Primary Contact: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers 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.



La Ley de protección al empleado consciente

“Ley de protección del denunciante”

Acciones de represalia del empleador; protección de las acciones del empleado

1. La ley de New Jersey prohíbe que los empleadores tomen medidas de represalia contra todo empleado que haga lo siguiente:
 - a. Divulgue o amenace con divulgar, ya sea a un supervisor o a una agencia pública toda actividad, directriz o norma del empleador o de cualquier otro empleador con el que exista una relación de negocios y que el empleado tiene motivos fundados para pensar que violan alguna ley, o en el caso de un trabajador licenciado o certificado de la salud y que tiene motivos fundados para pensar que se trata de una manera inadecuada de atención al paciente;
 - b. Facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la violación de alguna ley, regla o reglamento que el empleador o algún otro empleador con el que exista una relación de negocios; o en el caso de un trabajador licenciado o certificado de la salud que facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la calidad de la atención al paciente; o
 - c. Se opone o se niega a participar en alguna actividad, directriz o práctica que el empleado tiene motivos fundados para pensar que:
 - (1) viola alguna ley, o regla o reglamento que dicta la ley o en el caso de un empleado licenciado o certificado de la salud que tiene motivos fundados para pensar que se trata de la atención inadecuada al paciente;
 - (2) es fraudulenta o delictiva; o
 - (3) es incompatible con algún mandato establecido por las directrices públicas relacionadas con la salud pública, la seguridad o el bienestar o la protección del medio ambiente. Artículo 34:19-3 de las Leyes comentadas de New Jersey de protección del empleado consciente (N.J.S.A., por sus siglas en inglés)
2. No se puede acoger a la protección contra la represalia, cuando se hace una divulgación a un organismo público, a no ser que el empleado le informe al empleador de tal actividad, política o norma a través de un aviso por escrito y le haya dado al empleador una oportunidad razonable para corregir tal actividad, política o norma. Sin embargo, no es necesaria la divulgación en los casos en que el empleado tenga indicios razonables para creer que un supervisor o más de un supervisor del empleador tienen conocimiento de tal actividad, política o norma o en los casos en los que el empleado teme que tal divulgación pueda traer como consecuencia daños físicos a su persona siempre y cuando la naturaleza de la situación sea la de una situación de emergencia.

Información del Contacto

La persona siguiente para ha sido designada a contestar sus preguntas o, proporcionar información adicional relacionada con sus derechos y responsabilidades según lo indica esta ley (N.J.S.A. 34:19-4):

Nombre: _____

Dirección: _____

Número de teléfono: _____

Este aviso se debe exponer a la vista de todos.

Una vez por año, los empleadores deben de distribuir un aviso de esta ley a sus empleados. Si necesita este documento en algún otro idioma que no sea inglés o español, sírvase llamar al (609) 292-7832. Posiblemente, una carga nominal puede ser cobrada.



City of Estell Manor Employee Complaint Form
Attach additional sheets if necessary to fully complete all questions

Date_____

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: _____

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 City 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 City 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 City, 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 City later discovers that information on this form was incomplete, untrue, or inaccurate. I give the City 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 City the right to secure additional job-related information about me. I release the City and its representatives from all liability for seeking such information. I understand that the City is an equal-opportunity employer and does not discriminate in its hiring practices. I understand that the City 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 City may terminate me at any time in accordance with its established policies and procedures. No representatives of the City 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 _____

Voluntary Affirmative Action Information

You are not required to provide this information. Provide only if you wish.

If you provide information on this page, it will be filed separately from the job application. This information will be used only for purposes of the affirmative action program
--

Applicant Information:

Name: _____

Address: _____

City/town: _____

Phone: () _____

Position Applied For: _____

How did you learn about this position? __Advertisement __Employment Agency
__Friend __Relative __Walk-in __Other (Explain) _____

Information Regarding Status:

Gender:

_____ Male

_____ Female

Equal Employment Opportunity identification groups:

_____ White

_____ African-American (non-Hispanic)

_____ Hispanic

_____ American Indian/Alaskan native

_____ Asian/Pacific Islander

_____ Other _____

Other protected Groups:

_____ Individual with a disability

_____ Vietnam-era veteran (served between 1964 and 1975)

_____ Disabled veteran

For City use only

Hired: __Yes __No Position _____ Date _____

Which EEO job classification best describes the position for which the applicant applied?

1. Officials and Managers

4. Sales workers

7. Operators (semi-skilled)

2. Professionals

5. Office and clerical workers

8. Laborers (unskilled)

3. Technicians

6. Craft workers (skilled)

9. Service workers

City Official _____ Date _____

This page for City use only!
Results of interview

Interviewer: _____

Date: _____ **Time:** _____

NJ DIVISION ON CIVIL RIGHTS GUIDE ON PRE-EMPLOYMENT INQUIRIES

Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries:
Name	a) The fact of a change of name or the original name of an applicant whose name has been legally changed b) Maiden name	Whether or not the applicant has ever worked under another name or was the applicant educated under another name. (Allowable only when the data is needed to verify the applicant's qualifications)
Birthplace and Residence	a) Birthplace of applicant b) Birthplace of applicant's parents c) Requirement that applicant submit birth certificate, naturalization or baptismal record d) Own home, rent, board or live with parents e) Citizenship	a) Are you in the United States on a visa, which prohibits you from working here? b) Are you either a US citizen or a permanent resident alien?
Creed and Religion	a) Applicant's religious affiliation b) Church, parish, or religious holidays observed by applicant	
Race or Color	a) Applicant's race b) Color of applicant's skin, eyes, hair, etc. c) Driver's license number	
Photographs	a) Photographs with application b) Photographs after interview, but before a hiring	
Age	a) Date of birth or age of applicant b) Age specifications, limitations, or implications in a newspaper advertisement which might bar workers under or over a certain age c) Driver's license number	Applicant may be asked if he/she is over the minimum legal age and under a bona fide mandatory retirement age
Language	a) Applicant's mother tongue b) Language commonly used by applicant at home c) How the applicant acquired ability to read, write, or speak a foreign language	Language applicant speaks and/or writes fluently (only if job related)
Relatives	Name and/or address of any relative of the applicant	Name and address of person to be notified in case of accident or emergency
Military Experience	a) Applicant's military experience in other than United States Armed Forces b) National Guard or Reserve Units of applicant c) Draft classification or other eligibility for military service d) Applicant's whereabouts during periods of armed conflict e) Dates, conditions and type of discharge	a) Military experience of applicant in Armed Forces of United States only when used for employment history b) Whether applicant has received any notice to report for duty in Armed Forces

Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries:
Organizations	Any clubs, social fraternities, sororities, societies, lodges, or organizations to which the applicant belongs	Membership in a union, professional or trade organization
References	The name of applicant's pastor or religious leader	Names of persons willing to provide professional and/or character references for applicant
Sex and Marital Status	a) Sex or marital status or any questions which would be used to determine same b) Number of dependents, number of children c) Spouse's occupation	
Arrest and Conviction Record	The number and kind of arrests of an applicant	Convictions which bear a relationship to the job
Height and Weight	Any inquiry into height or weight of applicant	
Physical Disabilities	Any inquiry as to physical disability, which has no direct bearing on satisfactory performance of the specific job in question. (For example, questions as to the mobility of a person without the use of his or her legs, when the job in questions involves working in a stationary position.)	Does applicant have any physical disability, which would prevent him or her from satisfactorily performing the job? (For example, questions concerning hearing impairment are acceptable on applications for a telephone operation position.)
Education	Whether or not the applicant is a high school graduate	a) Show highest grade completed b) Detail your educational background

CITY PERFORMANCE APPRAISAL

EMPLOYEE NAME: _____ SUPERVISOR: _____

DEPARTMENT/JOB TITLE: _____ DATE OF HIRE: _____

PRESENT REVIEW DATE: _____ LAST REVIEW DATE: _____ TIME IN POSITION (YRS.): _____

Use the Comments section to note goals being appraised and to provide future goals.

Overall Rating (circle)

1 – Does not meet minimum standards 2 - Needs Improvement 3 – Meets Job Requirements 4 – Exceeds Expectations

TRAINING/ JOB KNOWLEDGE: *Consider knowledge of methods, techniques, procedures, tools, and maintenance of certifications necessary to perform the position.*

☐ Lets certification expire. No desire to improve skills. Insufficient knowledge and understanding of the job.

☐ New in a position and still learning. Often requires additional instruction. Making progress, but not fully proficient. Needs to improve certain skills or job knowledge.

☐ Fully understands job responsibilities. Maintains needed certification. Can operate all equipment required to perform his or her job.

☐ Takes the initiative to improve job through evaluation of job processes. Can lead work group through unusual or unique situations.

Comments:

PERFORMANCE: *Consider dependability, communication skills, and the quality and quantity of work based on established standards.*

☐ Frequently damages government property and/or equipment. Work not up to expectations.

☐ Needs a better grasp of job. New employee still in learning process, not yet proficient. Not always as productive as expected.

☐ Completely performs job meeting all job standards. Consistently provides quality work requiring minimal revision to correct errors.

☐ Job output continuously above standards and before deadlines. Takes initiative to take on other tasks whenever possible.

Comments:

WORK CONDUCT: *Consider employee's interest in the position, commendations received, organizational support, personal appearance, and disciplinary actions.*

☐ Frequently or repeatedly receives disciplinary actions and substantiated complaints from the community and co-workers.

☐ Occasionally has disciplinary problems, but is working to correct behavior. Needs to project a positive outlook and pleasant manner.

☐ Never has any discipline problems. Supervisor has complete trust in employee. Always conforms to dress code.

☐ Consistent positive methods and behaviors, which translates into quality work. Has pride in work. Influences others in a positive way.

Comments:

COOPERATION: *Consider teamwork, or the ability to work with others in a cooperative and productive manner.*

☐ Seldom works well with others. Difficult to work with. Does not promote teamwork. Files unsubstantiated grievances.

☐ Slow to help others. Does not readily accept additional assignments required of job. Lack of tact or consideration for others.

☐ Fully cooperates with co-workers. Accepts new ideas. Helps others. Willing to work overtime as needed.

☐ Continually goes out of way to help co-workers. Learns other job responsibilities to aid in coverage. Fosters teamwork.

Comments:

SAFETY: *Consider the respect shown for self, co-workers and public.*

☐ Does not adhere to safety rules. Repeatedly reprimanded for safety rule infractions.

☐ Sometimes disregards safety procedures or misuses equipment.

☐ Operates equipment and performs tasks within applicable safety standards. Reports all safety hazards.

☐ Pays special attention to unsafe working conditions. Helps increase awareness of safety issues in work group. Suggests safety improvements.

Comments:

CITY 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:** _____

(CEO title) Signature: _____ **Date:** _____

CITY 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 City Ordinance 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 City 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)

Receipt for Personnel Policies and Procedures Manual / Employee Handbook

Policy Revision Date: _____ **Governing Body Resolution:** _____

I acknowledge that I have received a copy of The City of Estell Manor'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, the Mayor or the Personnel Committee. I understand that The City of Estell Manor is an "at will" employer and consistent with applicable Federal and State law employment with the City of Estell Manor 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 City of Estell Manor 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 The City of Estell Manor'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 The City of Estell Manor 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 City Clerk.

Date: _____

Signature: _____

Print Name: _____

Department: _____