

BOROUGH OF LINDENWOLD

EMPLOYEE HANDBOOK

*(The Borough of Lindenwold
is an equal opportunity employer, "M/F")*

February, 2020

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ADDENDUM:

U.S. Department of Transportation Controlled Substance/Alcohol Policy

Receipt for Borough of Lindenwold Employee Handbook

I acknowledge that I have received a copy of the Borough of Lindenwold's Employee Handbook. I agree to read it thoroughly. I agree that if there is any policy or provision in the handbook that I do not understand, I will seek clarification from my supervisor, the Municipal Clerk or the Borough Solicitor.

I understand that the Borough of Lindenwold is an "at will" employer and consistent with applicable Federal and State law (including New Jersey Civil Service Act), (as well as applicable bargaining unit agreements), employment with the Borough of Lindenwold 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 unless a specific individualized contract has been entered into by the Borough. No supervisor or other representative of the Borough of Lindenwold 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 Handbook states the Borough of Lindenwold personnel policies in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with the Borough of Lindenwold 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.

This edition of the Borough of Lindenwold Employee Handbook supercedes any Handbooks, Personnel Policies and Procedures previously distributed by the Borough of Lindenwold.

Please sign and date this receipt and return it to the Borough Clerk.

Date: _____

Signature: _____

Print Name: _____

Department: _____

**Borough of Lindenwold
15 N. White Horse Pike
Lindenwold, NJ 08021
(856) 783-2121
Fax (856) 783-1619**

The Borough of Lindenwold plays an important part of the lives of the citizens it serves. The public expects that its business will be conducted to the highest standards. Public service is an honorable and rewarding career that offers many benefits not often found in the private sector.

As a Lindenwold employee, you have certain rights and obligations. Federal and State law as well as Borough of Lindenwold policies cover such important areas as discrimination, safety, violence, harassment and conflicts of interest. Many common attitudes of the past have changed. For example, the old adage “to the victors belong the spoils” in governmental hiring is now against the law and the old fashion (patrol room,) garage or office “give and take” can no longer be condoned. Behaviors that were tolerated ten or twenty years ago are no longer acceptable.

Employees have a right to a safe workplace free of discrimination, violence, harassment and conflict of interests and have an obligation to conduct themselves consistent with these policies. The Borough of Lindenwold has a “no tolerance” policy towards workplace wrongdoing.

This Employee Handbook adopted by the Lindenwold Borough Clerk discusses these issues and many other Lindenwold personnel policies. You are urged to read this handbook and become acquainted with its contents. By its very nature, a handbook cannot be comprehensive or address all possible situations. For this reason, if you have any questions concerning any Borough of Lindenwold personnel policy, contact your supervisor, or if you prefer, your Department Head, Borough Clerk, or the Borough Solicitor.

Neither this handbook nor any other Borough of Lindenwold document, confers any contractual right, either express or implied, to remain in the Borough of Lindenwold’ employment. Nor does it guarantee any fixed terms and conditions of your employment. The provisions of this Employee Handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Lindenwold.

All employees receiving this handbook are required to sign an acknowledgement of receipt as stated above. A copy of this receipt will be maintained in your official personnel file.

THE CONTENTS OF THIS HANDBOOK ARE GUIDELINES ONLY AND SUPERCEDE ANY PRIOR MANUAL AND/OR HANDBOOK. NEITHER THIS MANUAL NOR ANY OTHER GUIDELINES, POLICIES OR PRACTICES CREATE AN EMPLOYMENT CONTRACT. THE BOROUGH OF LINDENWOLD HAS THE RIGHT, WITH OR WITHOUT NOTICE, IN AN INDIVIDUAL CASE OR GENERALLY, TO CHANGE ANY OF ITS GUIDELINES, POLICIES, PRACTICES, WORKING CONDITIONS OR BENEFITS AT ANY TIME.

NO ONE IS AUTHORIZED TO PROVIDE ANY EMPLOYEE WITH AN EMPLOYMENT CONTRACT OR SPECIAL ARRANGEMENT CONCERNING TERMS OR CONDITIONS OF EMPLOYMENT UNLESS THE CONTRACT OR ARRANGEMENT IS IN WRITING AND IS SIGNED BY BOROUGH CLERK. EMPLOYMENT WITH THE BOROUGH OF LINDENWOLD IS AT-WILL AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE OR NOTICE BY THE EMPLOYEE OR THE BOROUGH OF LINDENWOLD.

THIS NOTICE APPLIES TO ALL EMPLOYEES REGARDLESS OF DATE OF HIRE.

GENERAL PERSONNEL POLICY:

It is the policy of the Borough of Lindenwold to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Borough of Lindenwold shall apply to all employees, volunteers, elected or appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law including the Attorney General's guidelines with respect to Police Department personnel matters, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

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

The Borough Administrator and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Borough of Lindenwold has appointed the Borough Solicitor to assist the Borough Administrator implement personnel practices.

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

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

These policies are enacted by the Borough of Lindenwold in order to further the following goals:

1. To provide a uniform system of personnel administration throughout the Borough service.
2. To ensure that recruitment, selection, placement, promotion, retention and separation of Borough employees are based upon employees' qualifications and fitness, and are in compliance with Federal and state laws.

3. To assist department heads in the development of sound management practices and procedures, and to make effective consistent use of human resources throughout the Borough.
4. To promote communication between directors, supervisors, and employees.
5. To ensure, protect and clarify the rights and responsibilities of employees.

6. Employee Conduct

Employees of the Borough of Lindenwold are public servants and are expected to demonstrate the highest standards of conduct in the performance of their duties, regardless of personal consideration. Employees must avoid situations in which their personal interest conflicts, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality.

Employees must not engage in any conduct or activity that violates any policy, procedure, rule or regulation in effect in the Borough of Lindenwold which might:

- detrimentally affect the municipality's reputation;
- make the employee unable to properly perform his or her employment responsibilities;
- cause other employees to refuse or be reluctant to work with the employee; or
- otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

Any violation of this policy constitutes cause for disciplinary action.

The term Department Head as used throughout this manual refers specifically to the following:

Business Administrator	Borough Clerk	Chief of Police
Sewer Superintendent	Construction Official	Tax Collector
Public Works Supervisor	Property Maint. Supervisor	
Tax Assessor		

THE BOROUGH SPECIFICALLY RESERVES THE RIGHT TO REPEAL, MODIFY OR AMEND THESE POLICIES AT ANY TIME. NONE OF THESE PROVISIONS SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE NOR TO LIMIT THE POWER OF THE BOROUGH COUNCIL TO REPEAL OR MODIFY THESE RULES. THE POLICIES ARE NOT TO BE INTERPRETED AS PROMISES OF SPECIFIC TREATMENT.

SECTION ONE

POLICIES RELATING TO EMPLOYEE RIGHTS AND OBLIGATIONS:

ANTI-DISCRIMINATION POLICY:

The Borough of Lindenwold 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 (LAD) as amended by the New Jersey Pregnant Worker's Fairness Act (LAD). Under no circumstances will the Borough of Lindenwold discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, **breastfeeding**, liability for service in the United States armed forces, gender identity or expression and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, Borough Administrator, or the Borough Solicitor.

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

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Borough of Lindenwold does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Borough of Lindenwold will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough of Lindenwold to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth, **breastfeeding**, pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough.

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

All decisions with regard to reasonable accommodation shall be made by the Business Administrator. 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 Borough of Lindenwold to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

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

CONTAGIOUS OR LIFE THREATENING ILLNESSES POLICY:

The Borough of Lindenwold encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The Borough of Lindenwold 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 the job and also provided that the accommodation does not impose an unreasonable hardship on the Borough of Lindenwold.

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

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

TRANSITIONAL DUTY POLICY:

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

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

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the

transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Borough Administrator who will render a written response within 24 hours.

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

DRUGS AND ALCOHOL POLICY:

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

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

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

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

Employees who are required to maintain a Commercial Driver's License (CDL) are subject to random drug testing as required by the federal government in addition to the U.S. Department of Transportation policy in attached Addendum.

Employees using prescription drugs that may affect job performance or safety must notify the Borough Administrator or Borough Solicitor 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.

Borough of Lindenwold 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.

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

WORK PLACE SAFE FROM SUBSTANCE ABUSE:

Employees and the Borough have a mutual obligation to ensure a safe and healthy work environment. This policy is instituted to assure that the work place be free of employees whose job performance may be impaired by the abuse of drugs and/or alcohol.

The Employer recognizes that drug and alcohol abuse may be considered treatable illnesses and to the extent possible the response to these illnesses may be treatment and rehabilitation.

It is recognized that the consumption of alcohol or drugs to the point that employees are unable to perform their jobs safely and effectively cannot be tolerated.

It is recognized that when employees have placed themselves in a situation where their ability to perform their jobs is impaired by drugs or alcohol that it is the responsibility of the parties to remove such employees from the work environment to prevent the endangerment of the employee, fellow employees and/or the public.

The Borough recognizes employee concerns of personal privacy and that drug or alcohol testing shall be used only in cases where questions of impaired job performance are involved. Adverse action against an employee for off duty conduct shall not be taken unless such conduct directly impairs the employee's on-the-job performance.

THE BOROUGH OF LINDENWOLD RESERVES THE RIGHT TO REQUIRE THE PRE-EMPLOYMENT EXECUTION OF DRUG TESTING WAIVERS.

DRUG/ALCOHOL ABUSE POLICY STATEMENT

This policy statement outlines formally the Borough of Lindenwold policy regarding the program which has been put in place to assure our compliance with the federally mandated anti-drug/alcohol plan, 49 CFR Parts 40, 199, 382 and 391.

Our policy is as follows:

The Borough of Lindenwold will provide an “Employee Assistance Program” for its employees and supervisory personnel which will include a program of education and training on the effects of drug abuse. We will make available to all employees informational material related to the cause and effects of substance abuse and additionally will provide a community service hotline telephone number, which can be used by our employees whenever assistance is required. Supervisory personnel who will be in a position to determine whether an employee must be drug/alcohol tested based on “reasonable cause” will receive a minimum of one (1) hour of training on the specific physical, behavioral and performance indicators of probable drug/alcohol abuse.

Additionally, the Borough of Lindenwold has been mandated, by Federal regulation, to implement and maintain a program of substance abuse testing on all employees whose jobs are covered under the Federal Department of Transportation regulation 49 CFR Parts 40, 199, 382 and 391.

The Borough of Lindenwold further has determined to take action against employees who unlawfully use, distribute or possess alcohol, drugs or controlled substances during or outside assigned working hours in order to prevent illegal activities and to protect employees, the public and the Borough of Lindenwold property from danger which may result from the illegal use of alcohol, drugs or controlled substances. The objective of the policy is to provide and maintain a safe, drug/alcohol-free work environment.

The Borough of Lindenwold has further determined that (it will not employ or use) the services of any employee who refuses to be tested for drugs/alcohol, and will discipline any employee who fails a drug/alcohol test which may include termination of services.

DEFINITIONS

“Employee” means a person employed by the Borough of Lindenwold in a capability which requires a commercial driver’s license to be maintained including all Department of Public Works Sanitation workers. Roadmen, Mechanics, Building & Grounds workers, Foreman and Supervisors all of whom shall be included in the test pool.

“Fail a drug/alcohol test” means that the confirmation test result shows a positive evidence of the presence of a prohibited drug/alcohol in an employee’s system.

“Pass a drug/alcohol test” means that initial testing or confirmation testing does not show evidence of the presence of prohibited drug/alcohol in a person’s system.

“Prohibited drug” means any of the following substances specified in the Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. 801, 812 (1981 and 1987 CUM.P.P.): Marijuana, Cocaine, Opiates, Amphetamines and Phencyclidine “PCP.”

DRUG/ALCOHOL TESTS REQUIRED

A. Pre-employment Testing

No employee will be hired unless that person passes a drug/alcohol test that is covered by a recognized anti-drug/alcohol program, documentation of which must be supplied to the Borough of Lindenwold Director of Public Works.

B. Post-accident Testing

As soon as possible but no later than 2-8 hours after an accident occurs during employment hours, any employee whose performance cannot be completely discounted as a contributing factor to the accident shall be drug/alcohol tested. The decision to test or not to test shall be in the sole discretion of the employer based upon the information available immediately after the accident. The supervisor in conjunction with any other investigative personnel shall fully document the basis upon which a decision to test or not to test is made. In the case of an accident involving a fatality or involving the issuance of a citation to a Borough of Lindenwold employee, the involved employee shall automatically be tested. All covered employees shall immediately report all accidents or citations issued during the employee’s course of his/her shift regardless of the type of ownership of vehicle involved in the accident or the citation.

C. Random Testing

At least 50% of all employees shall be drug tested and 25% of all employees shall be alcohol tested every 12 months. The employees for testing shall be selected by using a random number table that is matched with an employee’s identification number. During the first 12 months following the institution of random drug/alcohol testing, the total number of tests conducted shall include at least 25% of the employees required to be tested.

D. Testing Based on Reasonable Cause

Whenever there is reasonable cause to believe that an employee is using a prohibited drug/alcohol, such employee shall be drug/alcohol tested. The decision to so test will be based on a reasonable belief that the employee is using a prohibited drug/alcohol on the basis of the specific, contemporaneous, physical, behavioral or performance indicators of

probable drug/alcohol use. One supervisor of the employee trained in detecting possible drug/alcohol use symptoms shall substantiate the decision test.

E. Rehabilitation and Discipline

All employees are entitled to voluntarily participate in the “Employee Assistance Program” regardless of a positive test result being received. However, if there is a positive test result, participation in the “Employee Assistance Program” or an alternative program approved by the Borough of Lindenwold Director of Human Services shall be a prerequisite to continued employment. Refusal to enroll in a program or to complete a full course of rehabilitation shall be cause for immediate termination of services. A positive alcohol test is one with a level of .040 or greater. Employees with a pattern of reading between .020 and .039 will also be subjected to enrolling in a mandatory counseling program.

In addition to completing a required course of rehabilitation, employees shall be subject to the following discipline:

1. Following the confirmation of a positive test, there shall be a minimum five (5) day suspension. In the case of an alcohol test result between .020 and .039, the penalty would be limited to a suspension for the remainder of that day’s work shift unless a pattern developed. The suspension shall remain in full force until there is a negative retest provided to the Borough of Lindenwold through a certified laboratory (all costs of testing to be borne by the employee) but failure on the part of the employee to present a positive test result within six (6) weeks from the original incident date shall automatically result in termination of services. After two weeks the Borough of Lindenwold reserves the right, for reasons of operational efficiency, to fill the suspended employee’s position and in such case, the suspended employee would be entitled to the next available opening providing all other conditions (rehabilitation and positive test result) are met.
2. Employees found to be in violation of this policy (confirmation of positive drug/alcohol test) on a second occasion will be immediately dismissed.

F. Testing After Rehabilitation

A person who returns to duty as an employee after rehabilitation shall be subject to a reasonable program of follow-up drug/alcohol testing without prior notice for not more than sixty (60) months after his or her return to duty.

G. Administration

The Borough of Lindenwold has designated Ambassador Medical Services of Voorhees, New Jersey to administer the Borough’s anti-drug/alcohol program. It has contracted

with standard procedures, and for the employee awareness and supervisory training program as designed and administered by Ambassador, all as more particularly required by the Borough of Lindenwold anti-drug/alcohol program.

H. Employee Counseling

Personal problems, particularly related to drug and alcohol abuse, should be brought to the attention of the Department Supervisor and/or Borough Administrator's attention so that assistance can be arranged before a point is reached where the employee's job is in jeopardy.

WORKPLACE VIOLENCE POLICY:

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

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 Borough of Lindenwold property or while on Borough of Lindenwold business except with the authority of the Police Chief; and
- Committing acts motivated by or related to sexual harassment or domestic violence.

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

GENERAL ANTI-HARASSMENT POLICY:

It is the Borough of Lindenwold'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 partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), liability for service in the United States armed forces, gender identity or expression, and/or any other characteristic protected by law. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, and other similar verbal or physical conduct.

If an employee is witnesses to or believes to have experienced harassment, immediate notification of the supervisor or other appropriate person should take place. See the 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 the 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 [local unit type] generally. The Borough of Lindenwold 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 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.

HARASSMENT COMPLAINT PROCEDURE:

1. In any case in which the supervisor is witness to or confronted with a situation of harassment, the supervisor shall immediately notify the offending party that harassment is not appropriate and will not be tolerated. Ultimate disciplinary action will await completion of the reporting procedure.
2. An employee subjected to any form of harassment should report such activity to his/her non-involved Supervisor, Department Head, Director of Personnel, Borough Administrator, or Borough Solicitor.
3. A supervisor is required to report harassment cases to his/her Department Head, who in turn, is required to report the matter to the Personnel Director. Such reports to superiors and to the Director of Personnel are to be made regardless of how knowledge of the case was acquired.

4. The Director of Personnel shall investigate and submit to the Borough Administrator a report setting forth the facts of the case and a recommendation for action.
5. The results of the investigation and the nature of the disciplinary action will be communicated by the Director of Personnel to the complainant and the offender as well as the affected Department Head and Borough Administrator who may consult with the Borough Solicitor. Either party may appeal the decision through the normal grievance procedure if it is felt the findings were incorrect or the disciplinary action inappropriate.

DISCIPLINARY ACTION

An employee who harasses another employee or member of the public may be subject to the full range of disciplinary action, including discharge.

ANTI-SEXUAL – HARASSMENT POLICY

It is the Borough of Lindenwold's policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The Borough of Lindenwold prohibits sexual harassment from occurring in the workplace or at any other location at which Borough of Lindenwold sponsored activity takes place. 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 reasonably 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, 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 Borough of Lindenwold 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 their 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 Borough of Lindenwold generally. The Borough of Lindenwold 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.

PROCEDURE FOR COMPLAINTS OF SEXUAL HARASSMENT:

Because of the nature and seriousness of sexual harassment in the workplace, the receipt of complaints, investigation and recommendation for disciplinary action, if necessary, shall be the responsibility of the Borough Administrator.

1. Reporting Violations

Any person who feels he/she is the victim of sexual harassment as defined herein may file a complaint directly with the Borough Administrator. If any Department Manager or other supervisory personnel receives a

complaint regarding sexual harassment, or becomes aware of instances of sexual harassment, promptly report the incident to the Borough Administrator. Although employees are encouraged to try to resolve disputes with the help of their immediate supervisor, there is no requirement that the employee exhaust the chain of command in relation to sexual harassment complaints. Rather, an employee can go directly to the Borough Administrator or Borough Solicitor at any time during the complaint process. The filing of a bona fide complaint or otherwise reporting sexual harassment will not adversely affect the individual's employment status or future terms and conditions of employment.

2. Investigation

The Borough Administrator shall promptly commence an investigation of the allegations of sexual harassment which may include interviews and written statements from the victim, the alleged harasser and any witnesses. The Borough Administrator may request the assistance of counsel, other supervisory personnel, or outside sources in conducting the investigation. Confidentiality shall be maintained throughout the investigation process. A written report of the investigation shall be prepared by the Borough Administrator within three days of the conclusion of the investigation with a copy sent to the victim and alleged harasser. The Borough Administrator may initiate any remedial or disciplinary action he deems necessary.

3. Sanctions

If the allegations of sexual harassment are found to be meritorious, the Borough Administrator shall immediately institute remedial and/or corrective action which may include counseling, change in work assignments or disciplinary action up to and including termination. Any disciplinary action shall be consistent with applicable collective bargaining agreements and the New Jersey Department of Personnel rules and regulations. The victims of sexual harassment shall be informed of the nature of any disciplinary action taken.

The Borough Administrator may monitor future conduct of parties involved in order to reasonably ensure that the remedial action taken has been effective in stopping the harassment and that no retaliation has occurred.

4. Appeal

If an individual is aggrieved with the investigation, findings and/or remedies pursuant to this policy, he/she may assert any right of appeal contained in the applicable collective bargaining agreements or

Department of Personnel rules and regulations, if appropriate, file a complaint with the New Jersey Division on Civil Rights, or pursue any other civil remedy.

5. Notifications

This policy will be distributed to all employees and Department Directors of the Borough and incorporated in employee handbooks. The policy shall also be included in any standard operating procedures manual of any Department. Every employee shall be required to certify that they have received a copy of this policy. This certification shall be maintained in each employee's personnel file. The policy shall also be permanently placed on all employee bulletin boards in every Department. It shall be a violation of this policy to remove the policy from any bulletin board or deface this policy in any manner. Mandatory training sessions on the policy and the prevention of sexual harassment shall be held for all personnel during appropriate in-service training programs and orientation sessions.

6. Employee Responsibility

It is the duty of all employees, including supervisory personnel to be familiar with this policy. More importantly each employee has a state in preventing sexual harassment and thus shares responsibility with the Borough Administrator in eliminating sexual harassment in the workplace. Employees who feel victimized by sexual harassment are encouraged to come forward with complaints. Employees should also inform their co-worker or supervisor in no uncertain terms that conduct is offensive and unwelcome. Often, disputes arise only because of misperceptions and insensitivity, which can be corrected simply through communication. If self-help remedies do not resolve the dispute, report the matter promptly to the Borough Administrator. Also, all employees have a responsibility to cooperate fully with the investigation of sexual harassment. Although the extent of each investigation will vary, confidentiality and cooperation are crucial at all levels. Finally, any retaliatory conduct or recurrence of the offensive behavior should be reported immediately to the Borough Administrator or the Borough Solicitor.

“WHISTLE BLOWER” POLICY:

Employees have the right under the “Conscientious Employee Protection Act (CEPA)” 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 Employee Handbook. All complaints will be taken seriously and promptly investigated.

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

- Disclosing or threatening to disclose to a supervisor, Department Head, the Borough Administrator, 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 Borough Clerk or Borough Solicitor. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. See Employee Complaint Policy. Under the law, the employee must give the Borough of Lindenwold a reasonable opportunity to correct the activity, policy or practice. The administration of whistleblower complaints is not subject to the limitations in the Grievance Policy.

EMPLOYEE COMPLAINT POLICY:

Employees who observe actions they believe to constitute, 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 Department Head, The Borough Administrator or the Borough Solicitor. Reporting of such incidents is encouraged both when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All

reports of 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 an incident.

GRIEVANCE POLICY:

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the Borough of Lindenwold. 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. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty working days prior to the date the grievance was first presented in writing.

- **Step One:** Any employee or group of employees with a grievance shall verbally communicate the grievance to the supervisor or Department Head who will discuss the matter with the Borough Administrator and the Borough Solicitor. The supervisor or Department Head will communicate the decision to the employee within two working days.
- **Step Two:** If the employee is not satisfied with the decision, the employee must submit a written grievance within five business days to the Borough Administrator detailing the facts and the relief requested. The decision in step one will be deemed final if the employee fails to submit a written grievance within five business days of the step one decision. After consulting the Borough Solicitor as appropriate, the Borough Administrator will render a written decision to the employee within five business 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 in the Borough Clerk's Office. 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.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Borough of Lindenwold premises in the presence of the Borough Clerk or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their version of any disputed item within five business days of receipt of a grievance or notice of any other correspondence and/or document.

Personnel files do not contain confidential employee medical information. Any such information that the Borough of Lindenwold 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 Borough of Lindenwold endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough of Lindenwold will release information contained in personnel or medical records to persons outside the Borough. 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 Borough of Lindenwold's compliance with applicable law;
- To the Borough of Lindenwold's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Borough of Lindenwold 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 Borough of Lindenwold 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 Borough of Lindenwold. Violations of this policy will result in appropriate discipline including termination.

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

A potential or actual conflict of interest occurs whenever an employee including a Borough of Lindenwold official is in a position to influence a Borough of Lindenwold 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 Borough of Lindenwold 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 Borough Administrator or the Borough Solicitor to obtain clarification.

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

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough of Lindenwold duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Borough of Lindenwold or any person or firm seeking to influence Borough of Lindenwold decisions. Meals and other entertainment are also prohibited. Employees are required to report to the Borough Administrator 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 Borough of Lindenwold time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, Borough Administrator, or the Borough Solicitor.

Employee Evaluation Policy:

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

Employee Discipline Policy:

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

- Falsification of public records, including attendance and other personnel records.
- Failure to report absence.
- Harassment of co-workers and/or volunteers and/or visitors.
- Theft or attempted theft of property belonging to the Borough of Lindenwold, fellow employees, volunteers or visitors.
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on Borough of Lindenwold property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Borough of Lindenwold property and at any time during work hours.

- Possession, sale, transfer or use of intoxicants or illegal drugs on [local unit type] property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Borough of Lindenwold 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 products, such as those from Avon, Amway, , etc.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Borough of Lindenwold or suppliers' property.
- Sleeping on the job.
- Carrying weapons of any kind on Borough of Lindenwold 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 [local unit type] or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential [local unit type] information.
- Gambling on Borough of Lindenwold premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Borough of Lindenwold premises.
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort.

- Conviction of a crime or disorderly persons offense.
- Violating any Borough of Lindenwold rules or policies.
- Conduct unbecoming a public employee.
- Violation of Borough of Lindenwold policies, procedures and regulations.
- Violation of Federal, State or Borough of Lindenwold 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 (and Civil Service 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 Borough of Lindenwold 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; Borough Administrator review; written reprimand; suspension; fines, and, dismissal. At the discretion of Borough of Lindenwold, action may begin at any step, and/or certain steps may be repeated or bypassed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

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

Resignation Policy:

An employee who intends to resign must notify the Department Head 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 Department Head will prepare an Employee Action form showing any pay or other money owed the employee. The Borough Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, 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:

Pursuant to N.J.A.C. 4A: 8-1.1 the Borough of Lindenwold may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. Seniority, lateral or other re-employment rights for employees in Career Service titles will be determined by the New Jersey Department of Personnel.

Driver's License Policy:

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

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

Periodic checks of employee's drivers' licenses through visual and formal Department of Motor Vehicles review checks shall be made by Department Heads or Division Supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate a Borough of Lindenwold vehicle until such time as a valid license is obtained.

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

supervisor and continues to operate a Borough of Lindenwold vehicle shall be subject to possible termination.

Any information obtained by the Borough of Lindenwold in accordance with this section shall be used by the Borough of Lindenwold 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.)

SECTION TWO

WORKPLACE POLICIES:

Job Description Policy:

A job description including qualifications shall be maintained for each position (pursuant to New Jersey Department of Personnel guidelines if the position is subject to Civil Service.) All job descriptions must be approved by the Borough Administrator. The Borough Administrator will make copies available upon request.

All other things being equal, a resident of the Borough of Lindenwold shall receive a hiring preference over a non-resident.

The following procedures will be adhered to by all departments in announcing position vacancies. In cases where these procedures contradict existing labor agreements, the applicable provisions of the labor agreements shall prevail.

PROBATION PERIOD/WORKING TEST PERIOD

All employees, except exempt department heads, placed in new full-time and part-time positions must serve a period of probation. Exempt management and confidential employees who are "at will" employees serve no probation period as they are continually "on probation". Police officers serve a probation of one year, commencing on the date of graduation from the police academy; all other employees serve a ninety (90) day probation unless otherwise defined by labor contract. Guidelines established by the State Department of Personnel shall apply.

The probation period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance. During the established probationary period, the Borough reserves the right to terminate the probationary employee's service on the basis of unsatisfactory performance or on the basis of other reasons deemed sufficient by the Borough provided, however, the employer shall not discharge or otherwise discipline an employee for protected union activity. Effected employees will be evaluated at the end of fifteen (15) working days, forty-five (45) working days and seventy-five (75) working days. At the end of ninety (90) days the Borough reserves the right to terminate.

If an employee is unable to perform the work, the person must be terminated as early as possible. Early termination saves the Borough a time and dollar investment and saves the employee possible embarrassment and frustration. Rejected probationers shall be notified of such action in writing by the Department Head at any time during the probationary period and a copy of said notification shall be retained in the personnel files.

At the end of the probation period, the employee is formally evaluated and provided written documentation of progress. It is expected that informal evaluations will be conducted during the course of the probation period to assess performance and to advise employees of expectations regarding performance. Significant job deficiency(ies) shall be documented in the employee's personnel file. These evaluations provide the necessary justification for retention of the person as a regular employee.

Under unusual circumstances, the probationary period may be extended. This is only after an evaluation of the situation, the employee's abilities, and demonstrated potential. Probation extension is done only upon recommendation of the Supervisor, Department Head and the Borough Administrator.

If the employee successfully completes the probation period, he/she shall be informed that he/she is now a regular employee. This will be accomplished by the Borough Administrator with the concurrence of the appropriate Department Head via the Change in Status form.

When an employee first becomes a regular staff member, he or she becomes eligible for vacation and other appropriate leaves retroactive to the person's beginning date of employment.

If an individual has been transferred or promoted, he or she remains eligible for all fringe benefits included with the previous position during the probation period for the transfer or promotion. If the position to which an employee has been transferred or promoted carries benefits different from those of the previous position, the person becomes eligible for the benefits of the new position upon the satisfactory completion of the probation period retroactive to the date of the transfer or promotion.

If a transferred or promoted employee fails to achieve satisfactory performance in the new position, he or she will be given priority for the first position opening similar to the one previously held if the employee's performance in the previous position was satisfactory. If an employee had not performed satisfactory in the previous position, termination from Borough employment will be considered.

If an emergency arises during an employee's probationary period which requires a leave of absence such time off if granted will not be considered as time worked.

HOURS OF WORK and BREAKS POLICY:

Except as otherwise provided by labor agreement, the normal working hours for employees are:

Police	10 hours
Public Works	8 hours exclusive of one half (0.5) hour lunch period
Clerical	6 hours not including one (1) hour lunch period
New Hire	7 hours not including one (1) hour lunch period

Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. The lunch period will be scheduled to allow for continuous staffing of all offices with at least one person.

Employees shall receive a rest period of fifteen (15) minutes, on the Borough's time, for each four (4) hour work period. Rest periods shall be scheduled as near as possible to the midpoint of each four (4) hour work period.

The employee may not add the two (2) fifteen (15) minute rest breaks to meal period. All rest breaks and lunch breaks shall be arranged by the employee at the discretion of his/her supervisor.

The standardization of working hours is necessary to provide:

1. Continuity in access by and service to the citizenry.
2. Facilitation of teamwork.
3. Facilitation of supervisory assistance.

Occasions may arise when the service to the citizen can be improved through the adjustment of an employee's work hours. The Department Head shall obtain approval of the Borough Administrator for the adjustment in work hours, except for lunch period.

Individual requests for adjustment of working hours for personal reasons must be evaluated in light of the effect on the criteria enumerated in items 1-3 above.

Advance notice of anticipated tardiness is expected; notice of unavoidable tardiness is expected when possible. Failure to do so will be construed as an unexcused absence.

Notification by another employee, friend, or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.

Daily attendance records will be maintained by each department, including date and time absent and reason for absence. Attendance shall be a consideration in determining promotions, transfers, satisfactory completion of probationary periods, and continued employment with the Borough.

Frequent tardiness or other attendance irregularities shall be cause for disciplinary action. This may take the form of progressive discipline.

Hours for part-time and certain other employees may vary from the normal office hours noted above due to the nature of their duties and will be determined by the appropriate Department Head, with concurrence of the Borough Administrator.

ATTENDANCE POLICY:

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday. The normal working hours for administrative departments are 9 AM to 4 PM. The working hours for other departments are established by departmental procedures and bargaining unit agreements.

EARLY CLOSING AND DELAYED OPENING POLICY:

In the event of unsafe conditions, the Borough Administrator may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Borough Administrator shall notify Department Heads of a delayed opening and a new opening time. Each Department will have a calling system in place. If the employee chooses not to report to work, a full vacation day or compensating time will be charged. Sick time will only be charged for a legitimate illness. If work is called off for the day, no time will be charged for the day. This provision does not apply to the Department of Public Works, Police, Fire, Water, Sanitation, Emergency Services or any personnel who may be required to assist in an emergency.

DRESS CODE/PERSONAL APPEARANCE 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, T-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance. **Slippers, flip-flops, and other beach footwear is not suitable for the workplace therefore prohibited.** Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. Tattoos and body piercings, other than earrings, may not be visible. Use of perfume or cologne should be minimal because some employees may be sensitive to various scents. With the advance approval of the Borough Administrator, the Borough of Lindenwold 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.

Casual Friday

A "casual dress" code will be permitted on Fridays. The Borough still requires all employees to dress in a manner that enhances professionalism and creates a proper image for the public and to co-workers. Clothing suitable for play, recreation and party are not appropriate for casual Friday. (ie. Sweat shirts/pants, denim with holes, tears or patches, warm up suits). At the

discretion of the Borough Administrator, a causal dress code can be determined during any day of the week. Employees unsure about the appropriateness of an item of clothing shall check with their Department Head and/or the Borough Administrator for further clarification. Employees violating the 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 Borough of Lindenwold has adopted a smoke-free policy for all buildings. Borough of Lindenwold facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Borough of Lindenwold buildings. Employees are permitted to smoke only outside Borough of Lindenwold buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Borough of Lindenwold 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 BOROUGH-OWNED VEHICLES POLICY

Vehicles owned by the Borough of Lindenwold will be used for official Borough business only. Borough vehicles shall be available for Borough business at all times. Any employee who has permission to operate a Borough-owned vehicle shall not use the vehicle for personal use. No other person shall be permitted to drive or be permitted to be a passenger in a Borough-owned vehicle at any time, unless he/she is another Borough employee and has been granted permission by the Borough Administrator or his/her department head. Any employee granted the use of a municipal vehicle for commuting shall not use it for any other purpose than driving to and from work.

All municipal vehicles must be plainly marked or lettered "Borough of Lindenwold" and be licensed as municipal government vehicles and shall display municipal government license plates.

Additional lettering or marking to indicate the department to which the vehicle is assigned may be added to the vehicle at the discretion of the Borough Administrator.

Employees to whom municipal vehicles are assigned shall be responsible for reporting any mechanical difficulties or safety defects to the department head. Assigned operators shall be responsible for ensuring that vehicles are kept clean, in good operating condition and are serviced as directed by the Department of Public Works. Employees shall be held liable for loss or damage to a municipal vehicle if the loss or damage is the result of gross negligence or reckless conduct on the part of the employee. All operators and occupants of municipal vehicles must be in compliance with all NJ statutes, Borough Ordinances and Policies at all times. The employee must possess a valid New Jersey driver's license, and to notify his/her department head immediately if, at any time, for any reason, his/her driver's license becomes invalid, expired or revoked. The person operating a Borough-owned vehicle shall not operate said vehicle unless the vehicle is registered and contains a current vehicle registration and insurance card and the vehicle has a current inspection sticker.

The employee shall inform his/her department head within 24 hours of an event causing his/her motor vehicle license or commercial driver's license endorsement(s) to be suspended/revoked for any reason by a court of law or the Motor Vehicle Commission. The employee may not operate any Borough-owned vehicle at any time while his/her driving privileges have been suspended or revoked by any authority.

All motor vehicle accidents involving a municipal vehicle shall be reported to the Police Department in the municipality where the accident occurs. Any and all internal vehicle accident reports, insurance reports or other required reports shall be prepared by the driver and his/her immediate supervisor as required. Completed reports shall be submitted to the department head within the time stated guidelines of each report. It is the responsibility of each operator of a Borough-owned vehicle to be familiar with any/all forms and reports that would be required to be completed.

All Borough employees, current and future, who use a Borough vehicle, whether permanently assigned to them or not, shall be required to fill out an official mileage report that must be signed by them and certified to be accurate by their immediate supervisor.

The mileage report will include the following:

Identification of vehicle;

Name of employee using the vehicle;

Identification of department vehicle is assigned to; Supervisor in charge of verifying vehicle information; Date; Beginning mileage; Ending mileage; Description of where the vehicle was driven to and from; Signature of driver; and Signature of supervisor.

Reports will be submitted on a monthly basis and maintained by the Borough Administrator. Anyone who knowingly submits a fraudulent report may be subject to disciplinary action, up to and including termination.

This vehicle use policy prohibits personal use of Borough-owned vehicles except for commuting, where permitted, and provides that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS).

This policy does not apply to Police vehicles. The Police Department shall adopt and maintain a policy that includes all applicable parts of this policy that are legal and appropriate. -The Police policy must be in compliance with the current New Jersey Best Practices Program.

Telephone Usage Policy:

Borough telephones are for official business and employees may make a personal call only to inform their family of unexpected overtime. Charges for all other personal calls

must be reimbursed to the Borough of Lindenwold. The use of hand-held cell phones while driving Borough vehicles or while driving on Borough business is prohibited.

Communication Media Policy/Social Media Policy:

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

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

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Borough are required to use the assigned municipal email account for ALL Borough business and correspondence. The use of private email accounts for ANY Borough 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 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 Borough's Communication Media for legitimate business purposes. Employees may not use Borough's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough 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 Borough'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 Borough. Certain data, or applications that process data, may require additional security measures as determined by the Borough. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords. The Business Administrator, Information Technology Personnel, and the employee themselves should have the only access. Employees are prohibited from changing passwords on their own and must seek approval from the Business Administrator prior to any requested changes.

When employees are not working on the computer, or leave the office, they must log off and not permit access to the computer systems.

Any violation of this policy may constitute disciplinary action.

Information security is necessary to protect the Borough'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 Borough of Lindenwold.

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

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 Borough's computing environment.

Employees may not install **or Modify** ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough, or licensed to the Borough. 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 shall not be modified by unauthorized employees. Internet security settings (where applicable) shall not be changed. The foregoing includes but is not limited to the systems Network ID (or Computer Name), IP Address, Gateway and DNS addresses etc.

Social Media and its uses in government and daily life are expanding each year however, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Only those Employees directly authorized by BUSINESS ADMINISTRATOR may engage in social media activity during work time through the use of the Borough'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 Borough 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 Borough 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 BUSINESS ADMINISTRATOR. 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 Borough'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 Business Administrator. Except in “emergency situations, “Employees are prohibited from taking digital images or photographs with media equipment not owned by the Borough. 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 Borough’s Communication Media. If such situation occurs, employee agrees that any images belong to the Borough and agree to release the image to the Borough and ensure its permanent deletion from media device upon direction from the Borough.

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

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

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

Employees must respect the laws regarding copyrights, trademarks, rights of public Borough and other third-party rights. Any use of the Borough’s name, logos, service

marks or trademarks outside the course of the employee's employment, without the express consent of the Borough, 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 Borough 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 Borough of Lindenwold. As such no employee shall knowingly represent themselves as a spokesperson of the Borough, post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Borough of Lindenwold, expresses views that are detrimental to the Borough'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. Borough employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Borough employees.

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

Nothing in these policies is designed to interfere with, restrain or prevent employee social media communications by employees engaged in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the National Labor Relations Act. All Borough employees have the right to engage in or refrain from such activities.

Use of Internet:

The Borough of Lindenwold 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 Borough of Lindenwold, 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 Township's tax-exempt status or its proper operation; and/or
- Download unauthorized software, fonts, templates or scripts.

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

Video Surveillance

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

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

The Borough 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 Business Administrator is immediately informed of such breach.

Bulletin Board Policy:

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

Employee Dating Policy:

The Borough of Lindenwold recognizes the right of employees to engage in social relationships with each other, including relationships of a romantic or intimate nature. However, the municipality also recognizes that such relationships can be a problem in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among coworkers, or the perception that they generate such problems.

To try to achieve a balance between employee rights and workplace needs, the Borough of Lindenwold has adopted the following policy on the subject of supervisor/subordinate dating.

If such a relationship exists or develops, both parties involved shall report the fact to A) their immediate supervisor or B) Business Administrator.

For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title [or civil-service classification], makes or has the authority to make decisions or to take action concerning another employee's compensation, promotion, demotion, discipline, daily tasks, or any other terms, conditions or privileges of employment with the municipality.

If the employees involved in the relationship are also in a supervisor/subordinate status, management may take any action which it deems appropriate, up to and including transferring one of the parties so that there is no longer a supervisor/subordinate relationship between them.

In Addition, management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

Any employee who violates this policy will be subject to disciplinary action, up to and including discharge. The municipality regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment for other interference with municipal operations.

Nothing in this policy alters an employee's at will status.

UNION RIGHTS POLICY:

The Borough recognizes the following unions as the exclusive bargaining representative for the designated employees of the following bargaining units:

1. United Food and Commercial Workers Union, Local 1360
2. Teamsters Local 676
3. Lindenwold Patrolman Unit
4. Lindenwold Superior Officers Unit

All Borough employees have a right to belong to an appropriate bargaining unit unless they are exempt as defined by law, or exclusion by union contracts. Additional conditions of membership are described in each labor contract.

Each bargaining unit separately negotiates contracts for its employees with the Borough. Wages, benefits and conditions of employment of union employees will be provided as specified in the respective labor agreement. Employees are not granted time off with pay to perform union activities unless specifically provided for in the labor agreement. Borough equipment and facilities are not to be used for union activity unless specifically provided for in the labor agreement, unless approved by the Borough Administrator on a one time basis.

Borough Employees Charged With a Crime Arising Out of Employment or Sued in Connection With Employment

In the event a Borough employee is charged with a crime arising out of his or her employment with the Borough or sued in connection with his or her employment with the Borough that employee shall immediately notify the Borough Administrator of the situation and provide to the Borough Administrator any and all pertinent documentation.

The Borough Administrator shall consult with the Borough Solicitor, to determine whether or not the incident complained of arises out of the employees' employment. In the event that a determination is made that the incident complained of does not arise out of the employees' employment the Borough Administrator shall notify the employee.

In the event that the Borough Administrator and Borough Solicitor determine that the incident complained of arose out of the employee the Borough Solicitor shall determine whether or not the Borough Solicitor can ethically provide legal representation to the employee. In the event that the Borough Solicitor can ethically provide legal representation to the employee he shall do so in compliance with his or her employment agreement with the Borough.

In the event that the Borough Solicitor determines that he or cannot ethically provide representation to the employee the Borough Solicitor shall so notify the employee. Thereafter the employee may, with the approval of the Borough Solicitor, retain an attorney to provide representation. Any such private attorney shall be paid in accordance with the normal rules and guidelines of the Borough at the rate generally used by the Borough for attorneys. Any fee in

excess of two thousand dollars (\$2,000) shall require approval by Borough Administrator and Borough Council.

OFFICE ACCESS POLICY

No individual, other than employees of the Borough are permitted into any of the Borough Offices. Non-employees including former employees, friends, delivery persons, and residents are not permitted into Borough offices for any reason. In the event a delivery person needs access to the office to deliver heavy equipment and/or items, an exception can be made. If an employee should require that a non-employee be permitted into the office for any reason, they must obtain the Business Administrator's express permission prior to having the non-employee in the office.

For security reasons, office doors must be kept closed at all times. No doors leading to the private areas of the building should be left unlocked or propped open. There should be no sharing of keys and/or alarm passcodes to enter in and out of borough offices.

SECTION THREE

PAID AND UNPAID TIME OFF POLICIES:

Scope:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

PAID HOLIDAY POLICY:

Employees are entitled to the following paid holidays:

- | | |
|-----------------------------------|--|
| • New Year’s Day | January 1 |
| • Martin Luther King’s Birthday | |
| • Friday before President’s Day | |
| • President’s Day | 3 rd Monday of February |
| • Good Friday | |
| • Memorial Day | Last Monday of May |
| • Independence Day | |
| • Labor Day | 1 st Monday of September |
| • Columbus Day | |
| • Veterans Day | November 11 |
| • Thanksgiving Day | 4 th Thursday of November |
| • Day after Thanksgiving | |
| • Christmas Day | December 25 |
| • Personal Holiday | One (1) at Employees’ Choice |
| • Election Day (General Election) | 1 st Tuesday after 1 st Monday in November |

In the event a holiday other than a personal holiday falls upon a Sunday, the following Monday shall be deemed to be the legal holiday. In the event the legal holiday falls on a Saturday, the preceding Friday shall be deemed to be the legal holiday.

When a holiday falls within a period of paid leave, the holiday shall not be counted as a leave day holiday in computing the amount of leave debited.

An employee who is absent without leave on the day immediately preceding or following a holiday shall lose the holiday as well as pay for that day.

Non-exempt employees required to work on any designated holiday shall receive the overtime rate of pay in addition to the holiday pay.

VACATION LEAVE POLICY:

Purpose

1. To outline vacation policy for non-union employees.
2. To assure that vacation schedules are made with full reference to the operating needs of the Borough.
3. To provide for a procedure of approval and communication.
4. To recite vacation policy for union employees.

Each non-represented employee shall, after ninety (90) days continuous service from the last date of hire with the Borough, accrue vacation time on the following basis:

Regular Employees:

Full time permanent employees shall earn vacation on the basis of the following schedule:

<u>Years of Service</u>	<u>Vacation</u>
Date of employment to 1 year	1 day per month
1 year to 5 years	12 days per year
6 years to 10 years	15 days per year
11 years to 15 years	18 days per year
16 years to 20 years	21 days per year
Over 20 years	26 days per year

Effective with the adoption of this policy, a maximum of five days unused vacation leave may be carried forward into the succeeding year. Such time must be used in that year or forfeited. Amounts accrued prior to the implementation of this policy will be unaffected.

An employee hired on or before the first pay period of any month shall accrue vacation leave from the first day of that pay period. An employee hired after the first pay period of any month shall accrue vacation from the first day of the next pay period following.

Upon resignation or retirement from Borough employment an employee shall be paid cash at the normal rate of pay for his unused annual leave, provided regular status has been attained. For each full month of employment the employee shall be allowed one-twelfth (1/12th) of the annual leave to which he would be entitled if his employment were not terminating. If an employee is prevented by injury to illness from working a full month, he shall nevertheless be entitled to annual leave payment for that month, provided he has accrued sick leave sufficient to cover the remaining days of the month.

An employee who terminates employment prior to completion of his or her probationary period has not accrued vacation time, and is therefore not entitled to payment for unused vacation time.

Commented [DJ1]:

All vacations shall be taken as such time as shall be approved by the Department Head. Requests must be submitted two (2) weeks in advance. Department Head requests must be approved by the Borough Administrator.

Annual leave shall be expended in increments of not less than one (1) full work day.

Vacations shall be scheduled at such times as the Borough Administrator finds most suitable after considering the wishes of the employee and the requirements of the department. All requests for vacation must be approved by the Department Head prior to the commencement of the requested vacation. Advice of same shall be forwarded to the Borough Administrator.

Upon termination of employment, the employee immediately ceases to be an employee of the Borough.

If the employee retired or resigned, such employee thereupon shall be entitled to a sum of money equal to his/her former regular compensation for any earned vacation leave time which has not been used; provided however, that in the event such employee fails to give the Department Head under who he/she is employed at least two weeks notice of such termination of employment or is discharged for cause, the foregoing termination vacation pay shall be forfeited.

If an employee transfers from one department within the Borough to another, the vacation leave credits shall also be transferred. The established period of determining vacation credit will be from the employee's date of hire.

Vacation credit earned by an employee cannot be transferred to another employee.

Regular part-time and temporary employees shall not earn vacation.

Represented employees earn vacation time in accordance with their respective union agreement.

Vacation leave will not accrue while an employee is on leave of absence without pay. Accrued and unused vacation leave may be used to supplement sick leave if the employee has exhausted sick leave accruals.

Paid holidays occurring during vacation are not charged to vacation.

Procedure:

1. Department Heads are responsible for managing the vacation schedules in their departments and for administering the provisions of this policy.

2. The Borough Administrator shall approve all vacation schedules for Department Heads.
3. Vacation approvals by Department Heads shall be made only when the efficiency of Borough operations will not be adversely affected.
4. Unless approved by the Director of the Department in writing, a Department Head and next ranking employee cannot take vacations at the same time.

PERSONAL HOLIDAYS POLICY:

Regular full-time, non-contractual employees are entitled to one (1) personal holiday.

1. The employee has been or is scheduled to be continuously employed by the Borough.
2. The employee has given not less than 14 calendar days written notice to his/her immediate supervisor; provided, however, the employee and supervisor may agree upon an earlier date.
3. The number of employees selecting a particular day off does not prevent the Borough from providing continued public service.

Personal holidays must be taken during the calendar year of entitlement or the day(s) shall lapse. In addition, personal holidays must be taken in full-day increments.

When the number of requests for a particular day would impair department operations, if granted, the following criteria shall be used to determine which requests are allowed:

1. The personal day shall be granted to employees in the order in which the requests for a personal holiday date are submitted, with the earliest request receiving first priority.
2. In the event several requests are submitted on the same day, requests shall be granted based on employment seniority.
3. Final authority for approving or disapproving holiday requests shall rest with the Department Head based on department operational necessity. Any disapproval shall be communicated to the employee involved as soon as possible.

Personal holidays may be combined with vacation or other leaves. Unused holidays are not paid to terminated employees.

Procedure:

Employee requests should be made on the proper form to the immediate supervisor.

Approval or disapproval shall be recorded by the supervisor on the form and return to the employee.

Personal holidays should be accurately recorded on the employee time sheet.

SICK LEAVE POLICY:

General. All regular full-time employees shall be entitled to sick leave as follows:

1. As used herein, sick leave means paid leave that maybe granted to an employee who through sickness or injury becomes incapacitated to a degree that makes it impossible for the employee to perform the duties of the position; who is quarantined (by the Board of Health) because of exposure to a contagious disease; or illness in the immediate family which requires the personal attendance of the employee to insure care for the member of the immediate family. The term "immediate family" as referred to herein shall mean father, mother, spouse, civil union partner, child, foster child, brother or sister. Sick leave to care for members of the immediate family will not be approved for extended periods of time.
2. Temporary, seasonal or regular part-time non-union employees shall not be eligible for paid sick leave.
3. If an employee is unable to report to work due to illness, this fact shall be reported to the department no later than one-half (1/2) hour before the start of the normal workday.
4. In the first calendar year of employment, permanent employees shall be entitled to one and one-fourth (1 ¼) day of sick leave for each month or fractional part thereof calculated from the day of permanent employment.
5. Thereafter, employees shall be entitled to fifteen (15) days sick leave each year. Unused sick days accrue to employees credit without limit.
6. Sick leave benefits shall apply to bona fide cases of sickness, accidents, doctor or dental appointments, maternity leave, and requests for the employee's presence by immediate family, doctor or clergy due to family illness or emergency.
7. A full-time employee who is on sick leave as above specified for a period of five (5) days or longer, or fifteen (15) days aggregate in a twelve (12) month period shall, prior to being entitled to any compensation, furnish

- without delay, a report from a qualified doctor which shall contain a diagnosis of the sickness, whenever possible. "Qualified doctor" shall be a duly licensed doctor of medicine.
8. Sick leave shall not accrue during leaves of absence without pay.
 9. When an employee goes on Sick Leave he/she must notify his or her Department Head or designated supervisor immediately. Notification should be within 30 minutes after the beginning of the scheduled work day. Failure to do so may result in denial of such leave pay. The employee should also let the supervisor know when he/she expects to return to work.
 10. An employee who is on disability or sick leave shall keep his/her supervisor advised on a daily basis as to condition and expected date of return to duty. If requested, the employee shall file a doctor's certificate stating the cause of the absence and the nature of the illness before sick leave payment is authorized.
 11. Sick leave shall be rounded off to the nearest half hour. When possible, sick leave should be taken in increments of no less than four (4) hours.
 12. No sick leave will be given to an employee in excess of the amount earned and available to the employee.
 13. When an employee is transferred to another position, any used Sick Leave which may have accumulated to the employee's credit shall transfer with the employee.
 14. An employee may utilize vacation time when sick leave has been exhausted.
 15. Earned sick leave accruals must be exhausted prior to taking an unpaid medical leave of absence.
 16. It is the responsibility of each Department Head to ensure the provisions of this policy are observed. Corrective action should be taken in instances of suspected abuses or misinterpretation of the utilization of sick leave.
 17. Department Heads will ensure that any sick leave used will be reflected with the submission of time sheets.
 18. It is the responsibility of the Finance Department to ensure that proper accountability of sick leave is kept on all eligible employees. This shall include keeping a record of accruals and utilization.

19. Depending upon available funding, the Borough may allow employees the option of selling back a portion of their unused sick time based upon the following guidelines:
 - a. The employee may sell back to the Borough up to ten (10) days of unused sick time for that year at a rate to be determined by the Borough Council.
 - b. The employee must submit to the Borough Administrator a request in writing by the end of December indicating the desire to sell back time to be paid the following year.
 - c. To be eligible to participate in this program, the employee must maintain a minimum of thirty (30) accumulated sick days.
20. Upon retirement, an employee may sell back to the Borough, all unused accumulated sick days. The maximum monetary compensation to be paid by the Borough to any employee is fifteen thousand dollars (\$15,000.00).

BEREAVEMENT LEAVE POLICY:

To establish guidelines for the use of bereavement leave due to the death in the employee's immediate family.

Represented employees receive bereavement leave in accordance with the provisions of their applicable collective bargaining agreement.

A non-represented regular full-time employee who has a member of his immediate family taken by death shall receive up to five days off with pay as bereavement leave to arrange and/or attend funeral activities.

"Immediate family" shall be defined as follows:

1. Mother, Father, Stepmother or Stepfather
2. Spouse, Civil union partner
3. Children, Stepchildren or Foster Children

Three days leave is permitted for the following:

1. Mother-in-law or Father-in-law
2. Brother, sister, stepbrother or stepsister
3. Brother-in-law or Sister-in-law
4. It shall also include relatives of the employee residing in the employee's household
5. Grandparents and Step-grandparents
6. Grandchildren

One day leave is permitted on the day of the burial for the following:

1. Uncle
2. Aunt
3. Nephew
4. Niece
5. First Cousins

If additional time is necessary, it shall be taken as vacation or unpaid leave. If vacation has been exhausted with advance authorization by the appropriate Department Head, time for attendance at funeral of others may be granted without pay.

The employee must notify his/her immediate supervisor upon making a determination to take time off from work. **In addition, employees must submit documentation regarding the relative for which the Leave was granted including but not limited to an obituary, a prayer card, or program from the funeral services indicating the relationship to the employee and to substantiate all requests for Bereavement Leave.**

Employees who fail to return to work on the date specified to the Department Head without receiving an extension are subject to disciplinary action up to and including termination.

JURY/COURT LEAVE POLICY:

Any regular full time employee who is required to serve on a jury, or as a result of official Borough of Lindenwold duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay less any amount received for such service. A probationary employee called will have his/her probationary period extended by the same amount of time as required for serving on jury duty. An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately in order that arrangements may be made to cover the position. The Borough reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

The employee is responsible to turn over jury or witness fees to the Finance Department excluding mileage fees.

Time away will not affect vacation, sick leave or personal leave accruals.

Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is accrued vacation or personal leave. Court payments for travel expenses are to be retained by the employee.

The employee may keep any court payment for services performed on the days of his/her regularly scheduled weekend or performed while on vacation or personal leave.

Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his/her supervisor and report to work as instructed.

LEAVE OF ABSENCE POLICY:

- 1. To establish procedures by which an employee may request a leave of absence from employment with the Borough.**
- 2. To establish conditions of which approved requests for leave of absence are administered.**

Requests for leave of absence without pay shall be in writing and shall state specifically the reasons for the request, the date desired to begin the leave, and the date of return. The request shall normally be submitted by the employee to the affected Department Head. The Department Head shall recommend to the appointing authority whether the request should be granted, modified, or denied. The Borough Administrator shall then make a decision based upon the best interest of the Borough, giving due consideration to the reasons given by the employee, and the requirements of any applicable state and Federal laws.

Health insurance coverage for employees on a Leave of Absence or who cease Borough 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 12 weeks for employees on leave pursuant to the Family and Medical Leave Act and up to 30 days for employees on Military Leave.

The Borough may grant a full-time regular employee a leave of absence without pay not to exceed 90 days for non-medical purposes. Non-medical leave is unpaid leave time for career advancement, personal or family situations. Such leaves may be granted after vacation accrual has been exhausted. Sick leave accruals may not be used for non-medical leaves. Medical leave without pay may be granted for a period not to exceed twelve months. Medical coverage will terminate after ninety days. Medical leave may be used for disability/illnesses (including maternity-related disabilities) that extend beyond the period of accrued sick leave. Vacation accruals may also be used before starting an unpaid medical leave after sick leave accruals are exhausted.

Requests for medical leave must be accompanied by documentation from the employee's attending physician. All leave requests, both medical and non-medical, will be routed to the respective Department Head for approval. Approved requests shall be forwarded to the appointing authority for review and concurrence via the Change in Status Form.

Under no circumstances may an employee use a leave of absence to work for another employer or to pursue self-employment. Leaves are designed to accommodate employees who have critical personal situations only.

No sick leave, holiday, vacation benefits or any other fringe benefits shall accrue while the employee is on leave of absence without pay. The employee's date of hire shall be adjusted to reflect the length of the absence for the purposes of computing longevity.

Any employee on an approved leave of absence may continue his or her medical, dental and life insurance coverage by paying the full cost to the Borough in advance for each month or portion thereof which he or she is absent.

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 Borough reserves the right to deny any request

for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the (Personnel Administrator title).

Commencing July 1, 2009, 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 increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the Borough 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 Borough with a regular schedule of days for intermittent leave.

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

Domestic Violence Leave: (if local unit type has 25 or more employees)

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

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

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

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

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

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

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

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

MILITARY LEAVE POLICY:

When a full-time employee (either permanent or temporary) who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. Thereafter, the 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 days

(calendar days) after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the Borough of Lindenwold group plan by taking advantage of the COBRA provision. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during the period of paid leave.

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

EMERGENCY CONDITIONS POLICY:

Borough offices and activities shall remain open and in operation during established working hours. All employees should make every attempt to report for work on a timely basis. If employees are unable to report to work, the following criteria shall apply:

1. The employee is responsible for contacting his/her supervisor or Department Head by telephone to indicate anticipated absence from work or late arrival to work and the reason.
2. If an employee is unable to report to work, the absence may be charged as vacation or personal leave, or the employee may elect to take this time off without pay.

Such leave cannot be used to offset absence from work for pay purposes for other than sickness.

The Borough Administrator shall be authorized to close Borough offices to protect the safety and welfare of Borough employees. In this event employees will receive full pay, and no vacation or personal leave allowances shall be affected.

MATERNITY AND PATERNITY LEAVE POLICY:

Employees requesting maternity and paternity leave may utilize, but are not required to exhaust, accrued sick time and vacation leave. Should this not be adequate, they may request up to a maximum of six (6) months of leave without pay. This request should be made in writing to the Borough Administrator not later than the fourth (4th) month of pregnancy.

SECTION FOUR

COMPENSATION & EMPLOYEE BENEFITS POLICIES:

Scope:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

Time Cards/Preparation of Payroll

Time cards are to be completed by all employees. Time cards should reflect time worked. All employees will clock in and out for lunch. The time card shall include: employee name; employee number; department; pay period; hours to be compensated broken down on a daily basis into hours worked; holiday time; sick leave, compensatory time, vacation, leave without pay, etc; employee signature; and supervisor's signature.

The Payroll Clerk shall compute earnings as well as deductions. Changes in rate, position, and status shall be supported by a Change in Status Form (see attached) approved by the appropriate personnel. The Change in Status Form shall be made a part of the personal history record of the employee.

Paychecks will be distributed to the employee's Department Head unless other arrangements have been pre-approved. An employee's paycheck may be released to the employee's spouse, civil union partner, designated family member, or to another person only if authorized in writing by the employee. Employees are expected to cash their paychecks on their personal time.

Payroll records shall be maintained by the Borough for a minimum of seven years.

Falsification of time cards for payroll purposes is reason for dismissal.

Employees may direct inquiries concerning payroll matters to the Payroll Clerk.

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 (local unit type) 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.

PAY PERIODS

Regular Borough Employees

Borough employees are paid every other Friday.

If a pay day falls on a holiday (Friday after Thanksgiving), the day of pay shall be the last working day proceeding the normal pay day.

Wages and salaries are calculated on an hourly basis.

Checks are distributed by the Finance Department to each department by noon on the Friday following the close of the pay period. Employees receive, with each paycheck, a statement of earnings and deductions for the period covered by the payment.

Monthly Salaried Employees/Officials Paychecks

Paychecks are distributed to certain salaried employees and officials once a month following the close of the pay period. The monthly salaried payroll is generated with the last weekly payroll of the month for distribution no later than the Thursday of the month following the pay period.

COMPENSATION

It is the policy of the Borough and the purpose of this plan to establish a compensation system that will allow the Borough to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.

A salary ordinance shall be adopted annually by the Borough Council and shall apply to all employees not covered by a labor contract.

Employees covered by labor contract shall be compensated as referenced in the collective bargaining agreement. Copies are available for review in the Borough Clerk's Office.

COMPENSATORY TIME/OVERTIME

STATEMENT OF POLICY AND AUTHORITY:

1. Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions listed below are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Business Administrator shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Business Administrator's prior approval and at the sole discretion of the Business Administrator.

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Business Administrator. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of normal hours worked in a weekly period at the rate of one and one-half times the regular rate of pay. Employees may choose overtime compensation in the form of overtime pay or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is one work week. Once this maximum has been accumulated, all additional hours will be compensated by overtime pay. Accrued and taken overtime compensating hours must be noted on the employee's time sheet.

Non-Exempt employees will receive one and one-half hours of overtime compensation for each hour worked in excess of forty hours in a weekly period. For purposes of overtime compensation, hours worked are computed to the nearest one-half hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

In addition to the requirements of the Federal Fair Labor Standards Act, Non-Exempt employees will also receive overtime compensation for work in excess of thirty-five hours but not greater than forty hours in a weekly period. This other compensation will

be one hour for each hour worked in excess of thirty-five hours. If a Non-Exempt employee works on Sunday or a paid holiday, the employee will receive the stated overtime compensation for each hour worked less the number of hours of overtime compensation received under any other provision of the policy. If a Non-Exempt employee not on regular call out duty is required to return to work in an emergency or because of unusual circumstance, the employee will receive overtime compensation of the greater of the actual number of hours worked.

Business Administrator	Borough Clerk
Chief of Police	Treasurer
Deputy Chief of Police	Construction Official
Chief Financial Officer	Public Works Supervisor
Tax Collector	Sewer Superintendent
Tax Assessor	Prop. Maintenance Supervisor

The Borough's responsibility for payment of overtime and the granting of compensatory time is as follows:

- a. The Borough is not obligated to grant employee requests for compensatory time off instead of overtime pay.
- b. The Borough is required to compensate overtime at the rate of one and one-half for hours worked in excess of the number of hours allowed per work week as designated under the Fair Labor Standards Act. (Over forty (40) hours.)
- c. Upon request of the employee, the Borough may grant compensatory time off in lieu of overtime at its discretion.
- d. Compensatory time off may be accumulated to a maximum number of hours equal to one work week to be used at a later time upon mutual agreement with Department Head. Under no circumstance will compensatory time be carried over into the subsequent year.
- e. Under no circumstances shall any individual entitled to receive compensation from the Borough receive both compensatory time and monetary compensation for the same time worked.

DEFINITIONS:

Overtime:

Overtime shall be defined as all work performed in excess of the hours permitted under the FLA. Work week or as determined by existing contractual agreement. Overtime shall be paid at a rate of one and one-half times the employee's straight time hourly rate for all hours worked in excess of forty (40) hours per week. i.e. Employees

working thirty (30) hours per week receive straight time for first ten (10) hours overtime. Employees working thirty-five (35) hours per week receive straight time for first five (5) hours overtime.

Compensatory Time: Compensatory time is defined as time off granted an employee in compensation for hours worked in addition to the employee's regularly scheduled work day or work week.

Employee: In the context of this policy, the term employee refers to those employees eligible for overtime compensation.

Employer: The term employer refers to supervisory personnel with the authority to authorize the use of overtime.

RESPONSIBILITIES:

1. Department Heads:

- a. It shall be the responsibility of each Department Head to equitably administer the provisions of this policy within their respective departments.
- b. Department Heads are the authorized authority for the approval of overtime requests. It shall be the responsibility of the Department Head to determine whether overtime or compensatory time be granted to the employee when compensatory time is requested in lieu of overtime.
- c. Department Heads shall ensure that all overtime and compensatory time earned and used is recorded on the employee's time card as it occurs.
- d. Department Heads will exercise extreme discretion in the utilization of overtime within their departments. Temporary adjustments in working hours or realignment of duties within the department should be considered as alternatives to the use of overtime. Overtime shall be considered necessary only in emergency situations, wherein additional effort is needed to complete a task which is critical in nature.

2. Individual Employee:

- a. It is the responsibility of the individual employee to request compensatory time in lieu of overtime if so desired. Additionally, it is the responsibility of the employee to ensure that accrued compensatory time is used within the time limitation set forth by this policy.
- b. No individual can authorize overtime/compensatory time for themselves.

3. Payroll Clerk:

- a. The payroll clerk shall ensure that a permanent record of overtime/compensatory time accrued and used is kept on all employees based on information provided by Department Heads, and that the proper financial transactions are completed at the end of each pay period.
- b. Upon termination, the Payroll Clerk shall ensure that eligible employees are given credit for all overtime accrued and all unused compensatory time within the limitations established by this policy.
- c. The Payroll Clerk shall conduct a semi-annual audit of the overtime/compensatory time record of each employee through a comparison of payroll office records and individual departmental records.

PAY ADVANCES

Requests for paychecks in advance of the regular pay date cannot be granted except for vacation pay.

An employee leaving on vacation may request an advance on payroll by:

- 1. Providing his/her Department Head with a written request.
- 2. Department Head will approve or disapprove request. Approved requests will be forwarded to the Finance Department.

Those who are away on the regular pay date may have their checks mailed to them upon request. In the absence of specific instructions, checks will be held in the safe by the Payroll Clerk until the employee returns to work.

Pay advances for vacation pay may be granted provided the Finance Department is provided with sufficient notice prior to the beginning of the vacation.

Payment for accrued benefits will be made only upon termination of employment or consistent with the applicable labor agreement.

PAYROLL DEDUCTION POLICY:

The following deductions are withheld from each employee paycheck:

1. Federal Income Tax withholding.
2. Social Security
3. State Income Tax
4. PERS or PFRS.
5. Unemployment Insurance
6. State Disability Insurance
7. Family Leave Insurance
8. Deductions authorized by law, such as garnishments.
9. Additional deductions which are optional and may be requested by the employee include:
 - a. United Way contributions;
 - b. Payment to a Borough-approved credit union;
 - c. Pension Loans;
 - d. Union dues and initiation fees (if provided in labor agreement);
 - e. Savings Bonds
 - f. Insurance
 - g. Deferred Compensation
 - h. Addition deductions approved by Council

With each paycheck, the Borough employee receives a statement of deductions and earnings which itemizes the various deductions made, as well as appropriate cumulative totals.

It is the employee's responsibility to maintain current payroll deduction information with the Finance Department.

Employees wishing to add or change their payroll deductions should contact the Payroll Clerk.

The Borough of Lindenwold will not accept responsibility for any employee's personal finances. The Borough of Lindenwold will acknowledge judgments against an employee's pay, but will not act as a mediator between the employee and creditors.

GARNISHMENT

Any notice of garnishment will be received and signed for by the Payroll Clerk. Garnishment is defined as a legal stoppage of a specified sum from wages to satisfy a creditor.

Procedure:

Notice of garnishment will be forwarded immediately to the Finance Office.

The Finance Department will make the necessary deductions from the employee's wages and a check for the garnished amount will be written and forwarded to the Creditor as directed.

The Finance Office will notify the employee, in writing, that the garnishment has been processed. Repeated garnishments may be considered cause for disciplinary action in accordance with state law.

SOCIAL SECURITY POLICY:

All employees are automatically included as participants in the Social Security System (FICA) which by law provides workers with the following benefits: retirement insurance, survivor's insurance, disability insurance, Medicare for the disabled and the aged, Black Lung benefits, and supplemental security income. These benefits are in addition to Public Employees' Retirement System benefits which the employee may be eligible to receive.

Financing of the program is accomplished by employee payroll deduction contributions and through a match paid by the Borough. The exact percentage to be contributed is determined by the employee's classification. Employee contributions stop each year once they have paid the required percentage as designated by the Federal government. The salary limit and percentage are subject to change at the beginning of each year according to Federal guidelines.

PROMOTIONS POLICY:

The Borough attempts to fill all vacant positions with qualified Borough employees before advertising to the general public, following a policy of upward mobility whenever possible.

Employees are encouraged to apply for any vacancy for which they may qualify. Application must be made through the Employee's direct supervisor or Department Head, who shall be responsible to forward the Application to the Business Administrator.

Generally, employees are expected to serve in their current position for at least a year before being considered for a promotion or transfer.

Selection of an employee for a promotion (or lateral transfer) is based on past work record, education, knowledge of the job duties, as well as time in service.

When considering the promotion (or lateral transfer) of Borough employees having the same or similar qualifications, the position will be filled after considering the factors listed above.

Promotion to any position shall be made in accordance with Civil Service Guidelines, as set forth in NJSA 11A:1-1, et seq. and NJAC 4A:1-1, et seq. , and applicable New Jersey Civil Service administrative regulations and/or policies. An employee may only be promoted to a classified position, with a title as defined by the New Jersey Civil Service Commission. The title of the position shall be consistent with the position's job description requirements, as defined in the Civil Service Job Title list. All promotions shall be subject to any testing procedures, as required and/or administered by the New Jersey Civil Service Commission

No offer of promotion may be made to any employee prior to completion of the recruitment and selection process. Temporary assignments may be made by the Department Head for a specified time or assignment as necessary. Such appointments are made on "acting" basis and the employee returns to his or her regular position upon completion of the assignment.

Promotions do not change the person's date of hire. However, the anniversary date for future pay increases will be revised to coincide with the date of promotion to the new position.

Persons so promoted will be subject to the standard probationary period for the new position. Those who fail to successfully complete the probationary period may re-assume any appointment held prior to the promotion unless that position has been filled. Bumping rights as defined by the Department of Personnel may be utilized in certain situations.

DEMOTIONS POLICY:

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, etc.) will receive a cut in pay commensurate with the nature of the demotion as determined by the Borough Administrator in consultation with Borough Council.

Demotions do not change the person's date of hire.

No employees shall be demoted to a position for which he or she does not possess the minimum qualifications.

An employee being demoted shall be notified forty-five (45) days prior to demotion, in accordance with the Department of Personnel, except in emergency situations.

Any demotion to prevent layoffs may be revised when the employee's previous position is reopened.

Persons demoted to new positions will be subject to the standard probationary period for the new position, unless specifically waived by the Director of Personnel.

TRANSFERS POLICY:

All openings for Borough positions will be posted for a minimum of seven calendar days at each Borough facility. Any current employee (regular part-time or regular full-time) interested in applying for a transfer must file a completed Borough application form with the Director of Personnel in accordance with instructions listed on the employment opportunities notice.

If the employee meets the stated requirements for the positions he/she will proceed through the regular hiring procedures with all other applicants as described in the Administrative Policy on HIRING PROCESS. Transfers are made only when the Borough's service will benefit. Generally, employees are expected to serve in their current position for at least one year before being considered for promotions or transfers. All else being equal, current Borough employees will be given priority for open positions.

The personnel file of the transfer applicant will be made available to the Department Head responsible for filing the open position.

If the current employee is selected, his/her Department Head will be advised prior to the offer being made to the employee.

If the employee accepts the position, it will be the responsibility of the two Department Heads, along with the employee, to reach agreement on a transfer date. In the event satisfactory agreement cannot be reached on this matter, it will be forwarded to the Director of Personnel for a decision. Every effort should be made to accomplish the transfer within two weeks of the offer's acceptance.

The salary offered to the employee must be consistent with the Salary Ordinance. Thus, an employee who meets only the minimum requirements for the position will be started at the bottom of the salary range regardless of the employee's current salary.

Transfer employees will serve a probationary period in his/her new position. Transfer employees remain eligible for all fringe benefits, included with the previous position.

If the position to which an employee transfers carries benefits different from their previous position, the benefits of the new position apply.

Transfers do not change a person's date of hire. However, the anniversary date for future step increases will be revised to coincide with the transfer date.

Transfers may also be initiated by the Borough in instances where the Borough's best interests may be served.

Transfers may also be initiated by the Borough Administrator in instances where the Borough's best interest may be served.

RE-EMPLOYMENT

Any former regular employee who resigned from the Borough in good standing is eligible for re-employment.

Persons interested in re-employment should file a completed Borough application form with the Borough Director of Personnel. The individual will then proceed through the regular hiring procedures with other applicants.

The compensation of an employee re-hired to a position other than the former position will be subject to provisions for new hires.

Reinstatement in the retirement system will be made in accordance with the rules and regulations as set by the State Retirement system.

Vacation eligibility will coincide with the re-employment date.

The date of hire will take the person's previous service with the Borough into account, however, future step increases will coincide with the re-employment date.

The individual's previous personnel file will be re-activated once re-employed by the Borough provided re-employment is within seven years after the original resignation.

All individuals re-employed by the Borough must complete a new probationary period.

DATE OF HIRE/ANNIVERSARY DATE

Date of hire shall mean the effective date of the individual's employment with the Borough as a regular employee.

Anniversary date shall mean the date the employee began his/her employment in the most recent position.

A regular employee who is promoted, demoted or transferred will have his/her anniversary date changed to the effective date of the promotion, demotion or transfer.

A regular employee returning from a leave of absence without pay will have his/her anniversary date extended by the same length of time the employee was on leave without pay.

TYPES OF EMPLOYMENT AND ELIGIBILITY FOR BENEFITS POLICY:

To establish guidelines and definitions for types of employment and for entitlement to benefits.

1. The types of Borough employment are:
 - a. **Probationary Employee:** An employee on a trial status during the initial period of employment. All newly hired Borough employees are on a probationary status which, unless provided otherwise by union agreement or other documents, extends for ninety (90) days from the date of hire. Probationary periods may be extended under special circumstances.
 - b. **Regular Full – Time Employee:** An employee who has successfully completed the probationary period/working test period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which will total no less than 2,080 hours per year for members of the Police and Public Works Departments and 1,560 hours per year for existing employees and 1,820 hours per year for all new hires after November, 1995 for all other departments.
 - c. **Regular Part – Time Employee:** An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of less than 30 hours, per week.
 - d. **Temporary Full – Time Employee:** An employee whose work assignment is limited in duration to six months or less, and works a shift schedule which on an annual basis would total no less than 1,820 hours.
 - e. **Temporary Part – Time Employee:** An employee whose work assignment is limited in duration to six months or less, and works a shift schedule which on an annual basis would total less than 1,820 hours.

- f. **Intermittent Employee:** An employee qualified to work in one or more job assignments who is on call to work at irregular intervals in one or more Borough departments.
 - g. **Provisional Employee:** Pending an open competitive exam for most titles except for Laborer or Clerk Typist.
2. Employee compensation shall be stated in terms of annual salary or hourly wage.
 3. Entitlement to employee benefits shall be as provided in the Annual Salary Ordinance, which provides:
 - a. Employees classified as regular full-time employees shall receive all employee benefits provided by the Borough; provided, however, that represented employees shall receive only those benefits provided for by the labor agreement. Probationary employees who, upon successful completion of their probationary periods will be regular full-time employees, shall be entitled to the same benefits as regular full-time employees, subject to applicable eligibility provisions and time periods.
 - b. Regular part-time employees may be entitled to pro rata vacation, holiday, sick leave and bereavement leave benefits; provided, however, that represented employees shall receive only those benefits provided by the labor agreement. Probationary part-time employees who, upon successful completion of their probationary periods, will be regular part-time employees, shall be entitled to the same benefits as regular part-time employees, subject to applicable eligibility provisions and time periods.

GROUP MEDICAL INSURANCE POLICY:

The Borough offers medical and prescription insurance to all regular full-time employees and all eligible dependents with the State Health Benefits Plan. The Southern New Jersey Regional Employee Benefits Fund provides for dental coverage. If approved by the Borough, regular part-time employees may have the option of enrolling in the Borough's medical insurance program. The complete benefit plan is on file in the Treasurer's office. Benefit levels for non-unionized employees are subject to change at the discretion of the Borough of Lindenwold.

Specific plan benefits are described in brochures provided to each new employee by the Borough Treasurer. Medical coverage may be continued during an approved leave of absence up to three months at the employee's own expense.

Procedures:

Enrollment forms should be completed in the following instances:

1. New Employees beginning service with the Borough.
2. Employees wanting to add an eligible dependent.
3. Employees who want to drop a dependent.

Enrollment forms are available from Treasurer. It is the employee's responsibility to notify the Treasurer of any change in dependent status by completing updated enrollment cards. Upon termination of employment with the Borough, the employee may elect to continue medical coverage under the Consolidated Omnibus Budget Reconciliation Act (R.L.99-272) (COBRA).

Medical and Prescription coverage with the NJ State Health Benefits Plan begins 60 days from the date of employment. Dental coverage with the Southern NJ Regional Employee Benefits Fund starts 90 days from the date of employment. Coverage is effective on the 1st of the month following the 90 days and is contingent on whether the hire date is on or before the 15th of the month. For instance, if an employee is hired on March 15th, the employee's dental coverage would be effective on June 1st, whereas if any employee is hired on March 20th, the employee's coverage would be effective on July 1st.

The complete benefit plan is on file with the Treasurer and a Summary Plan Description will be provided to all employees. Benefit levels for non-unionized employees are subject to change at the discretion of the Borough of Lindenwold.

Flexible Spending Account

Under the provisions of Chapter 78, all public employers are required to offer a Flexible Savings Account (FSA) to enable employees to take deductions out of each pay to set aside to pay for qualified medical expenses. The law also permits public employers to offer a Dependent Care Option which enables employees to take deductions out of each pay to set aside for dependent care expenses. This money that is set aside is then available to the employee through either a debit card or a reimbursement based option to pay for these qualifying expenses.

For payroll purposes, the contribution is treated as a payroll deduction. Borough of Lindenwold has amended the Section 125 Plan to include the medical and dependent care which allows the employee benefit deduction to be taken as a "pre-tax" benefit, that is, not subject to federal income taxes which is where the benefit lies.

The plan year runs from January 1 through December 31st. For participation in January of the succeeding year, all enrollment forms must be submitted no later than November 1st of the current year.

There is a nominal monthly maintenance fee that will be charged (as a payroll deduction) that is paid to a vendor for the administration of the account(s). This fee would cover both medical and dependent care accounts if you should elect to choose both.

CONTINUANCE OF MEDICAL COVERAGE (COBRA)

To comply with the requirements of the Federal Comprehensive Budget Reconciliation Act (COBRA) in regards to the continuance of medical coverage.

Statements of Policy:

1. Employee and/or dependent medical coverage under the current plan may cease as a result of one of the following events:
 - a. Termination of employment
 - b. Change to nonparticipating employment status
 - c. Divorce or legal separation
 - d. Dependent child became ineligible (attained age 23)
2. Employees or dependents may elect to continue medical coverage beyond the date that it would otherwise terminate by:
 - a. Participating in the group medical coverage plan under the criteria outlined below:
 - (1) Rights of Employee. Employees presently covered by the insurance plan may continue this coverage for up to 18 months from the date that employment terminates or status changed to a nonparticipating (non insured) employment status provided that the employee pay the full cost of premium and any administrative fee (up to a 2%) that may be imposed.
 - (2). Rights of a Spouse or Civil Union Partner of Employee. The spouse or civil union partner of an employee covered by the medical plan has the right to continue coverage if the employee was terminated or changed to nonparticipating employment status, or if a divorce or legal court-decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pay the premium in full and any administrative fee (up to a 2%) that may be imposed.

- (3). Rights of Child(ren). Dependent children of an employee covered by the medical plan have the right to continue coverage if group health coverage under the medical plan is lost because of termination of a parent's employment or change to nonparticipating employment status; parents' divorce or legal court-decreed separation; the dependent ceases to be a "dependent child" under the medical plan (attains age 23). Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pay the premium in full and any administrative fee (up to a 2%) that may be imposed.

3. Election.

- a. If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.
- b. If an employee elects to continue group medical coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost. This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage.
- c. Continued coverage may be terminated earlier than the 18 or 36 month period if group medical plans for all other employees are terminated, or if the employee or eligible spouse or dependent:
 - (1) fails to remit the required monthly payments within 31 days of the due date;
 - (2) becomes eligible under any other group medical plan;
 - (3) a covered spouse remarries and becomes eligible to be covered under a group medical plan;
 - (4) becomes eligible for Medicare.

INSURANCE CLAIMS

To establish procedures for the handling of insurance claims against the Borough.

Statement of Policy:

1. No employee will discuss matters involving claims against the Borough.
2. All questions pertaining to claims shall be referred to the Risk Manager.
3. Claims for damages presented to the Borough shall be referred to the Borough Clerk for filing.

Responsibilities:

1. All Borough employees must notify their supervisor in the case of incidents involving potential claims within 1 day. The supervisor must report, in writing, to the Risk manager within 3 days. Items reported should include any property damage occurring during work for the Borough, no matter how small.
2. The Borough Clerk is responsible for receiving all damage claims against the Borough and referring them to the Risk Manager.
3. The Risk Manager shall:
 - a. Ensure that any applicable provisions of State law are met, and see that all claims for damages accurately locate and describe the defect or act that caused the injury, reasonably describe the injury and state the time when it occurred, contain the item of damages claimed and be verified by the claimant or a relative of the claimant, attorney or agent of the claimant.
 - b. Refer claim to carrier within 5 working days and provide informational report to legislative body on claim status.
 - c. Recommend action to legislative body within thirty days of receipt regarding claims which fall below deductible limits of existing policies or which are not covered under existing policies.

RETIREMENT SYSTEM

Statement of Policy:

All regular full-time Borough employees shall participate in the State Public Employee Retirement System. Police Officers shall participate in the State of NJ, Police and Firemen Retirement System.

You cannot join the system if you are:

1. A member of any other State or local retirement system.

2. A temporary or provisional employee with less than twelve (12) months of continuous service.
3. In a position not covered by Social Security.
4. Not paid \$500 or more per annum and not paid in each quarter of the calendar year.
5. A seasonal employee.
6. A pensioner of another State administered retirement system.

Part-time employees may be required to participate in the Retirement System.

Retirement benefits accrue from both employee and employer contributions. Contributions to the retirement system are mandatory for eligible positions and are deducted from the member's salary each payroll period.

The Retirement System provides for retirement benefits and disability protection when a member meets the plan requirements.

If a member terminates service without retiring, accumulated contributions, with earned interest, are refundable after three years upon application to the Pension System.

Employer contributions are not refundable under any circumstance.

Employees are vested with a minimum of ten years of service under the plan.

Annual benefit statements are provided by the Retirement System to participating members. Employees may request an estimate of benefits from the retirement system at any time to obtain an approximate projected retirement benefit figure.

Enrollment and benefits forms are available through the Finance Office. It is the employee's individual responsibility to keep information on file up to date related to their retirement account as to name, address and beneficiary(s).

Employees who plan to retire from the system are encouraged to contact the Retirement System at least 90 days in advance of the anticipated retirement date to secure estimate of benefits information and to finalize the retirement date. This action should also be coordinated with the Finance Office.

A COBRA notification letter will be sent to the employee and an exit interview will include a discussion regarding COBRA options. On the last day of work and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment. At this time the employee will sign the termination memo designating all money owed. This memo will be retained in the official personnel file.

TRAVEL EXPENSES WHILE ON BOROUGH BUSINESS POLICY:

It is the policy of the Borough to reimburse employees for reasonable and necessary expenditures made by employees while on official Borough business. Mileage will be reimbursed at a designated rate, all other allowable expenses on actual cost basis. All expenses must be itemized if applicable. Claims for reimbursement of travel expenses, other than mileage, shall be accompanied by invoices and/or receipts showing proof of payment of such claims, except the daily meal per diem as provided hereafter,

TRAVEL WHILE ON BOROUGH BUSINESS

1. Overnight Trips

- a. Lodging. Hotel and Motel expenses will be reimbursed on completion of authorized travel upon submittal of proper claim. A reasonable class of accommodation shall be selected where choice is available. The single rate should be clearly indicated on all receipts.
- b. Meals. Reasonable meal reimbursements for all overnight trips are to be itemized on proper Requisition forms.
- c. Mileage Allowance. Employees who utilize their personal vehicles on travel assignments will be allowed the current IRS standard mileage allowance. Each employee who drives a private vehicle on Borough business must have liability insurance on said vehicle.

When two or more employees are attending the same seminar, convention, or meeting, car pooling shall be practiced. The actual speedometer reading from Borough Hall to destination and return to Borough Hall will be used.

If an employee for his or her own convenience travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

- d. Out-of-State Travel. Requires prior approval by the Borough Council.

2. Local Travel and Expenses

- a. Local Mileage. No mileage will be paid for commuting from an employee's personal residence to Borough Hall or a work station.

- b. Local Meals. Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the Borough for a specific purpose, or where the employee's attendance will directly benefit the Borough. No reimbursement will be allowed for meetings which are of a social nature. The request for reimbursement of local meals should include the following information:
 - (1) Date
 - (2) Place
 - (3) Meeting Attended
 - (4) Specific Reason for Attending
- 3. Parking Fees will be reimbursed by actual cost and receipts shall be presented.

If an employee reimbursement is necessary, the reimbursement will be handled by the Finance Department after the Requisition form is turned in and approved on the Monthly Bill List.

NON-ALLOWABLE EXPENSES

- 1. Laundry, cleaning, or valet services (except for trips of over one week duration).
- 2. Tobacco.
- 3. Alcoholic beverages.
- 4. Entertainment.
- 5. Personal telephone calls to home (limited to one per day).
- 6. First class travel accommodations when economy or coach class are available.
- 7. Meals and lodging in lieu of other meals and/or lodging the expense of which is included in the Registration fee.
- 8. Fines, forfeitures or penalties.
- 9. Rental vehicles except as pre-approved by the Governing Body.
- 10. Expenses of a spouse or other non-employee.

11. Loss or damage to personal property.
12. Barber, beauty parlor, shoe shine or toiletries.
13. Personal postage.

TRAINING PROGRAMS, INCLUDING SEMINARS OR CONVENTIONS

Conference and Seminar Policy:

Requests to attend a conference or seminar must be approved by the Department Head and the Borough Administrator. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Department Head at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. The Department Head is responsible to detail all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

Definitions:

As addressed by this policy, training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the Borough or while the employee is in a paid status with the Borough.

1. It is the policy of the Borough to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to the Borough will be more efficient and effective.
2. Employees are encouraged to continue their formal education through participation in off-duty/non-working hours educational programs. Advanced payment for educational expenses incurred by such participation may be granted for job related courses with prior approval of the Borough Administrator, provided funds have been budgeted for such reimbursement.
3. Any approval shall be contingent upon the successful completion of the course/program. Successful completion shall be defined as receipt of a certificate of satisfactory completion or a grade of C (2.0 grade point) or better in the case of academically rated courses (or attainment of pass in a pass/fail grading system.) Approval for tuition reimbursement shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes.

4. Consideration of employee requests for tuition payment is dependent upon budgetary constraints and the recommendation of that employee's Department Head. Time spent in attendance at these courses shall be considered the employee's personal time and is not counted as time worked.
5. In the event of separation of employment with the Borough, for any reason, within 18 months after attendance of the initial position certification program, the Employee shall be obligated to reimburse the Borough for all costs and expenses incurred by the Borough associated with the Employee's attendance at the education course, including but not limited to tuition, travel expenses, meal expenses, and lodging expenses. All such reimbursement to the Borough for these expenses may be deducted from an Employee's paycheck, from any other monetary benefit due to the Employee from the Borough, or through the employee directly reimbursing the Borough for these costs.

Procedures:

1. Attendance at training programs will be approved at the Department Head level, except as follows:
 - a. Attendance at a training program involving out-of-state travel by an employee requires approval by the Governing Body prior to registration.
 - b. Attendance at any program or course work in excess of 1 shifts and/or \$200 (in registration, travel, meals and lodging cost) requires approval by the Borough Administrator prior to registration.
2. All outside training and conference attendance shall be processed on Borough Requisition with original receipts attached.
3. Employees who acquire training on their own time and expense are encouraged to notify the Director of Personnel so the information can be noted in the employee's personnel file.
4. The Borough shall maintain an employee training history, and shall periodically audit training attendance and policy compliance.

SPECIAL LICENSES AND MEMBERSHIP FEES

The Borough will pay by voucher current annual dues or fees for those employees who are entitled to join Professional Associations and organizations and be reimbursed for the

dues provided they are related directly to the employee's position, they are identified in the Department's operating request and they are approved by the Department Head in advance of becoming a member. Employees may also attend conventions and meetings related to the organizations if they satisfy the same criteria.

Employees who belong to professional organizations that promote individual professional growth, competence and effectiveness in functioning as Borough employees will be allowed time off with pay to attend local, state and national meetings subject to approval by the governing body and budgetary limitations. Collective bargaining units that negotiate for Borough employees are excluded from coverage under this policy.

Membership in outside organizations shall be in the name of the Borough, if possible.

CREDIT UNION POLICY:

Borough employees and their family members are eligible to participate in the Police and Fire Federal Credit Union. The credit unions offer a number of services to members, including savings programs, share draft checking, money market accounts, certificates of deposit, individual retirement accounts (IRA's), loans, check cashing, loan protection insurance, and member account insurance. All contributions are financed 100% by the employee.

Employees may arrange to have payroll deductions from their paycheck or they may make a direct deposit or payment to their credit union account. The interest rates paid on saving programs are competitive rates. There is a one-time fee to cover the participant's credit union entry fee; however, once an individual is a member, they will remain a member provided a minimum deposit is maintained in their account.

Borough employees who are members, officers, board members, or committee members of any Credit Union and attend local or state credit union meetings or functions relating to credit union business will not be compensated for the time spent away from their regularly scheduled work. Time off for these meetings may be charged to vacation, compensatory time, other compensated time, leave without pay or the time worked back, subject to Department Head approval.

For more information or enrollment forms, contact the Payroll Clerk.

UNEMPLOYMENT COMPENSATION POLICY:

The Borough is a covered employer under the Unemployment Compensation law. The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment. The program is financed completely by the Borough and the employee.

An employee who quits his/her job voluntarily without good cause probably will have difficulty collecting unemployment compensation. To be eligible for unemployment

compensation, a voluntary quit must have left employment for a “good cause” reason, must be unemployed, physically able to work, available for work, and actively seeking work. “Good Cause” reasons or reasons establishing eligibility for unemployment compensation are available from the State Employment Security Office.

The Borough may contest the claim of an employee who quits without “good cause” or who quits for other reasons.

Workers Compensation Policy:

Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Borough covers workers compensation benefits through its membership in the Camden County Joint Insurance Fund. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the joint insurance fund and payment for unauthorized medical treatment may not be covered pursuant to the Act.

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

Hours lost due to the injury or illness should be reported on the employee time sheet as “disability.” Once the eligibility for payment under Worker’s Compensation has been approved, the employee should endorse his/her state benefit check to reimburse the Borough for wages paid during the employee’s absence. An employee shall not draw more than his/her base pay when collecting Worker’s Compensation Insurance. No employee shall receive sick leave or use vacation time as a result of a job injury, illness or disease incurred while employed by another employer.

**Conscientious Employee
Protection Act
“Whistleblower Act”**

Employer retaliatory action; protected employee actions; employee responsibilities

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

CONTACT INFORMATION

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: Dawn S. Thompson or Richard E. Roach, Jr.

Address: 15 N. White Horse Pike, Lindenwold, NJ 08021

Telephone Number: (856) 783-2121 Ext. 239 or 236

or Spanish, please call (609) 292-7832