

TOWNSHIP OF MONTCLAIR



EMPLOYEE HANDBOOK

2004

ESSEX COUNTY

NEW JERSEY

NOTE TO READERS

This employee handbook is intended to help you get acquainted with the Township of Montclair. It explains some of our philosophies and beliefs and describes our employment guidelines in general terms. It is proposed to be used as a useful reference document throughout your employment with the Township, even though it is not intended to be an official policies and procedures manual.

The employee handbook serves only to outline the major employment policies of the Township. The employee handbook is not intended to be and shall not be considered all-inclusive. The employee handbook is also not intended to be a substitute for the good judgment, common sense, and discretion of township personnel.

As circumstance may arise in which the Township determines that changes to these policies are necessary, the Township reserves the right to change these policies at any time and reserves the unilateral right to do so at any time with or without notice to its employees. Accordingly, no statement in this employee handbook is intended as a contractual commitment or obligation of the Township to any employee. In addition, this employee handbook supersedes and replaces all previous personnel manuals and employee handbooks. The employee handbook is not a contract, and it is not intended to create any contractual obligations on the part of the Township.

This handbook reflects policies and procedures in effect as of 12/31/03. Policies and procedures are subject to change anytime; employees will be notified of changes as soon as possible when they occur.

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CONTACT INFORMATION

Questions regarding this handbook should be directed to:

Director of Human Resources
Township of Montclair
205 Claremont Avenue
Montclair, New Jersey 07042

Tel: 973 509-4937

IMPORTANT NOTICE

All employment policies and procedures of the Township of Montclair are, and this handbook is, subject to the following:

1. All applicable federal and state laws and regulations.
2. Applicable labor contracts and employment contracts approved by the Township Council and executed in writing pursuant to said approval.

Compensation to employees is subject to final approval by the Township Council and Township Manager. Only the Township Manager has the authority to hire employees or terminate employment.

Employment with the Township of Montclair is public employment in service at all times to the public health, safety, and welfare. As such, there may be circumstances that arise which constitute a public emergency and thus require emergency policies and procedures to be followed to protect the public as allowed by federal and state laws and regulations.

SECTION II EMPLOYMENT

EMPLOYEE ORIENTATION

All new regular full-time and regular part-time employees will be scheduled to meet with the Director of Human Resources, or a designated member of the personnel staff for orientation prior to starting work, or no later than their first scheduled day of work.

The orientation will include:

- The completion, as appropriate, of all pertinent personnel, payroll, insurance and pension forms, with staff available to answer any questions that may arise.
- A review of the Employee Handbook and the Township's *Safety Manual*.
- An overview of the Township's Policy and Procedures, along with whom to contact in the event they have a problem in the course of their employment.
- Acquainting employees with their department's overall operations.

Upon completion of the orientation meeting, employees will be required to report to their designated work area to complete the regularly scheduled workday.

EMPLOYEE STATUS

Employees of the Township of Montclair will be classified as either:

- Regular Full-time
- Regular Part-time
- Temporary

Regular employees work 7 or 8 hours a day and 35 or 40 hours a week depending on their union contract. Regular Full-time employees will be eligible for all benefits as provided by the Township.

Regular Part-time employees have completed the probationary period, and regularly work less than seven (7) hours per day for a workweek consisting of less than thirty-five (35) hours. Regular Part-time employees must work more than 19 hours per weekly pay period to be eligible for specified prorated benefits as provided by the Township.

Temporary employee are hired as such, and are hired for a special project or to

replace employees on leave, vacation or holiday.

Temporary employees are usually hired for a period of not longer than three (3) months for a special project or to replace employees on leave, vacation or holiday, or for duration of the project, leave or vacation period.

Temporary employment is not to exceed six (6) months. Unintentional extensions of this period shall not constitute conversion of such position to regular full-time status, nor are these employees eligible for benefits.

PERFORMANCE EXPECTATIONS

The Township of Montclair expects all employees:

- To give a productive day's work to the best of their abilities and skills.
- To arrive at their duty locations and begin work on time.
- To demonstrate a considerate, friendly, and constructive attitude toward fellow employees, residents, and visitors to the Township.
- To adhere to all policies adopted by the Township.

PERFORMANCE EVALUATIONS

It is the expressed policy of the Township of Montclair to periodically evaluate the performance of employees.

Performance evaluations will be used primarily to provide information that can be used to identify, document and improve employee performance.

The results of an employee's performance evaluation may be used in determining eligibility for salary increases and a factor in promotions, reclassifications, transfers, and if unsatisfactory, as a factor in removals and/or lay offs.

1. Employee performance evaluations shall be made at least once a year for all employees.
2. Supervisor/Department Head shall discuss and review with the employee their performance evaluation.
3. Employees have the right to appeal any unsatisfactory performance evaluation to their Supervisor/Department Head. If not satisfied with the outcome of this appeal, such employees may request an audience with the Township Manager or his designee to discuss

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- the matter. The decision of the Township Manager shall be final
4. Any employee wishing to appeal an unsatisfactory performance evaluation must do so within thirty (30) days of notification of the unsatisfactory rating.
5. Employees will be given a copy of their performance evaluation following review.
6. A copy of the performance evaluation will be kept in the employee's personnel file.

PROBATIONARY PERIOD

The purpose of the probationary period is to evaluate the employee work performance and conduct and to determine whether the employee merits Regular status. Probationary employees may be dismissed at any time during the probationary period without cause, if it is determined that they will not be satisfactory Township employees.

The Township's probationary policy is as follows:

1. AFSCME has a forty-five day(45) probationary period.
2. Township of Montclair employees not covered by union agreements shall have a ninety (90) day probationary period commencing on the first day of work. Upon successful completion of ninety (90) days work, an employee shall have seniority credit retroactive to the commencement of work. The employee shall also have retroactive credit for benefits provided by the Township of Montclair, as applicable.
2. Uniformed members of the Fire Departments must serve one (1) year probationary period.
3. Uniformed members of the Police Department must serve one (1) year probationary period from the date of entering the Police Academy until one year after graduation from the Academy.

No probationary employee shall enjoy Regular Full- or Part-time status until such employee receives written notification of their successful completion of the probationary period.

HOURS OF WORK

Part-time employees work the schedule that is required for the position. Due to variations within Departments, hours of work may differ. The Township

Manager must approve any changes in hours of work.

YOUR WORK SCHEDULE

Timesheets

Each Department Head/Supervisor is responsible for preparing and submitting time sheets for all Part time and Temporary employees. A payroll check will not be issued to an employee for whom no time sheet has been submitted.

Overtime

Overtime is any approved work time, which is over and above the normally scheduled workweek. Employees may be required to perform a certain amount of overtime dependent upon the needs of the Township as determined by the Department Head or the Township Manager.

Breaks

Employees of the Township of Montclair shall be given two (2) fifteen (15) minute breaks during the working day. One (1) shall be given in the morning and one (1) in the afternoon.

The time for breaks will be flexible within each Department or Division and dependent on workload and daily schedule.

Breaks may not be taken in a manner that extends the lunch break.

Attendance

Every job is important and each employee is expected to maintain an acceptable attendance record in order to contribute to the success in achieving Township and departmental goals and objectives.

If an employee is unable to report to work he/she must notify their supervisor before or as soon as possible after the workday begins. If such employee does not notify his/her supervisor in this time, it will be assumed that the employee is not going to report to work.

Any unauthorized and/or unreported absence shall be considered absence without leave and without pay and is cause for disciplinary action.

It is the policy of the Township to administer a fair and consistently applied progressive discipline program to those employees who have chronic and/or excessive absence. Employees who fail to improve after receiving proper warn-

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ings and progressive disciplinary actions are subject to having their employment terminated.

Tardiness

Punctuality is of the utmost importance, and any tardiness shall be noted by the employee's Supervisor. Chronic or recurring tardiness shall be reported to the Department Head for appropriate action, including disciplinary action up to and including dismissal.

Storms and Other Emergencies

In the event of inclement weather all employees of the Township of Montclair are expected to report to work as scheduled unless notified that the Municipal Office will be closed.

If the Municipal Office is open, and an employee cannot report to work due to severe weather conditions, the time lost will be charged against accumulated vacation or personal days. If the employee has no time accumulated, then the time lost will be charged as time off without pay.

In the event the Municipal offices are closed due to severe weather conditions or for other emergency or safety related reasons, employees will be entitled to a full day's pay.

Timekeeping

Each Department Head/Supervisor is responsible for maintaining and submitting an accurate and complete time record for each employee under their supervision. Each employee is responsible for using the ADP e-time hand swipe system to document their attendance. A paycheck will not be issued to an employee for whom time has not been recorded in the e-time system.

TRANSFER & REASSIGNMENT

Transfer is the movement of an employee to a position in the same title and grade and at the same pay from one Department to another. Opportunities for transfer will be posted.

Reassignment is the movement of an employee to a position in the same title and grade and at the same pay within a Department. Reassignments will be at the discretion of the Manager.

The services of an employee who is transferred or reassigned will be consid-

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ered continuous for the purpose of seniority and fringe benefits.

Employees may request transfer or reassignment. All transfers and reassignments require the approval of the employee's Supervisor/Department Head and written approval of the Township Manager.

LAYOFF AND RECALL

In accordance with Management's Rights, the employer shall determine the necessity for and the duration of layoffs or reduction in force.

In the case of layoff or reduction in force because of lack of funds, change in program needs, abolition of positions or material change in duty or obligation, seniority and acceptable job performance shall govern within occupational classifications.

Before any new employee can be hired into positions from which employees have been laid off, all such employees shall be re-called to their respective position in the reverse order to that in which they were separated.

PROMOTIONS

Promotion is an advancement in grade having a higher level of duties and responsibilities and/or to a higher salary range having a greater maximum. When there is a major change in the duties or responsibilities of a position resulting in its reallocation to a higher classification, the position may be considered vacant and subject to filling under the promotional procedures.

The promotional policy encompasses the merit principle and shall be based on systematic tests and evaluations. Whenever possible, vacancies shall be filled from within the Township by promotion.

How are promotions handled?

Promotional opportunities shall be posted and thereafter, the Human Resources Department will create a prospective pool of qualified candidates. Whenever a job vacancy occurs, Department Heads shall recommend qualified candidates to fill such vacancy by promotion.

If no Township of Montclair employees are qualified to fill the vacancy by promotion or those employees who are qualified refuse such promotion, then such vacancy shall be filled through the normal employment process.

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All promotions shall be approved, in writing, by the Township Manager.

An employee who fills a job vacancy by promotion will be considered probationary for the first ninety (90) days of service in the new position. If at the end of the probationary period, or any extension thereof, such employee's performance is rated unsatisfactory, every effort will be made to reinstate such employee at his/her former position and his/her former salary level, or, in an equivalent position at his/her former salary without loss of benefits:

In any case where an employee is promoted to a grade with a higher compensation range, the entrance rate shall be at a higher salary than the salary received immediately prior to such promotion.

RE-EMPLOYMENT

Re-employment is the return to Township employment by an employee in good standing who has resigned or who was laid-off. It shall be the policy of the Township of Montclair to consider the application of any such former employee whose work record was satisfactory during his/her former employment with the Township.

Any employee who leaves or who has left Township employment to enter the active service of the Armed Services of the United States of America and who is subsequently reinstated to a position previously held by him/her shall be entitled to receive compensation at the rate to which he/she would have been entitled had the service with the Township not been interrupted by service in the Armed Services.

RETIREMENT

The mandatory retirement age for all full-time employees, not including uniformed members of the Police and Fire Department is 70. The mandatory retirement age for all uniformed members of the Fire and Police Department is 65. An employee shall retire prior to December 31 of the year in which they reach the age for retirement.

The Township Council may by resolution extend the time for mandatory retirement for an individual employee on an annual basis.

What should I do when I have decided to retire?

An employee should notify the Human Resources Department with copies to the Finance Department in writing at least three (3) months before planned re-

irement.

Additionally, the employee should apply to the Public Employees Retirement System or the Police and Fire Retirement System for Pension Benefits at least six (6) months prior to his/her planned retirement.

SENIORITY

Seniority is defined as the length of time an employee has been continuously employed by the employer, and shall apply in the computation and determination of eligibility for all benefits where length of service is a factor and in layoffs and recall.

Seniority shall apply in the computation and determination of eligibility for all benefits where length of service is a factor such as in layoffs and recalls.

SEPARATION FROM SERVICE

All employees who intend to resign from the Township as well as all employees about to be discharged must satisfy their outstanding obligations to the Township prior to their final separation. This will be accomplished through an exit interview, which will be offered to all employees and conducted by the Director of Human Resources. Any and all equipment and property owned by the Township must be returned to the Township prior to an employee's separation.

WORKING BEYOND RETIREMENT AGE

Continued employment by the Township of Montclair of an employee who is a member of the New Jersey Public Employees Retirement System beyond the age of 70, must be approved annually by the New Jersey Division of Pensions and the Township Council of the Township of Montclair.

Attention should be paid to the fact that the only benefit affected by such continuation of employment beyond age 70 is the amount of Life Insurance provided by the Plan. The reduction in the Life Insurance Benefit is completely described in the Public Retirement Brochure published by the New Jersey Division of Pensions and obtained at the Human Resources Department.

SECTION III COMPENSATION

YOUR CLASSIFICATION & PAY

The Township of Montclair has implemented and maintains a sound and equitable classification and salary plan that satisfies the following objectives:

1. Clearly and concisely define the duties of each class of positions in the Township organization.
2. Accurately allocate individual positions to the appropriate class title.
3. Provide a clear and concise job description for each class title.
4. Measure the relative value of each class by means of point evaluation techniques and group classes of approximately equal value into salary grades.
5. Provide an overall salary structure, which specifies maximum and minimum salaries and intermediate increment steps for each salary grade.

The Township Manager, along with the Human Resources Director and the Finance Director shall provide for periodic review of the salary and classification plan.

Paychecks and Check Cashing

All hourly employees are paid weekly. All salaried employees are paid bi-weekly.

All paychecks will be issued on a designated day following the close of the pay period. In the case where a Holiday may fall on a payday, paychecks will be issued on the last working day prior to that payday.

Employees will obtain their paychecks from the person designated in their Department to distribute such checks.

Each employee is responsible for cashing or disposing of his/her own paycheck. The Township does not authorize any employee to act as an agent to cash the payroll check of another employee.

All paychecks are to be cashed on the employee's personal time.

PAYROLL DEDUCTIONS

The Finance Department will oversee and effect mandatory and authorized de

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ductions from employee's paychecks. Mandatory and authorized deductions consist of the following:

MANDATORY DEDUCTIONS	AUTHORIZED DEDUCTIONS (OTHER)
Federal withholding tax	PERS Contributory Insurance
State withholding tax	PERS Supplemental Annuity Program
F.I.C.A. (Social Security)	Authorized Health Plans
Unemployment Compensation Insurance	Union Dues
Pension Deductions	Federal Savings Bonds
Repayment of Pension Loans	Flexible Spending Account/ Reimbursement Plan
Wage Garnishments	Other permitted or required by Union Contract or Township Policy

Public Employees' Retirement System

Authorized deductions also include Pre-Paid Legal Services, Deferred Compensation, Optional Short Term Disability, etc., in short, any deductions authorized by the employee.

UNEMPLOYMENT COMPENSATION

Employees of the Township of Montclair are covered by the Unemployment Compensation Law of the State of New Jersey.

In brief, the program exists for the payment of cash benefits to covered workers who have lost their jobs through circumstances beyond their control.

The employer and the employees participate in the financing of this unemployment compensation insurance program, and each worker must contribute a percentage rate of the covered wages paid by the employer in the calendar year.

For more information about this compensation insurance program, contact the Human Resources Department.

WORKER'S COMPENSATION

Regular employees of the Township of Montclair are eligible for Worker's Compensation in accordance with State of New Jersey Law and the benefits noted

SECTION IV LEAVES (PAID AND UNPAID)

in the Public Employees Retirement System.

Employees seeking information regarding Worker's Compensation should contact the Human Resources Department.

All employees are required to notify their immediate supervisor at the time of an accident or injury, and the following reports must be submitted in writing within forty-eight (48) hours of injury:

- The State of New Jersey Employer's First Report of Accidental Injury or Occupational Illness
- Employee's Report
- Supervisor's Report
- Witness Report

SECTION IV LEAVES (PAID AND UNPAID)

SICK LEAVE

All regularly employed and annually paid salaried employees of the Township of Montclair shall be allowed 1.08 days of paid sick leave per full calendar month of each calendar year of employment.

No sick leave credit shall be allowed for any period of employment less than a full calendar month.

Any employee to whom a sick leave allowance is granted will be expected to obtain suitable medical advice and to act in accordance therewith.

Before making payment on account of sick leave allowance for three (3) days or more, the Township shall have the right to require the employee to furnish a certificate from a duly licensed attending physician stating the nature and gravity of the illness or injury and the probable duration of the absence. If the absence continues beyond ten (10) days, the Township shall have the right to require at intervals in its discretion and at its own expense, a satisfactory medical report by one (1) or more physicians of the Township of Montclair's own selection.

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HOLIDAYS

In order to receive holiday pay, an employee shall work the day before and the day after the holiday except the employees whose workweek begins on a holiday shall work the day after the holiday and employees whose workweek ends on a holiday shall work the day before the holiday. Absence for illness on any such day may require a doctor's certificate.

Should an official holiday occur while an employee is on sick leave, he/she shall not have that holiday charged against his/her sick leave.

Where it is necessary to maintain service requiring an employee to work on an official holiday, such employee shall be compensated by their respective bargaining contracts. All other employees may be permitted to take an equal amount of time off with pay on a regular working day at a time approved by the Department Head.

The following holidays are recognized by the Township as paid holidays:

New Year's Day	Labor Day
Martha Luther King's Birthday	Columbus Day
Lincoln's Birthday	Veteran's Day
Washington's Birthday	Thanksgiving Day
Good Friday	Day After Thanksgiving
Memorial Day	Christmas Day
Independence Day	

VACATION

Vacations shall accrue on January 1 of each year and shall be taken within one year thereafter. Accumulation of vacation time may not be permitted unless authorized by the Township Manager.

Regular full-time employees of the Township of Montclair whose vacation is not otherwise covered under a contract agreement, shall be granted vacation leave with pay in accordance with the following schedule:

Between the date of commencement of employment and the end of the same calendar year, a full-time employee may receive a vacation equal to one (1)

SECTION IV

day for each full calendar month of employment; provided, however, that such vacation must be taken before the end of the calendar year in which employment began and after the completion of the ninety-day probationary period. Where the probationary term extends into the following year any vacation earned herein must be taken within ninety days after completion of the probationary term.

Any regular employee who resigns, retires or whose employment is terminated for any reason shall be entitled to a vacation in the year such employment ends on a prorated basis computed by the number of full calendar months of employment subsequent to January 1st of the year in which such resignation or termination becomes effective.

Regular part-time employees shall be eligible for vacation on a prorated basis in accordance with their respective work schedule and length of employment.

YEARS OF SERVICE	EARNED VACATION DAYS
Calendar Years Two Through Five	12 Days
Calendar Years Six Through Eight	14 Days
Calendar Years Nine Through Thirteen	17 Days
Calendar Years Fourteen Through Eighteen	19 Days
Calendar Years Nineteen & Subsequent Years	22 Days

DEATH IN FAMILY

All salaried, hourly, weekly and daily employees may be granted up to five (5) days leave in the event of a death in the employee's "immediate family." For the purpose of this policy immediate family shall include father, mother, grandmother, grandfather, sister, brother, spouse or anyone making his/her home with the employee's family in such degree as to cause him/her to be regarded as an immediate member of the family.

In the case of the death of a current mother- or father-in-law, brother- or sister-in-law, a leave of absence of up to three (3) days may be allowed.

In the case of the death of a relative of the second degree, this is uncle, aunt, niece, nephew, or cousin a leave of absence of one (1) day may be granted.

Death in Family leave must be approved by the Department Head and shall be at full pay exclusive of allowance for sick leave.

DISABILITY LEAVE

Any employee who can no longer perform the duties of the job, as certified by a duly licensed practicing physician, will be considered as temporarily disabled. Such employee shall be entitled to disability benefits or sick leave.

Such employees shall be entitled to disability benefits or sick leave by completing and submitting disability forms within seven days of the first day of absence.

Employees are expected to return to work once their disability ceases, as verified in writing by a duly licensed practicing physician, unless prior arrangements have been made with the Human Resources Department to use accumulated vacation leave, earned compensatory time or family leave.

An employee who plans to be temporarily disabled as a result of pregnancy shall meet with the Human Resources Director at least four (4) weeks prior to such disability to complete necessary paperwork.

Upon returning to work from disability, the employee shall submit to the Human Resources Department a medical certificate stating fitness to resume normal job duties.

Information regarding the *Family Leave Act* should be obtained from the Human Resources Department upon the start of disability leave.

FAMILY LEAVE (FMLA)

The Township of Montclair shall abide by the Family and Medical Leave Act of 1993. The Act basically provides up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for the Township of Montclair for at least one (1) year, and for 1250 hours over the previous twelve (12) months.

Reasons for this leave are as follows:

1. To foster care for the employee's child after birth, or placement for adoption or foster care.
2. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
3. For a serious health condition that makes the employee unable to perform the employee's job.

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Written application must be made through the Human Resources Department and approved by the Department Head and the Township Manager. The employee must provide thirty (30) days advance notice when the leave is for "foreseeable" events like planned medical treatment. For medical emergencies, the employee must give notice as promptly as possible.

Parenting leave begins at the time requested, but no later than six weeks after the birth or adoption, or when the child leaves the hospital, whichever is later.

Upon request for medical leave, the Township will require certification of the condition from an appropriate health care provider. Depending upon the need certified, leave may be taken intermittently or on a reduced leave schedule. The Township may require a fitness for duty report for employees to return to work.

JURY DUTY

Any employee who is called and serves on a jury, shall be granted paid leave for that period of time which he/she is officially involved with the court in such capacity. Any payment other than for expenses reimbursement shall be turned over to the Department of Finance.

An employee who is subpoenaed as a witness or is required to serve as a juror must notify their Department Head in writing and indicate the day or dates of such commitment.

LEAVE OF ABSENCE WITHOUT PAY

The Township Manager may grant the privilege of a leave of absence without pay for a period not to exceed six (6) months. Such leave of absence may be renewed for an additional six (6) month period by formal action of the Township Manager.

In order that the status of an employee on leave of absence without pay and that of the substitute; if any, may be determined, leaves of absence without pay will only be awarded for definite stipulated periods.

Any employee may return to duty before expiration of his/her leave without pay only with the approval of the Township Manager.

MILITARY LEAVE

Any regular full-time employee of the Township of Montclair, who is a member of the National Guard or Reserve components of the military service of the

United States and is required to perform active duty for training periods, (normally 2 weeks) shall be granted a leave of absence with pay for the period of such training.

This leave of absence with pay shall be in addition to his/her vacation leave and shall not pay more than the difference between the employee's regular Township pay and that paid by the National Guard or Reserve components.

When a regular full-time employee has been called to active duty or inducted into the Military Forces of the United States, he/she shall be granted a leave of absence without pay. The employee must report back to work within sixty (60) days of his/her honorable discharge or relinquish his/her right to his/her position unless a service related injury or illness prohibits reporting back to work within the limit. In this circumstance, the Township Manager may extend the reporting date.

RELIGIOUS PRACTICES

The Township of Montclair will make a reasonable accommodation to the religious practices of employees.

Employees planning to be absent from work in observance of a practice of his or her religion shall obtain the advanced approval of their Department Head for such absence.

An employee who wishes to observe a practice of their religion for which no Township-wide observance has been scheduled, shall use a personal day as outlined in the management salary ordinance or, compensation as earned per Section IV, Page 4, of the Township's *Policy & Procedure Manual*. In the event that an employee has not earned either a personal day nor compensation time and such employee wishes to observe a practice of his or her religion, then, such employee shall arrange with his or her Department Head to make up the time lost due to the observance of such practice.

TERMINAL LEAVE

Any salaried, hourly, daily, or weekly employee who shall retire may convert the accumulated sick leave allowances provided for in the preceding section into a terminal leave at full pay, to be taken not more than one (1) year preceding the effective date of his/her retirement.

At the option of the employee, terminal leave pay may be substituted for time off. Terminal leave pay will be provided in a lump sum or sums to employees

SECTION V BENEFITS

providing notice of intention to be paid a lump sum or sums is given by the employee to the Human Resources and Payroll Offices by December 1st of the year preceding retirement.

A lump sum will be paid at the time of retirement for the amount due in the calendar year of such retirement. Another said lump sum, representing the balance, would be paid no later than January 30th of the next calendar year.

If, after receiving a lump sum payment as herein provided, the employee dies before the end of the terminal leave period, no repayment will be required.

SECTION V BENEFITS

LIFE INSURANCE

All full-time and part-time employees, who work in excess of 20 hours per week, are enrolled in the Public Employee's Retirement System Group Life Insurance Plan immediately upon becoming eligible.

During the first year of the employee's membership in the Public Employee's Retirement System, he/she is required by statute to participate in the system's contributory group life insurance plan.

After one year of employment, the employee has an option to either continue or terminate in contributory coverage.

All new employees of the Township of Montclair will complete the necessary Public Employee's Retirement System (PERS) forms at the time of hire.

Claims under the Life Insurance Program must be filed promptly with the Payroll Office.

Life Insurance coverage will terminate 31 days after the last day of employment. Members in the Public Employee's Retirement System Life Insurance Plan who terminate their employment with the Township of Montclair will have 31 days in which to convert this life insurance coverage.

Further details regarding the PERS insurance are outlined in the insurance handbook available for review in the Human Resources Department or the Payroll Office.

SECTION V

LONGEVITY PAYMENTS (SERVICE INCREMENTAL PAY)

Each employee who has been an employee of the Township for a continuous period of five (5) years, in addition to regular rate of pay, shall receive service incremental pay from and after the anniversary date of employment which shall be based upon the total number of years of service as an employee of the Township. For those hired prior to May 31, 1994, the rules are as follows:

YEARS OF SERVICE	LONGEVITY AMOUNT
After five years but less than ten years	2.0% of salary
After ten years but less than fifteen years	3.5% of salary
After fifteen years but less than twenty years	5.0% of salary
After twenty years but less than twenty-five years	6.5% of salary
After twenty-five years or more	8.0% of salary

Service incremental payments will be included in the employee's paycheck but will not become part of the employee's base salary for the purpose of computing future years longevity.

Service incremental pay shall accrue on the basis of an employee's original anniversary date. Each new employee hired after June 1, 1994 will receive a service incremental pay as follows:

YEARS OF SERVICE	LONGEVITY AMOUNT
After five years but less than ten years	0.5% of salary
After ten years but less than fifteen years	1.0% of salary
After fifteen years but less than twenty years	1.5% of salary
After twenty years but less than twenty-five years	2.0% of salary
After twenty-five years or more years	2.5% of salary

Non-union employees hired after September 1, 1998 will not be entitled to receive a service incremental pay.

MEDICAL INSURANCE

Full-time and Part-time employees who continually and consistently work in excess of twenty (20) hours a week will be covered by the State Health Benefits Plan.

SECTION VI

At the time of hire, enrollment forms will be filled out by the employee and such employee shall become eligible for benefits after two (2) full months of employment.

A brochure containing detailed information regarding medical insurance as well as claim forms for health benefits can be obtained from the Human Resources Department.

PENSION PLAN

Employees of the Township of Montclair are covered by either the New Jersey Public Employees Retirement System (PERS) or Police and Fireman's Retirement System (PFRS).

All employees are eligible for membership in either PERS or PFRS as of the date appointed. At that time, enrollment is compulsory and deductions will be made from the paycheck to account for the employee's contribution to the pension fund.

Employees will complete a membership form for their pension at the orientation. All specifics of PERS or PFRS can be found in the booklets describing these plans which are available for review at either the Human Resources Department or the Payroll Office.

All questions concerning benefits, pensions, deductions and related matters should be directed to the Human Resources Department or the Payroll Office.

SECTION VI SAFETY

EMERGENCY MANAGEMENT PLAN

The purpose of the Township's Emergency Management Plan is to protect lives and property in emergencies by coordinating the activities of municipal and volunteer services to prepare, respond, mitigate, and recover from the effects of natural, technological and national security disasters.

Copies of this plan are maintained by all departmental and senior managers of the Montclair Municipality, and may be reviewed upon request.

ON THE JOB INJURIES

Any employee who is injured in the performance of his/her duties shall immedi-

ately report the accident to the Department Head or his/her designee who shall complete a form provided for such instances. The completed report form shall then be submitted to the Human Resources Department.

Employee with injuries requiring medical attention are entitled to receive treatment from a physician designated by the Township.

TOWNSHIP SAFETY MANUAL

It is the policy of the Township of Montclair to provide a safe workplace for its employees, volunteers and contractual workers.

The purpose of the *Safety Manual* is to promote safety standards and requirements and make employees aware of safety rules and practices in order to mitigate occurrences of injuries in the workplace.

All employees are required to adhere to this program, and any additional safety practices that may develop due to specific workplace conditions.

A copy of the Township of Montclair's *Safety Manual* is to be given to all new employees. Current employees may obtain a copy from Human Resources.

SECTION VII DISPUTE RESOLUTION

EMPLOYEE GRIEVANCES

A *grievance* is any dispute arising out of employment and/or concerning the application or interpretation of the policies outlined in this handbook and other official Township documents.

Employees who have grievances should process them through the appropriate channels as indicated in their collective bargaining agreement.

Professional and administrative personnel who are not covered by a collective bargaining agreement but have a legitimate concern arising out of their employment with the Township of Montclair should take the matter up with their Department Head. If such employee is not satisfied with the outcome of this meeting he/she may submit the grievance to the Director of Human Resources. If the grievance cannot be resolved at either of the two lower levels, the Township Manager will have final determination, after providing the employee with an opportunity to be heard.

SECTION VIII PERSONNEL ACTIONS

CHANGING VITAL INFORMATION

It is the responsibility of each employee to notify the Human Resources Department in writing, with copies to the Department Head within three (3) days of a change of vital information as listed below:

- Name
- Address
- Telephone Number
- Marital Status
- Dependent Children
- Deductions included on W-4
- Change in Health Care Program Status
- Change beneficiary on pension or life insurance policy

Department Heads and Supervisors should be kept abreast of Human Resources and Payroll's need for accurate and complete Personnel Records, and should alert their employees of the necessity to report any changes in vital information.

Changes in vital information should be accomplished by completing a *Personnel Status Change Form*, and sending it to the Human Resources Department. This form may be obtained from the Human Resources Department.

Employees who are late in reporting changes in vital information may lose benefit coverage.

DISCIPLINARY ACTION

Disciplinary action may be imposed upon an employee only for just cause. Any disciplinary action or measure imposed upon an employee may be processed as a grievance through the regular grievance procedure (probationary employees excluded).

What would cause a need for disciplinary action?

Breach of discipline is defined as conduct of an employee which violates Township rules governing behavior or performance and as such, constitutes just cause for disciplinary action. Breach of discipline includes, but is not limited to, any one of the following:

1. Neglect of duty

SECTION VIII

2. Sleeping while on duty
3. Insubordination
4. Intoxication or the consumption of alcohol or drugs while on duty
5. Absenteeism or tardiness
6. Neglect of, or willful damage to public property or waste of public supplies.
7. The use or attempted use of one's authority or official influence to control or modify the political action of any person in the service, or engagement in any form of political activities during working hours.
8. Conduct unbecoming of an employee of the Township.
9. Commission of a criminal act.

When a Department Head or a Supervisor believes that an employee is not conforming to the Township policies and rules, or specific instructions given them, or has acted improperly, the Supervisor should privately discuss the matter with the employee concerned in order to obtain the employee's view point. The Supervisor should, if possible, obtain assurance that there will not be a repetition of the incident.

How would disciplinary action be carried out?

Any disciplinary action taken by management against an employee must be initiated within a reasonable amount of time of the alleged violation or within a reasonable amount of time management could be expected to have gained knowledge of the violation.

Should the Supervisor consider the offense sufficiently serious to warrant discipline, the employee should be so advised, and a written report of the incident and the action taken should be placed in the employee's personnel file.

The matter should also be reviewed with the Township Manager and/or the Director of Human Resources.

The following are forms of disciplinary action which may be taken, not necessarily in this order, depending on the nature of the violation in each individual case:

1. Oral reprimand – Oral statement administered by a Supervisor or Department Head to an employee.
2. Written reprimand – Formal statement delivered in writing by a Supervisor or Department Head to an employee.

SECTION VIII

3. Suspension – The temporary separation of an employee from employment for a defined period of time with or without pay (at the discretion of the Manager). Department Heads have the authority to suspend up to three days with or without pay, without the Manager's approval.
4. Termination – The permanent separation of an employee from employment for cause.

A decision as to the type of disciplinary action to be taken by the Township against an employee for a breach of discipline should be determined by the following:

1. The seriousness and circumstances of the particular offense.
2. The past conduct record of the employee with relation to his/her length of service.
3. The lapse of time since the employee's last breach of discipline.

PERSONNEL RECORDS

The Township Manager will provide that appropriate personnel records are maintained for each employee of the Township. These records shall be kept in the Human Resources Department and shall include the following information: Appointments and promotions, job titles, salaries, commendations, performance evaluations, merit ratings, disciplinary actions, grievances, amounts of leave accrued and used, and a record of the employee training and other related matters.

Personnel records are considered to be of a confidential nature and are available for review only to the employee or to the respective Department Head/ Supervisor on a need-to-know basis. Employees are entitled to review the contents of their personnel folder once each year unless circumstances warrant otherwise.

Employees wishing to review their personnel folder may do so during normal working hours but must first receive the approval of their supervisor or Department Head.

Any review of personnel folders by employees will be done in the presence of an authorized member of the Township Manager's Office or the Human Resources Department.

Employees will not be permitted to take the personnel folders from the office, or

SECTION IX GENERAL WORK RULES & STANDARDS

to remove documents from the folder. Copies of specific items may be made by the authorized members mentioned above. The Township reserves the right to charge a reasonable fee for such copies.

Employees are not permitted to place any items in the Township Personnel file without first reviewing the item with their Supervisor or Department Head.

REPORTING PERSONNEL ACTIONS

Department Heads shall notify the Human Resources Department using appropriate forms of approved personnel actions taken on behalf of one or more of its employees.

All personnel actions must be in accordance with policies and procedures outlined in the Township's *Policy & Procedure Manual*.

Notification of approved personnel actions should be sent to the Human Resources Department prior to the action becoming effective, but no later than the next working day.

A copy of all personnel actions will remain on file in the Human Resources Department in the respective employee's personnel folder.

SECTION IX GENERAL WORK RULES & STANDARDS

AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, creed, color, religion, sex, sexual orientation, age, national origin, marital status and veteran status, disability or handicap.

It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.

The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, and all other employment-related activities.

Employment discrimination is prohibited against "qualified individuals with disabilities." This includes applicants for employment and employees. An indi-

SECTION IX

vidual is considered to have a "disability" if they have a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Persons discriminated against because they have a known association or relationship with an individual with a disability also are protected.

An individual with epilepsy, paralysis, AIDS, a substantial hearing or visual impairment, mental retardation, or a specific learning disability is covered, but not an individual with a minor, non-chronic condition of short duration, such as a sprain, broken limb, or the flu.

The Township of Montclair complies with the employment requirements of the ADA. For more information about Americans with Disabilities Act, call the AD/Information Line 800-514-0301 (voice), 800-514-0383 (TTY), or contact the Human Resources Department.

DEPARTMENT RULES AND REGULATIONS

Subject to the approval of the Township Manager, a Department Head may, from time to time, as they deem necessary, establish, amend, and/or supplement rules and regulations.

Such rules and regulations shall not be inconsistent with New Jersey State Statutes, Township of Montclair Personnel Policies and Procedures, any Township of Montclair Ordinances, or collective bargaining agreements.

EQUIPMENT & SUPPLIES

It is the responsibility of the Department Head/Supervisor to ensure that employees have the necessary equipment and supplies for accomplishing assigned tasks.

Employees are responsible for taking care of any equipment assigned to them and for returning all equipment when finished with it. Employees are further responsible for assuring the proper use of all equipment supplies assigned to them.

Employees of the Township shall not remove, or in any way assist in the removal of, supplies, materials, goods, or equipment belonging to the Township of Montclair from its offices or facilities unless such removal has been authorized by the Department Head.

Employees of the Township of Montclair are not to use equipment, supplies,

postage or other materials of the Township of Montclair for personal use and shall surrender all such equipment upon separation from employment for any reason.

IDENTIFICATION CARDS

Certain employees, including all inspectors and those who perform enforcement functions are required to carry identification cards which remain the property of the Township of Montclair. The card shall bear the photograph of the employee and shall be surrendered upon termination.

Department Heads are responsible for assuring that employees are supplied identification cards when necessary.

LUNCH ROOM FACILITIES

An area convenient for employees will be designated as a lunch room and will be used for eating lunch, or other meals if appropriate, and for break periods.

Employees using this facility are responsible for maintaining its neat and clean appearance.

POLITICAL ACTIVITY

The following are general guidelines regarding employee participation in political activities. These guidelines are not intended to be complete in scope but rather to provide general guidance on political participation by Township employees.

Permissible activities would include:

1. Registration and voting;
2. Voluntary financial contributions to political candidates or organizations;
3. Participation in politics or political campaigns provided such participation does not interfere with work, or cause loss of work time, or is not prohibited by law;
4. Signing nominating petitions in support of individuals;
5. Display of political materials in the employee's home or on the employee's property.

Prohibited activities would include:

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1. Any activity explicitly forbidden by statute, ordinance, or directive;
2. Financial demands to contribute to political candidates, parties or organizations;
3. Using municipal equipment, personnel or facilities that are not normally accessible to the public for the purpose of electing or defeating any candidate running for office.

Please consult your supervisor or the Human Resources Department to determine how your political activity may be restricted.

SEXUAL & OTHER FORMS OF HARASSMENT

The Township of Montclair will maintain a work place free of sexual harassment and harassment on the basis of race, creed, color, religion, sex, sexual orientation, age, national origin, marital status, and veteran status, disability or handicap. In providing a workplace that is positive and discrimination free, employees should be aware that harassment is unacceptable conduct and will not be condoned.

Although it is impossible to spell out completely all prohibited behavior, the following may be of further help in what constitutes harassment:

Harassment is defined as any person's conduct which unreasonably interferes with an employee's performance by creating an intimidating, hostile, or offensive working environment. This includes, but is not limited to, ethnic or sex-related slurs, unwelcome sexual advances, the display of derogatory graphic materials, verbal or physical conduct of a racial or sexual nature, or other forms of harassing conduct.

Sexual harassment includes:

Requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct by an individual is used as an implied or stated promise of preferential treatment or negative consequence concerning an individual's employment status.

Verbal abuse or kidding that is sexually oriented and considered unacceptable by another individual, including commenting about an individual's body or appearance where such comments go beyond mere courtesy; telling "dirty jokes" that are clearly unwanted and considered offensive by others, or any sexually-oriented comments, innuendoes or actions that offend others.

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Engaging in any type of sexually-oriented conduct that would unreasonably interfere with another's work performance, including extending unwanted sexual attention to someone that reduces personal productivity or time available to work at assigned tasks.

Creating a work environment that is intimidating, hostile or offensive because of unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands, physical contacts or attention or display of posters, photos or calendars. This type of behavior is unprofessional, and produces an uncomfortable work environment. It will not be tolerated.

Sexual harassment may also consist of intimidating, abusive or hostile behavior of a nonsexual nature toward an employee because of his/her gender. Verbal abuse and hostility that is not sexual in character but is directed solely at females because they are females or males because they are male, for example, is likewise a violation of this policy on the same level as harassment of a sexual nature.

Harassment on the basis of race, creed, color, religion, sex, sexual orientation, age, national origin, marital status, and veteran status, disability or handicap.

Who is responsible for carrying out this policy?

Because the nature and seriousness of sexual harassment and harassment on the basis of race, color, religion, national origin, age, sexual orientation, physical handicap or disabilities in the workplace, the receipt of complaints, investigation and recommendation for disciplinary action, if necessary, shall be the responsibility of the Town Manager and the Director of Human Resources.

What do you do if you have a complaint?

Individuals who experience harassment, whether sexual or on the basis of race, color, religion, national origin or other protected status, should make it clear to the offending persons that such behavior is offensive to them.

Any person who feels he/she is a victim of harassment of any form should file a complaint with the Human Resources Director. If any department head or other supervisory personnel receives a complaint or becomes aware of instances of any form of harassment they should promptly report the incident to the Town Manager or Human Resources Director.

Each complaint of harassment will be fully and completely investigated. All investigations will be handled with discretion sensitivity and due concern for the dignity of those involved, and will be as thorough as necessary. Anyone who is

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alleged to have committed acts of harassment will be contacted during the investigation and permitted to make a statement. All employees are assured that they may make such reports and participate in the investigation without fear of retaliation.

For further information about this policy, contact the Human Resources Department.

TRAINING

The Township of Montclair recognizes that training is an integral function of management and an essential requirement for all employees. Employees will attend training programs as required by state law or Township policies.

Employees are encouraged to obtain job-related training not available in house by attending programs, seminars, and government conferences. Reimbursement for mandatory or optional job related training shall be in accordance with current budget allowances and Township policy.

The Human Resources Director will notify Department Heads of in-service and out-service training opportunities available for employees.

Department Heads will advise employees of training opportunities and will post notices of such programs.

Employees shall advise their Department Heads in writing of their desire to attend in-service or out-service training programs which are given during normal working hours.

Department/Division Heads shall either approve or deny in writing, giving specific reasons for their decision, employee requests for options in or out-service training. Department Heads will forward their approval/denial to the Human Resources Director within 3 days of receipt of employee request.

Reimbursement of out-service training courses must come from each department's operating budget.

USE OF TOWNSHIP VEHICLES

The Township of Montclair acquires vehicles to be used exclusively in the carrying out of Township business. The allocation and assignment of vehicles is done through the Township's Vehicles Master Plan. Employees who are entrusted with the operation of Township vehicles must possess the valid driver's

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license or certification required to operate the specific vehicle that is assigned to them.

Township vehicles are only to be used by those employees who receive the permission of a duly appointed supervisor. Use for personal reasons is strictly prohibited except in cases where allowed by contract or if done with the consent of the Township Manager. Passengers are not allowed in Township vehicles unless authorized by a supervisor and/or required in the conduct of Township business.

Township vehicles are to be operated in compliance with all federal, state, county and municipal laws. Operators must have proper and current certification and/or licensure to operate the vehicle to which they are assigned.

Some employees are assigned to a vehicle that they are allowed to drive home to facilitate their prompt return to work when the situation warrants. This vehicle is not to be used for personal trips or errands nor is anyone but the employee allowed to operate the vehicle. In this case, outside of work hours (unless specifically exempted by the Township Manager) the employee is only to use the Township's vehicle for transportation between home and work. When the employee is on vacation or away from work for an extended period of time, the vehicle must be left at a designated Township parking facility to be available for use for Township business as necessary.

All employees are expected to exercise care in the operation of any assigned vehicle. If appropriate, employees should ensure that the assigned vehicle receives regular preventative maintenance, i.e., fluid level check, tire pressure check, etc.

If involved in an accident while operating a Township vehicle, the employee must (a) request the response of the local police to complete an accident report (b) exchange driver's license, registration and insurance information with the other driver, if applicable; and (c) report the accident to a supervisor immediately.

Any employee found to have used a Township vehicle in an inappropriate manner or without proper authorization will be subject to disciplinary action up to and including termination and may be subject to having criminal charges filed against him or her if appropriate.

USE OF PRIVATE VEHICLES

Each employee who is authorized to use a privately owned vehicle in the per-

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formance of his/her official Township of Montclair duties and who is being reimbursed for such private vehicle use is responsible for:

1. Carrying liability insurance with a minimum coverage of \$100/300,000 for personal injury liability; and \$25,000 for property damage with a company approved by the New Jersey Department of Insurance.
2. Supplying evidence that such coverage is in full force and effect
3. Complying with all motor vehicle laws of the State of New Jersey.
4. The reimbursable mileage allowance for Township of Montclair employees who use their private vehicle to perform their official duties shall be as periodically published by the Township's Financial Officer.

Mileage reimbursement requests shall be submitted on the appropriate requisition forms available in the Finance Department.

REPORTING VEHICLE ACCIDENTS

It will be the obligation of each Department Head to ensure that each accident is reported and accident forms are properly executed and distributed per procedure.

In general, all accidents involving Township owned equipment and/or covered by Township insurance are to be reported immediately to the Montclair Police Department and the employee's Department Supervisor for on-scene investigation and finishing with a police department accident report. In the event police cannot be contacted, drivers will exchange (1) Name & Address, (2) Driver's License Number, (3) Insurance Company & Policy Number, (4) Vehicle Registration, (5) Location of Accident, (6) Date and Time, and (7) Roadway & Weather Conditions.

All employees shall truthfully answer any questions concerning the investigation of an automobile accident. Any false statements made concerning an automobile accident shall subject the employee to disciplinary action.

If vehicle is disabled, arrangements are to be made to have the vehicle towed to the Public Works Center.

Employee involved in the vehicle accident shall notify his/her supervisor as soon as possible and the employee shall complete the standard accident form.

The supervisor shall notify the Department Head and the safety committee rep-

representative of the respective department regarding the accident.

The complete accident form together with a police report shall be forwarded as quickly as possible to the Township Manager, Department Head, Township Attorney, and the Township Purchasing Agent, who in turn will process the necessary paper work to the Township's insurance broker.

If estimates for repair work of the vehicle are required, the Township's Purchasing Agent shall make all necessary arrangements.

For more information about reporting vehicle accidents, consult the Township's *Policy & Procedure Manual*, or contact the Human Resources Department.

WORKPLACE VIOLENCE

The Township maintains the policy that any violent acts or threats of the same, made by any employee, volunteer, contractor, vendor or elected or appointed official against another person's life, health, well-being, and family or property or for the purpose of intimidation, are entirely unacceptable and cause for immediate action, including where appropriate, termination of the unacceptable and cause for immediate action, where, termination of the relationship with the Township. This policy applies to any threats made on Township property, at Township events or under other circumstances that may negatively affect the Township's ability to conduct business. Such acts or threats of violence whether made directly or indirectly, by words, gestures or symbols, infringe upon the Township's right or obligation to provide a safe workplace.

Any individual who believes that he or she has been the target of violence or threats of violence or intimidation, or has witnessed or otherwise learned of violent conduct by conduct by another in the capacity Described above, should contact the Director of Human Resources and his and her immediate supervisor immediately.

Prohibited Conduct

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

1. Causing physical injury to another person;
2. Making threatening remarks;
3. Aggressive, hostile or intimidating behavior that creates a reasonable fear of injury or loss to another person or personal property or subjects another individual to emotional distress;

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4. Intentionally damaging employer property or property of another;
5. Possession of a weapon while on Township property or while on Township business;
6. Committing acts motivated by, or related to, harassment or domestic violence.

Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor or the Director of Human Resources. All reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The Township will actively intervene at any indication of a possibly hostile or violent situation.

Enforcement

Threats, threatening or intimidating conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any individual determined to have committed such acts will be subject to immediate discipline or other action including, where appropriate, termination. Individuals engaged in violent acts on Township premises will also be reported to the proper authorities.

WORK BEHAVIOR

Computer, E-Mail, & Internet Use

All computer equipment supplied to employees is the property of the Township of Montclair, is used for the purposes under which it was intended, and that personal use of any electronic systems is strictly prohibited. Deviation from this may result in disciplinary action being taken.

Acceptable Use:

1. Communication with professional associations, governments, universities, businesses and/or individuals associated with the facilitation of the Township business, research and education efforts as authorized by the Township Manager, Director of Information Systems and/or Department Head.
2. Distribution of information to the general public whereby such information is made available under the Township guidelines and policies for the release of information and the Freedom of Information

SECTION IX

Act.

3. Incidental communication among Township employees and professional colleagues which facilitates work assignments and professional development or debate in a work related field of knowledge.

Unacceptable Use:

1. Personal use not related to the conduct of work on behalf of the Township of Montclair or other organizations as set forth in agreements in contracts with the Township of Montclair.
2. To gain unlawful access of information or computer and communication resources.
3. Intentional introduction of, or experimentation with, malicious code such as computer viruses.
4. Illegal, fraudulent or malicious activity; political activity; religious promotion; or activity on behalf of organizations or individuals having no affiliation with the Township.
5. Transmission of material in violation of applicable copyright laws or patents.
6. The sending of messages or downloading of non-township material that are likely to result in the loss of recipients' work or system and any other types of use which could cause congestion of the network or otherwise interfere with the work of others.
7. Generation, storage, transmission or other use of data or other matter that is abusive, profane or offensive to a reasonable person.

Outside Employment

It should be understood by all Township of Montclair employees that their position with the Township is to be considered their primary job. Employees can engage in outside employment on off-duty hours provided such employment does not conflict with their Township duties, or interfere with the efficiency or performance of other employees of the Township.

All Township of Montclair employees are prohibited from using any Township tools, equipment, supplies, personnel, or facilities in the production or manufacture of goods, or in the provision of a service or services that result in a personal gain for the employee, or their private business.

Personal Appearance & Conduct

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It is the duty and responsibility of all employees of the Township of Montclair to present themselves in neat and clean attire, and deal with the public in a pleasant, courteous and businesslike manner.

Employees are also expected to treat their fellow workers of the Township with courtesy and respect.

Employees who are required to wear uniforms are to be in full appropriate uniform at all times while on duty.

Office employees are required to wear appropriate business office attire. On Fridays office employees are permitted the option to "dress down" by wearing casual clothes that are appropriate to a business office environment.

If any employee is found to be conducting themselves in a manner or demeanor contrary to the provisions stated above, they may be subject to disciplinary action up to and including discharge.

Personal Calls

A personal telephone call is one that is not necessitated by an employee's assigned work.

Township of Montclair employees are responsible for the following:

1. Restricting personal calls during business hours to emergency calls only.
2. Confining personal calls to lunch and rest periods unless an emergency arises.
3. Spending as little time as possible on any personal call made during business hours.
4. Using a coin-operated phone for personal calls whenever such a phone is available.
5. Reimbursing the cost of any personal call made on a Township of Montclair telephone.

Smoking

In an effort to protect the health, welfare and comfort of the public and employees from the detrimental effects of tobacco smoke and the involuntary exposure to same, the Township requires that:

1. Smoking is prohibited at all times at public meetings or assemblies, regardless of their location, to which the public is invited.

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2. Smoking is prohibited in all offices that are open to the general public, including the Township Clerk's office, Tax Collector's office, Tax Assessor's office, and in the reception areas of the Manager's office, Parks, Recreation and Cultural Affairs' office, Planning office, Finance Department, Health Department, and the office of Public Works.
3. Smoking is not permitted at any time in the elevator, hallways or public meeting rooms.
4. Smoking will be permitted only in areas that are enclosed, exhausted directly to the outside, and are maintained under negative pressure (with respect to surrounding spaces) sufficient to contain tobacco smoke within the designated area. This area must be physically separated from non-smoking areas and where non-smokers are not required to enter or pass through in the performance of normal work activities.

5.

Substance Abuse

Illegal use of drugs or alcohol is incompatible and unacceptable with employment at the Township of Montclair. The Township is committed to providing a safe work environment and to fostering the well-being and good health of its employees. The Township is also committed to being in compliance with all statutes and governmental regulations with regard to workplace drug use and drug testing.

Therefore the Township has established the following policy:

1. All employees are prohibited from being under the influence of illegal drugs or alcohol at any time while on duty.
2. It is prohibited for any employee to possess, sell, trade, or offer for sale illegal drugs or alcohol or otherwise engage in the illegal use of drugs or alcohol on the job.
3. As a condition of employment all employees must submit to and cooperate with drug testing prior to employment and as otherwise required by law or Township policy.
4. Employees must notify the Township in writing of any criminal drug conviction occurring in the workplace no later than five calendar days after such conviction.
5. An employee found to be an abuser of drugs or alcohol, whether through test results or voluntary admission, may be given one opportunity for rehabilitation. The foregoing notwithstanding, no job

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applicant who fails a pre-employment drug test will be hired.

6. The Township reserves the right to inspect, investigate and search for controlled substances at any time, with or without prior notice, on or in any and all Township premises and vehicles.
7. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

The Township's policy on substance abuse is extensive. Please refer to the Township's *Policy and Procedure Manual* for further details.

EXHIBIT A

EMPLOYEE ACKNOWLEDGEMENT

By signing below, I acknowledge that it is my responsibility to have read and understood the policies outlined in this employee handbook. I understand that the handbook is intended only as a general reference and not a full statement of policies and procedures or a legal contract.

I agree to keep this book in my possession during my employment and to update it whenever provided with materials to do so.

I further understand that each handbook is the property of Township of Montclair and that copying any section of the book is not permitted. I agree to return the book upon terminating my employment with the Township of Montclair.

I also understand Township of Montclair employment practices operate under the legal doctrine known as "employment at will," which means that unless I have a personal employment contract, or am employed in a position subject to labor contract negotiations, my employment can be terminated at any time, and for any reason, subject to state and federal employment laws and regulations.

Date: _____

Signature: _____

Print Name: _____

Department: _____

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