

**HAINESPORT TOWNSHIP  
PERSONNEL POLICY AND PROCEDURES  
MANUAL  
&  
EMPLOYEE HANDBOOK**

**November 9, 2021**

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The Township of Hainesport is an Equal Opportunity Employer

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## **IMPORTANT NOTICE TO ALL EMPLOYEES**

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

THE CONTENTS OF THIS HANDBOOK/MANUAL ARE GUIDELINES ONLY AND SUPERSEDE ANY PRIOR MANUAL, HANDBOOK, AND ANY OTHER ORAL OR WRITTEN STATEMENTS OR DIRECTIVES. NEITHER THIS HANDBOOK/MANUAL NOR ANY OTHER GUIDELINES, UNDERSTANDING, REPRESENTATION, POLICIES OR PRACTICES CREATE AN EMPLOYMENT CONTRACT OR ANY TYPE OF PROMISE OR AGREEMENT OF ANY KIND REGARDING EMPLOYMENT WITH THE TOWNSHIP OF HAINESPORT ("TOWNSHIP"). THE TOWNSHIP 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 UNLESS IT IS A TERM IMPOSED BY LAW. THE POLICIES AND PROCEDURES CONTAINED IN THIS HANDBOOK/MANUAL ARE NOT INTENDED TO VOID, REPLACE OR CONFLICT WITH TERMS IMPOSED BY LAW.

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, WAS PRE-APPROVED BY THE TOWNSHIP COMMITTEE AND, IF AUTHORIZED, SIGNED BY THE TOWNSHIP ADMINISTRATOR. EMPLOYMENT WITH THE TOWNSHIP OF HAINESPORT IS AN AT-WILL AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE OR NOTICE BY THE EMPLOYEE OR THE TOWNSHIP.

THIS HANDBOOK/MANUAL CONTAINS MANY, BUT NOT NECESSARILY ALL OF THE RULES, REGULATIONS, AND CONDITIONS OF EMPLOYMENT FOR TOWNSHIP PERSONNEL. THE PROVISIONS OF THIS HANDBOOK/MANUAL MAY BE AMENDED AND SUPPLEMENTED FROM TIME TO TIME AT THE SOLE DISCRETION OF THE TOWNSHIP.

IT IS THE POLICY OF THE TOWNSHIP TO TREAT EMPLOYEES AND PROSPECTIVE EMPLOYEES IN A MANNER CONSISTENT WITH ALL APPLICABLE LAWS AND REGULATIONS. THE PERSONNEL POLICIES OF THE TOWNSHIP SHALL APPLY TO ALL EMPLOYEES, VOLUNTEERS, ELECTED OR APPOINTED OFFICIALS AND INDEPENDENT CONTRACTORS. IN THE EVENT THERE IS A CONFLICT BETWEEN THESE POLICIES AND ANY PERSONAL SERVICES CONTRACT, OR FEDERAL OR STATE LAW, THE TERMS AND CONDITIONS OF THAT CONTRACT OR LAW SHALL PREVAIL. IN ALL OTHER CASES, THESE POLICIES SHALL PREVAIL.

ALL EMPLOYEES, OFFICERS AND DEPARTMENT HEADS SHALL BE APPOINTED AND PROMOTED BY THE TOWNSHIP COMMITTEE. NO PERSON SHALL BE EMPLOYED OR PROMOTED UNLESS THERE EXISTS A POSITION CREATED BY AN ORDINANCE ADOPTED BY THE TOWNSHIP COMMITTEE AS WELL AS THE NECESSARY BUDGET APPROPRIATION AND SALARY ORDINANCE.

## **I. ANTI-DISCRIMINATION and ANTI-HARASSMENT POLICIES**

### **A. Protected Class Status Defined**

From time to time within this document, as well as others, reference may be made to “protected class status” which means an individual’s race, color, sex, religion, creed, national origin, ancestry, age, affectional and sexual orientation, gender identity or expression, political, domestic partnership, civil union or marital status, pregnancy, childbirth, physical or mental disability, atypical hereditary or cellular blood trait, genetic information, citizenship, veteran status, or other basis, characteristic or trait protected by federal or state law.

### **B. Equal Employment Opportunity & Pay Equality**

The Township of Hainesport (the “Township”) is an Equal Opportunity Employer (EOE). The Township does not discriminate in matters of hiring, promotion, transfer, discharge, pay, fringe benefits, terms, conditions or other matters of employment on the basis of protected class, except where such considerations are bona fide occupational qualifications or are otherwise permitted by law. Additionally, the Township does not discriminate based upon association with a member of a protected class. The Township will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a disability. The Township will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, persons who are pregnant or effected by pregnancy, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose under hardship on the Township.

Except as otherwise permitted by law, an employee who is a member of a protected class is not paid a lower rate of compensation or provided lesser benefits than an employee outside of that protected class provided both employees perform substantially similar work.

Regardless of when or where it takes place, *if you have a good faith belief* that you have, or another individual has, been subjected to unlawful discrimination, harassment or unfair treatment, or if you believe the compensation or benefits paid to you is different than another employee who is not within the same protected class as yourself, please use the complaint Reporting Procedure detailed within these materials. All employees of the Township share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone. Any employee involved in unlawful discrimination or harassment will be subject to corrective action up to and including termination.

### **C. Anti-Discrimination Policy**

The Township does not tolerate any form of unlawful discrimination in the workplace because of a person’s protected class status (as defined above). Additionally, the Township does not tolerate unlawful discrimination based on an individual’s association with a member of a protected class. The Township expects all employees, as well as volunteers, guests, vendors, suppliers, contractors, other non-employees and others not directly connected with the Township (collectively referred to as “non-employees”) with respect and courtesy, both in their speech and in their conduct. During the course of or in connection with their employment by the Township, employees are prohibited from engaging in unlawful discrimination against non-employees. Likewise, the Township expects all non-employees to treat our employees with respect and courtesy in their speech and conduct. This policy also applies to all incidents of unlawful discrimination including instances which occur off premises or off-hours that are sufficiently connected to the workplace.

The Township also does not discriminate against an individual with respect to his/her pay, compensation, benefits, or terms, conditions or privileges of employment because of the individual's sex. Unlawful discrimination, including but not limited to unlawful harassment, includes a wide range of obvious and subtle comments and conduct. Depending on the circumstances, it may include, but is not limited to, comments, jokes, insults, slurs, derogatory statements, teasing, caricatures or representations of persons using altered photos, drawings, pictures, images or cartoons, innuendoes, other statements, communications or conduct directed at, or treatment of another based upon, a person's protected class status or association with a member of a protected class.

If any employee of the Township forms a good faith belief that he or she is the victim of unlawful discrimination by another employee or non-employee or if any employee learns of unlawful discriminatory treatment of another, the Township strongly encourages the employee to report the matter to their supervisor or the Township Administrator as soon as possible. Please refer to the "Reporting of Complaints or Violations" section of this Handbook/Manual.

Any employees involved in unlawful discrimination will be subject to corrective action up to and including termination.

#### **D. Workplace Violence Policy**

The Township will not tolerate workplace violence. Violent acts or threats made by an employee against another person or property are cause for immediate dismissal and will be fully prosecuted. This includes any violence or threats made on Township property, while performing work on behalf of the Township, at Township events or under other circumstances that may negatively affect the Township's ability to conduct business or negatively reflect upon the Township as deemed by the Township.

Prohibited conduct includes:

- Causing physical injury to another person;
  - Making threatening remarks;
  - Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
  - Intentionally damaging employer property or property of another employee;
  - Possession of a weapon while on Township property or while on Township business except with the authority of the New Jersey State Police; and
  - Committing acts motivated by, or related to, unlawful harassment or domestic violence.
- Any potentially dangerous situations must be immediately reported to the Township Administrator. The Township will actively intervene in any potentially hostile or violent situation.

#### **E. Anti-Harassment Policy**

The Township does not tolerate any form of harassment in the workplace because of a person's protected class status (as defined above). Additionally, the Township does not tolerate harassment based on an individual's association with a member of a protected class. The Township expects all employees, as well as volunteers, guests, vendors, suppliers, contractors, other non-employees and others not directly connected with the Township (collectively referred to as "non-employees") with respect and courtesy, both in their speech and in their conduct. During the course of or in connection with their employment by the Township, employees are prohibited from any form of harassment against non-employees. Likewise, the Township expects all non-employees to treat our employees with respect and courtesy in their speech and conduct. This policy also applies to all incidents of harassment including instances which occur off premises or off-hours that are sufficiently connected to the workplace.

Below are examples of different types of harassment:

- submission to such conduct is made wither explicitly or implicitly a term or condition imposed on the individual
- submission to or rejection of such conduct is used as the basis for a decision affecting an individual
- such conduct has the purpose of effect of unreasonably interfering with an individual's work performance or activities, or creates an intimidating, hostile, or offensive environment
- sexual harassment can include harassment between individuals of the same gender
- sexual harassment may include, but is not limited to, repeated offensive or unwelcome sexual advances; subtle or overt pressure for sexual favors; sexual jokes; verbal comments or innuendo of a sexual nature; propositions or advances; graphic commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, touching, pinching or other physical touching; suggestive, insulting or obscene comments or gestures; display of sexually suggestive objects or pictures.
- unlawful harassment can be verbal or written
- Workplace intimidation or bullying, including inappropriate behavior, either direct or indirect, conducted by one or more persons against another or others, at work or in the course of employment. Intimidation or bullying means any gesture, written, verbal or physical act or communication that is reasonably perceived as being motivated either by any actual or perceived characteristic such as a person's protected class status or association with a member of a protected class
- Slandering, ridiculing or maligning a person or his/her family in an intimidating or abusive manner, persistent name calling that is hurtful, insulting or humiliating, using a person as the butt of jokes
- Pushing, shoving, kicking, piking, tripping, assault or threat of physical assault
- Nonverbal threatening gestures or glances that convey threatening messages

The Township strongly encourages its employees to promptly report any harassment, threats or acts of intimidation experienced or witnessed on or off its premises which is connected to the Township. All complaints will be investigated to the extent warranted, and all employees contacted are expected to cooperate in the investigation.

If any employee of the Township forms a good faith belief that he or she is the victim of unlawful harassment by another employee or non-employee or if any employee learns of unlawful harassment treatment of another, the Township strongly encourages the employee to report the matter to their supervisor or the Township Administrator as soon as possible. Please refer to the "Reporting of Complaints or Violations" section of this Handbook/Manual.

Any employees involved in unlawful harassment will be subject to corrective action up to and including termination.

#### **F. Whistleblower Policy**

The Township is dedicated to its obligations under Federal and State laws and will not tolerate retaliatory action or reprisal (e.g. demotion, suspension, termination or other retaliatory action) against an employee who refuses to participate in unlawful or unethical activity, discloses unlawful activity or reports acts of discrimination or unlawful harassment.

Among other things, the Township does not allow retaliation or reprisal against an employee based upon the

following:

- The employee discloses or threatens to disclose to a supervisor or to a public body an activity, policy or act that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law
- The employee provides information to, or testifies before any public body conducting an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law
- The employee objects to, or refuses to participate in any activity, policy or act that the employee reasonably believes is a violation of 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

If you have a complaint of this nature, questions or desire further information please promptly contact the Township Administrator. You may also make your complaint to the Township Personnel Committee.

Employees are encouraged to raise any issue or conduct they perceive to be improper. All complaints will be taken seriously and promptly investigated.

***The Township will not tolerate any retaliation for making a good faith complaint or report under this policy or its Whistleblower Policy, or for assisting in an investigation of such a complaint.***

#### **G. Anti-Retaliation**

No person who reports unlawful harassment, discrimination, retaliation, or other unlawful conduct, or who furnishes information or testimony with respect to the occurrence of such matters, shall be subject to retaliation in any form from the Township, Township Officials, Department Heads, supervisors, employees, volunteers or other non-employees. Regardless of when or where it takes place, if you have a good faith reasonable belief that you have been subjected to, or become aware of another individual who has been subjected to, retaliation in violation of this policy, the Township urges you to promptly report it directly to the Township Administrator or the Township Personnel Committee. Retaliation can take different forms including, but not limited to, discouraging the making, filing, pursuit or participation in an investigation of a complaint made to the Township or a Federal or State agency as well as written or oral statements, conduct, threats of harm or intimidation, or other behavior which negatively effects a person's work environment, pay, or other terms, conditions, or privileges with the Township. If an employee or non-employee makes a complaint about you, do not take any action or otherwise engage that individual with respect to their complaint. Instead, allow the Township to address the matter in order to avoid another issue or dispute from arising.

The Township forbids any form of retaliation against an employee or non-employee for making a complaint. The investigation will be performed by an individual who is not alleged to be involved in the claimed harassment, discrimination, or wrongdoing. All Township employees share in the responsibility for assuring that by their personal actions the Township's policies are effective and apply uniformly to everyone. Accordingly, any Township Officials, Department Heads, supervisors or other employees involved in retaliation will be subject to corrective action up to and including termination. The Township will likewise take appropriate action for retaliatory acts committed by outsiders which are directed at a Township employee.

## H. Reporting of Complaints or Violations

Every employee owes an obligation to themselves, their co-workers and the Township to promptly report any complaint or policy violation, especially any violation of the Township's policies including but not limited to the Township's EEO, anti-discrimination, anti-harassment, anti-retaliation and whistleblower policies. The Township relies upon its employees to make an immediate report of violations to ensure its ability to promptly, effectively and efficiently act on problems while the incident remains fresh in the minds of witnesses, witnesses can be more readily identified, evidence can be collected and preserved, timely statements may be obtained, and in order to maintain the integrity of the workplace. Prompt reporting also ensures a balance between protecting employees from improper conduct and providing the accused a fair opportunity to address the allegations. Failure to make a prompt report risks; loss of witnesses, faded, unclear or loss of recollection by witnesses; loss or diminished opportunity to collect or preserve evidence including but not limited to the loss of pertinent records or other valuable information; subjecting yourself and/or others to similar conduct. A failure to promptly report can also prevent or impair the ability to conduct a fair and balanced investigation including but not limited to impairment or interference with obtaining a complete and truthful account of the events, as well as, address or remedy the circumstances and prevent further violations.

## I. Americans with Disabilities Act & Accommodations

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

It is the policy of the Township to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the LAD. The Township will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth, or pregnancy related medical condition. The Township will accommodate a pregnant employee, and employee experiencing a pregnancy-related condition or experiencing a medical condition related to pregnancy or childbirth (hereinafter collectively referenced to as "woman affected by pregnancy") and the Township will treat the employee similarly as any other employee with a short-term, non-work related, medical condition. Requests for accommodations by a woman affected by pregnancy must be supported by a health care provider's statement containing sufficient facts and opinions to establish the medical necessity of the accommodation.

Please immediately direct all access or other disability related issues to the Township Administrator as soon as you learn about it. This includes any matter involving an employee's request or need for an accommodation in order to perform his or her job duties. **Do NOT attempt to resolve any disability related issue yourself.** The Township Administrator shall engage in an interactive dialogue with the employee and/or healthcare professionals to identify reasonable accommodations. If the Township Administrator determines that the employee's condition unreasonably interferes with his/her ability to perform the essential functions of their position or creates a risk of serious harm or death to the employee or others, the employee may be reassigned as a reasonable accommodation absent an undue hardship or placed on a leave of absence for a reasonable period of time (if possible).

All decisions with regard to reasonable accommodation shall be made by the Township 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 Township to offer permanent “light duty”, re-allocate essential job functions, or provide personal items such as eyeglasses, hearing aids, wheelchairs, etc.

The Township will comply with its legal obligations to reasonably accommodate an employee’s religious beliefs provided it does not result in an undue hardship or create a risk of harm or death to the safety of the employee or others. An employee seeking a religious accommodation must contact the Township Administrator with the following information; the need for the accommodation, the conflict created between the religious obligation and work. Each request will be determined on a case-by-case basis. **No employee will be retaliated against for requesting or utilizing an accommodation.**

#### **J. Contagious and Life Threatening Illness Policy**

The Township encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. As in the case of other disabilities, the Township, through the Township Administrator, shall meet any obligation or duty it owes to qualified employees and members of the public.

The Township 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 Township.

## **II. CONDUCT OF EMPLOYEES**

### **A. Ethical Conduct**

Employees including Township officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Township. Violations of this policy will result in appropriate discipline including termination.

The Township recognizes the right of employees to engage in outside activities that are private in nature, unrelated to Township business and do not conflict or otherwise distract the employee from the performance of their position which the Township as determined by the Township. However, business dealings that appear to create a conflict between the employee and the Township’s interests are unlawful under the New Jersey Local Government Ethics Act. Under the Act, certain employees and officials are required to annually file with the Township Administrator a state mandated disclosure form. The Township Administrator will notify employees and Township officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an employee including a Township official is in a position to influence a Township decision that may result in a personal gain for the employee or an immediate relative including a spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter or son - in-law, grandchildren, niece or nephew, uncle or aunt, or any person related by blood or marriage residing in an employee’s household. Employees are required to disclose possible conflicts so that the Township may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Township Administrator to obtain clarification.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Township duties. Under no circumstance shall an employee accept donations, gratuities, contributions or gifts

from a vendor doing business with or seeking to do business with the Township or any person or firm seeking to influence Township decisions. A meal and/or entertainment item valued in excess of \$400.00 is also prohibited. Employees are required to report to the Township Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

No Township employee shall undertake any employment or service, whether compensated or not, that, as determined by the Township, will interfere with the performance of that employee's official duties or which might reasonably be expected to impair that employee's objectivity and independence of judgment in connection with their official duties or appears to compromise the Township's interests. Employees are not permitted to perform any service on non-working time that are normally performed by the Township, engage in the unauthorized use of Township materials, tools or equipment, and the unauthorized use of any confidential information that may not be generally available to the public. In addition, employees are not permitted to conduct any outside business while working at the Township.

Employees are cautioned to consider the demands that additional employment creates. Outside employment shall not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.

#### **B. Political Activity**

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.

Pursuant to New Jersey law governing elections, no holder of a public office or position will demand payment or contribution from another holder of a public office or position for the campaign purpose of any candidate or for the use of any political party. No employee will directly or indirectly use or seek to use his or her position to control or affect the political action of another person or engage in political activity during working hours. No employee whose principal employment is in connection with a program financed in whole or in part by Federal funds or loans, will engage in any of the following prohibited activities under the "Hatch Act":

1. Using official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
2. Directly or indirectly coercing, attempting to coerce, commanding or advising an officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or
3. Being a candidate for public office in a partisan election.

The Hatch Act, 5 U.S.C. 1501 et seq., is enforced by the Special Counsel of the United States Merit System Protection Board. Department Heads or supervisors can advise an employee if his/her position is federally-funded.

***Nothing in this policy shall be construed as restricting employees from engaging in lawful, political activity while outside of working hours and outside of their official job duties.***

### **C. Employee Dating Policy**

The Township 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 Township has adopted the following policy on the subject of dating relationships between: a supervisor and subordinate, or individuals who can affect or approve the terms and conditions of one another including but not limited to as approval of payroll, purchase orders, scheduling, random checks or audits, personnel actions, testing or notices. For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title or classification, makes or has the authority to make decisions or to take action or recommend or provide input regarding decisions or 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 fit either of the above descriptions, both parties involved shall report the fact to their Department Head and the Township Administrator. The Township may take any action which it deems appropriate, up to and including transferring one of the parties. In addition, the Township reserves the right to address any work place 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 Township regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment for other interference with municipal operation.

### **D. Electronic Device and Recording Policy**

It is critical to ensure that standards of ethical conduct be adhered to while conducting public business during closed session meetings. No local government officer, employee, official, or attendee may enter a closed session meeting with an electronic device. Violation of this policy may result in appropriate disciplinary action, public censure as decided by a majority of the governing body and/or civil action to recover the costs of investigating and documenting any violation of this policy.

No open or closed meetings between and among employees, supervisors, administrators, officials or officers may be conducted with any participant using or known to be using, an electronic device recording application or system. Violation of this policy may result in appropriate disciplinary action, up to and including dismissal.

## **III. CONDITIONS OF EMPLOYMENT**

### **A. Job Description Policy**

A job description including qualifications shall be maintained for each position. All job descriptions must be approved by the Township Committee. The Township Administrator will make copies available upon request.

### **B. Hours of Work**

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and unforeseeable absence must be immediately reported to the supervisor.

Unforeseeable means that the basis for the absence could not be reasonably anticipated. Absent exceptional

medical circumstances, all absences must be reported to the supervisor no less than one (1) hour prior to the start of the normal workday. The employee must state the nature of the emergency or unforeseeable circumstance as soon as practical as well as the anticipated duration of absence. Failure to properly report lateness or an unforeseeable absence may result in non-payment of sick leave time as well as disciplinary action and/or ineligibility for paid leave payment.

The normal working hours for administrative departments are 7:30am to 4:45pm Monday through Thursday and 7:30am – Noon on Friday. The working hours for the Public Works Department are 6:15am to 3:30pm Monday through Thursday and 7:00am - Noon on Friday. Subject to advance approval by the Mayor, the Township Administrator may, from time to time, adjust the working hours for the administrative and/or public works departments.

1. **Excessive Unscheduled Absence/Tardiness**

Absent a medical necessity supported by documentation satisfactory to the Township, an employee who is absent three (3) or more consecutive days, or three (3) or more absences after use of forty (40) hours of available sick leave or lateness in a one-month period, or three (3) or more unexcused absence or lateness in a one-month period shall be considered excessive and subject the employee to appropriate disciplinary action. Additionally, an employee who has five (5) occurrences of unexcused absence or lateness, within a six (6) month period, shall be subject to appropriate disciplinary action as determined by the Township. Generally, instances of patterned unexcused absenteeism shall be reviewed on a case-by-case basis and shall be subject to appropriate disciplinary action regardless of the numerical standards defined above.

2. **Attendance and Punctuality**

The supervisor shall attempt to determine the reason(s) for the absence or lateness. If mitigating circumstances, i.e. proven emergency, personal problem, death in the family, etc., an exception to this policy may be considered after consultation with the Township Administrator. Provided the employee complies with notice and documentation obligations, and the time off is for legitimate reasons, the employee shall not be disciplined in connection with using the first forty (40) hours of available sick leave nor will it be taken into account in connection with application of the Township's attendance policies.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

3. **Time Records**

It is the policy of the Township to comply with applicable laws that require records to be maintained of the hours worked by employees. Accurately recording time worked is the responsibility of every employee. To ensure that accurate records are kept of the hours you actually work (including overtime hours where applicable) and of the accrued leave time you have taken, and to ensure that you are paid in a timely manner, you will be required to record your time worked using the Township's time recording system and record your absences as instructed by the Township within its official time records which should be completely regularly.

Time worked is the time actually spent on the job performing assigned duties. Altering, falsifying, tampering with time records, or recording time for another employee may result in

disciplinary action, up to and including termination of employment.

Employees must report ready to commence work at their scheduled start time, but should report to work no more than 10 minutes prior to their scheduled starting time nor stay more than 10 minutes after their scheduled stop time without expressed, prior authorization from their supervisor. Other violations of this policy include<sup>3</sup> failure to clock in on arrival or departure, failure to clock in or out for lunch, failure to work scheduled hours without advanced approval of your Department Head and making manual time entries instead of using the Township's time recording system by and employee subject to using that system.

4. **Breaks and Meals**

Salaried personnel, including administrative personnel, are entitled to a one-hour lunch that is to be arranged by the supervisor so that offices continue to function. Other employees are entitled to an unpaid one-hour lunch break, which will be scheduled by their supervisor. All employees are entitled to a 15-minute break in the morning and in the afternoon. Administrative personnel must arrange breaks so that offices continue to function. Breaks for other employees will be scheduled by the supervisor.

Whenever employees are directed by their supervisor to work more than twelve (12) continuous hours in a given calendar day due to an emergency (e.g., severe inclement weather such as hurricanes, significant floods, or severe snow storms), the employee shall receive a \$15.00 meal allowance and a ½ hour paid break.

5. **Early Closing or Delayed Opening**

In the event of unsafe conditions, the Township Administrator may authorize operations to close early than the normal working hours with advance notice and approval of the Mayor. If conditions exist prior to scheduled openings, the Township Administrator will notify employees of a delayed opening and a new opening time. A calling system will be announced and the employee chooses not to report to work, a full vacation day will be charged. Sick time will only be charged for 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 if they are needed to plow snow or any other duty as directed by the head of Public Works or the Township Administrator.

6. **Overtime**

For non-exempt employees, all hours worked over 40 hours in the work week will be considered overtime and will be compensated at the rate time and one-half (1 ½ x). Overtime may be earned only for extraordinary work assignments and must be authorized in advance by the employee's Department Head or Township Administrator. Employees who work unauthorized overtime will be subject to disciplinary action up to and including discharge. Exempt employees (including but not limited to managerial, administrative and professional employees) and highly compensated employees, as defined under the Fair Labor Standards Act, are not eligible for overtime compensation but are required to work the normal workweek and any additional hours needed to complete or fulfill their job duties without additional compensation.

**C. Job Performance Evaluations**

The Department Head will endeavor to complete a written evaluation and appraisal form for every employee

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

#### **D. Resignations**

An employee who intends to resign must notify their Department Head in writing at least two weeks in advance. After giving notice of their resignation, an employee is expected to assist their supervisor and co-workers 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 to the employee. The Township Administrator may conduct an 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. Upon request, but no later than the last day of work, the employee must return the Employee Identification Card, all keys and equipment. The employee will also sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

#### **E. Personnel Files & Records**

The official personnel files for employees are the property of the Township and shall be maintained by the Township Administrator. 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.

It is important that all employee records be kept current. In addition to other reporting obligations covered by other policies, employees must promptly report (within no less than ten (10) calendar days) in writing any changes to the following information to the Township Administrator and the Chief Municipal Finance Officer: legal name, address, phone number, person to be notified in case of emergency, marital status, number of dependents and insurance beneficiaries.

An employee may review the personnel file maintained by the Township regarding their employment in the presence of the Township Administrator at a mutually convenient time. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

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

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

Township. These circumstances include:

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

#### **1. Confidentiality**

Depending on an employee's specific position, the routine performance of duties may, from time to time, result in an employee's access to personnel records and other confidential material. The contents of personnel records and all other personal and confidential material concerning employees of the Township are strictly confidential and may not be disclosed except in accordance with law. Only employees specifically authorized to access such material may do so and only when necessary for performance of their job duties on behalf of the Township.

Confidential information made known to an employee in the course of their job duties may only be disclosed as required in the performance of their job duties. A breach of this policy can result in disciplinary action up to and including discharge.

#### **2. Employee Medical Information**

The Township will take reasonable precautions to protect medical 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 unless disclosure is otherwise provided for by law.
- 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.
- Anyone inappropriately disclosing such information shall be subject to disciplinary action including but not limited to termination from employment.

### **F. Appearance Policy**

Township employees are required to dress in appropriate business attire and to behave in a professional, businesslike manner. 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 department 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 revealing, provocative or suggestive attire, jeans, athletic clothing, shorts, sandals, t-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance. With the advance approval of the Township Administrator, the Township will make reasonable religious accommodations that do not violate safety standards. Upon a first offense, an employee violating this policy shall be required to take corrective action and/or will be sent home without pay. Thereafter, an employee failing to adhere to this policy may be subject to disciplinary action, up to and including discharge.

#### **G. Vehicle Use**

Unless an employee receives permission from the Township Administrator, Township vehicles shall be used only on official business and all passengers must be on Township business. The employee to whom a vehicle is assigned is responsible for its security and maintaining it in a safe operating condition. Employees are prohibited from sending, reading, reviewing, or otherwise causing others or allowing themselves to be distracted by text messages, emails or telephone calls while operating any vehicle or heavy equipment. By way of example and not limitation, an employee is prohibited from sending text messages or exchanging emails with another person they know or have reason to know to be operating any vehicle or heavy equipment. By way of example and not limitation, an employee is prohibited from sending text messages or exchanging emails with another person they know or have reason to know to be operating a vehicle at the time of communication.

The Township reserves the right to install monitoring devices of any kind including but not limited to GPS tracking equipment and video cameras. Vehicles may be taken home only with the advance approval of the Township Committee. The Township Committee may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Township vehicle, it is to be used only for official Township business; any other use is not permitted. At no time shall minors be in the Township; vehicle when responding to an emergency.

##### **1. Driver's License Policy**

Any person employed in a position that requires the operation of a Township vehicle must possess a valid New Jersey State Driver's License.

All new employees who will be assigned work entailing the operating of a Township 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 records review/checks shall be made by Department Heads or the Township Administrator. Any employee who does not hold a valid driver's license will not be allowed to operate a Township vehicle or a vehicle in connection with work for the Township until such time as a valid license is obtained.

Any employee performing work which requires the operation of a motor 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 incident, is subject to disciplinary action, including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a Township vehicle or a vehicle in connection with

performing Township duties shall be subject to possible termination.

Any information obtained by the Township in accordance with this section shall be used by the Township only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C.S.2721 et seq.)

#### **H. No Expectation of Privacy**

Employees shall have no expectation of privacy whatsoever in any message file, data, document, facsimile , or any other kind or form of information, transmitted to, received from, or stored on any electronic information system owned, leased, used, maintained, moderated or otherwise operated by the Township.

Employees shall also have no expectation of privacy in any vehicle, equipment, area, office, workstation, desk, or other area of the Township's property. The use, creation or change of any password, code, or any method of encryption, or the capacity to delete or purge files or messages, whether authorized or unauthorized by the Township, shall not be understood to give an employee any expectation of privacy in any message, file, data, document, communication, facsimile, or other kind of information transmitted to, received from, or stored on any electronic information system owned, leased, used, maintained, moderated or otherwise operated by the Township. The use of any lock or other mechanism, whether authorized or unauthorized by the Township, shall not be understood to give an employee any expectation of privacy in any area, office, work station, desk or other area of the Township's property.

The Township reserves the right to monitor or access, in its sole discretion, these items and areas with or without cause or notice to the employee. In addition, the Township reserves the right to search any vehicle, equipment, office, desk, files, or any other area or article on Township premises. The Township also reserves the right to install and use monitoring devices such as GPS tracking devices, cameras or other means of monitoring or surveillance on any Township vehicle or equipment without cause or notice of any kind for purposes related to determining the location of its equipment and, during work hours. Inspections or monitoring may be conducted at any time at the discretion of the Township. Information, data, video or other recording, collected by the Township as a result of such monitoring may be used for disciplinary or law enforcement purposes. This policy does not limit, impact or change lawful monitoring conducted by law enforcement authorities or the Township's monitoring of an employee's off duty conduct to determine violation of Township policies pertaining to leave verification, fraud or other lawful monitoring purpose.

#### **I. Computer and Communication Media Usage Policy**

In order to provide a viable data and communication system for the Township that supports the needs of all departments, security and confidentiality of the information must not be compromised. Security is a major concern throughout every office of the Township and its employees. This provision shall apply to the Day-to-day operations of all the Township's information and technology equipment, as well as mobile or portable units. Although this policy comprehensively addresses current security concerns, impending and future system developments may require additional security considerations.

The Township shall have the right to access any electronic information device utilizing any administrative or user password for the purpose of troubleshooting, supporting or maintaining the computer network or while investigating an incident or violation of this policy. All electronic information devices, their contents, email or electronic correspondence originating from or arriving on a device owned or authorized on the Township's

computer network, is the property of the Employer and is subject to entry and inspection without notice. Any data or information created or stored on the Township's computer network becomes the sole property of the Township. Ownership of said data is forfeited and all rights to ownership are surrendered to the Township.

In order to ensure that the Township's electronic network is being used only for legitimate business purposes, the Township reserves the right to enter or search any computer file, the email system, and/or monitor computer and email use. Accordingly, no employee should have any reasonable expectation of privacy regarding their use of the Township's computer or when utilizing the Township's computer network, including but not limited to electronic mail. All such documents or information may be subject to the provisions of the Open Public Records Act ("OPRA"), N.J.S.A 47:1a-1 et seq.

Further, Township business which is conducted by an employee on his or her personal computer or device is subject to this policy and may be subject to the provisions of OPRA.

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

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

Employee communications transmitted by the Township's Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Township. The Township reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Township's Communication Media.** By using the Township's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice by Township personnel. The existence of passwords does not restrict or eliminate the Township's ability or right to access electronic communications. Deleting or erasing email, computer files and /or discs, or messages from communication devices does not guarantee that the information contained therein is deleted or that it is otherwise not recoverable. Accordingly, employees should not use the Township's Communications Media to send, receive, or store any messages or information that they wish to keep private. **Only the Township Administrator, with advance approval from the Mayor, is authorized to access or grant authority to access the areas, data, equipment or facilities described within this policy.** The Township will not require an employee to provide their password to a personal email or social media account. **Promptly report any demand for the password to your personal email or social media account to the Township Administrator.**

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (N.J.S.A. 47:1A-1). Employees of the Township are

required to use the assigned municipal email account, voicemail account, cellular telephone/smart phone and other Communication Media equipment for ALL Township business, correspondence and communication. The use of private accounts or equipment for ANY Township business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on their personal emails, cell phones, or other personal Communication Media, it is also subject to the provisions of the Open Public Records Act.

Employees can only use the Township's Communication Media for legitimate business purposes. Employees may not use the Township's Communication Media in any way that is unlawful, defamatory, obscene, or reasonably constitutes unlawful harassment, bullying, threats or intimidation or in violation of other Township rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived protected class status or association with a member of a protected class. Further, discriminatory remarks, harassment, bullying, threats of violence and similar behavior that is not tolerated in the workplace are also not acceptable through Communication Media, whether same is performed on the Township's equipment or on the employee's own personal Communication Media.

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

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

Employees must not disable anti-virus, firewalls, encryption and other implemented security software for any reason, in order to minimize external risks to the Township's computing environment.

Employees may not install, modify or remove ANY hardware device, software application, program code, wither active or passive, or a portion thereof, without the express written permission from the Township. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Township, or licensed to the Township. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized. Workstation settings and configurations and network settings must not be modified by unauthorized employees.

Employees must not reveal or publicize confidential Township information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. No Township employee shall post internal working documents to social media sites. This includes, but is not limited to, screen shots of computer stations, pictures of monitors and/or actual documents without the prior approval of the Township Administrator.

No Media advertisement, electronic bulletin board posting, or any other communication accessible via the internet may be made on behalf of the Township, in a manner purporting to be on behalf of or with the authorization of the Township, whether through the use of the Township's Communication Media or

otherwise, unless it has first been approved by the Township Administrator or the Mayor. Specifically, employees are forbidden from using the Township's Communication Media to impersonate the employer, to make statements on behalf of the employer without authorization; and/or make statements that can be construed as establishing what the employer's official position or policy is on any particular issue.

## **J. Social Media Policy**

The Township recognizes that its employees may be using social media on their own time using their own devices or equipment for a variety of reasons, including socializing and other activities. The Township does not want to discourage employees from self-publishing and self-expression. However, the Township also realizes that the misuse of social media can be detrimental to the Township, the public it serves, employees and non-employees. For example, social media can be misused if it is used to unlawfully harass, bully or intimidate coworkers, residents, vendors or other person or organization.

It is the Township's policy that accessing and/or utilizing any social networking/media sites during work hours is prohibited unless it is part of our job duties. This restriction shall apply to any employee accessing social networking/media sites during work hours, whether such access is via Township or personal computers, mobile devices or other electronic devices. Violations of this policy may lead to disciplinary action up to and including termination.

Please note: as used in this policy, "social media" includes, but is not limited to, all means of communicating or posting information or content of any sort on the Internet including web pages, web sites, logs, chatrooms, blogs or journals belonging to you or another person, forums and social networking sites such as Twitter, Facebook, LinkedIn, YouTube, SnapChat, MySpace, TikTok, and any and all other community-oriented electronic, online sites or blogs (hereinafter "Social Media Activities").

### **1. Guidelines**

Employees are solely responsible for their online postings. Before creating online content, consider some of the risks and rewards. The following guidelines apply to Township employees and/or representatives who use or access social media or participate in Social Media Activities during non-working hours:

**Do Not Make Unauthorized Representation:** No employee shall knowingly represent themselves as a spokesperson of the Township, post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Township, expresses views that are detrimental to the Township's mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to a person's protected class status. Township employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Township employees.

**Include a Disclaimer:** Employees who identify themselves as Township employees must add a disclaimer on the front page or posting on a social media site stating that their posting and that of other employees do not express the views of the Township and the employees are expressing only their personal views. Employees must be clear and open about the fact that their views do not represent those of the Township, fellow associates, members, residents, vendors, suppliers, or people working on behalf of Township. *For example: "The views expressed on this website/web log are min alone and do not necessarily reflect the views of my employer"*. The disclaimer must be placed in a

prominent position and repeated for each posting that is expressing an opinion related to the Township or the Township's business with the exception of postings or social media communications by employees engaged in protected concerted activities. Unless authorized by the Township Administrator or explicitly stated as part of your job duties, an employee should neither claim, nor imply, that they are speaking on the Township's behalf.

**Know and Follow the Rules:** Employees are responsible for carefully reading the Township's policies to ensure that their postings are in compliance. Keep in mind that inappropriate postings including conduct that adversely affects an employee's job performance, the performance of fellow employee or otherwise adversely affects members, residents, vendors, suppliers, or people who on behalf of the Township or the Township's legitimate business interests may result in disciplinary action up to and including termination. Employees are advised that if they post information on social media that is in violation of Township policy, including but not limited to the social media policy, or in violation of federal, state or local laws, the disclaimer included within these guidelines will not shield them from disciplinary and/or other legal action. Employees are responsible for what they write or present in Social Media Activities and be personally sued by others for defamatory, harassing, discriminatory, retaliatory or libelous postings as well as postings that violate other rights or laws. The Township will not indemnify nor hold harmless an employee based upon a personal, (as distinguished from an authorized Township) posting. Again, no retaliation or discipline will result if and when employees are engaging in protected concerted activity, and/or choose to report inappropriate social media activities to the Township Administrator.

**Refrain from Using Social Media at Work:** Refrain from using social media while on work time or on Township equipment, unless it is work-related as authorized by the Township and consistent with the Township's Communication Media Policy. ***Do not use Township email addresses to register on social networks, blogs or other online tools utilized for personal use.***

**Be Respectful:** Always be fair and courteous to fellow employees, associates, residents, members, vendors, suppliers or people who work on behalf of the Township. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing the Township's Complaint Reporting Procedure than by posting complaints to a social media outlet.

**Postings to Avoid:** In addition to following other policies and examples, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage residents, members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis protected class status or association with a member of a protected class. Of course, this policy does not prohibit postings protected by federal or state constitutions or other law.

**Be Honest and Accurate:** Always be honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Township, fellow employees, associates, members, residents, suppliers or people working on behalf of the Township.

**Retaliation is Prohibited:** The Township prohibits taking negative action against any person for reporting a possible deviation from this policy, for cooperating in an investigation or for reporting, conduct in violation of the Township's EEOC, Anti-Discrimination, Anti-Harassment, Whistleblower, Anti-Retaliation and Accommodation policies. Any employee who retaliates against a person for reporting the foregoing will be subject to disciplinary action, up to and including termination. No retaliation or discipline will result if and when employees are engaging in protected concerted activity.

**Miscellaneous Guidelines: Post only appropriate and respectful content:**

- Maintain the confidentiality of information described within this policy and the Communication Media Policy
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may profit from it.
- Respect copyright, privacy, fair use and other applicable laws.

## **2. Application/Additional Information**

This policy is intended to provide guidelines to employees engaging in Social Media Activities. It is not intended to interfere with or restrict an employee's right to engage in activities protected by Federal or State Constitutions or any other law.

Nothing in these policies is designed to interfere with, restraint, or prevent social media communications by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment during non-working hours. Township employees have the right to engage in or refrain from such activities.

### **K. Policy for the Collection, Recording and Depositing of Cash Collected by all Departments**

A System of strong internal controls for cash collections is necessary to prevent the mishandling of funds, to safeguard against loss and to protect employees from inappropriate charges by defining responsibilities in the cash handling process.

The Office of the Tax Collector is responsible for the implementation of the policy.

The Tax Office that handles the receipt of cash for any township-related function and all employees who collect cash on behalf of the township are required to be familiar with the requirements of this policy.

### BONDING

Employees must be able to be bonded by the township insurer to handle cash. The Tax Collector and CFO are bonded through the BCJIF. All other employees are covered on a blanket bond through BCJIF as well.

### GENERAL POLICY

“Cash” is considered to be any type of payment for goods or services including coin, currency, checks and money orders. All cash received by the Tax Office should be immediately validated and entered into the Edmunds Tax Collection Module and then deposited within 48 hours of receipt in accordance with N.J.S.A. 40A:5-15.

The Edmunds Tax Collection Module is a tool to be used. As such, batches shall not be updated until deposits are confirmed. Print the verification listing and only update once the deposit amount has been confirmed.

The employee who deposits cash should enter the information into the Edmunds Tax Collection Module, endorse checks “For Deposit Only”, or with an equivalent endorsement and contact the designated deposit carrier to deliver the deposit within 48 hours of receipt. A copy of the deposit slip should be left with the receipts.

Each department, with the exception of the CFO, may collect funds at their windows/desks for fees and permits pertaining to their departments. Each department that collects monies shall maintain a system of recording the cash or checks collected, whether it is computerized or manual. The system maintained must be reconciled monthly to the amounts collected according to monthly reports issued by the Tax Collector.

### SEGREGATION OF DUTIES

Cash handling operations are subject to daily supervisory review and all units are also subject to surprise audits. To minimize the potential for mistakes or misappropriation of cash, the segregation of cash handling duties is recommended. The duties of collecting cash, maintaining documentation, preparing deposit, and reconciling records should be segregated among different individuals. In offices where the separation of duties is not feasible, strict individual accountability and thorough management supervision and review is required.

### SAFEKEEPING

Employees handling cash are responsible for the safekeeping of these township assets. Department heads or supervisors should review the cash receipt process and physical security should be emphasized to every employee involved in the cash handling process. Lockable receptacles should be utilized, burglarproof, fire resistant and appropriate for the amount of cash on hand. If an employee uses a combination device, the combination code should be changed at least once a year or with any turnover in related personnel. If a key is used to access the safe, the employee must ensure that they key is kept in a secure place. One copy should also be given to the CFO. Each department shall have separate cash boxes which must be locked and maintained at all times.

### CASH HANDLING PROCEDURES

Departments are responsible for ensuring that deposits are made on a timely basis and

procedures are in place to monitor and control non-compliance with the Cash Handling Policy. Throughout the Township, cash is received by departments either by mail or in-person. The employee must ensure that all checks have the payer's bank account and routing number encoded on the bottom along with the bank and check number. The employee must immediately endorse all checks as "For Deposit Only" or with an equivalent endorsement. All cash should be entered into Edmunds Tax Collection Module system as a batch. This includes tax, sewer assessments, liens and miscellaneous revenue payments. Counting of true 'cash' payments received shall be done by two employees. An adding machine tape shall be fixed to the deposit slip that delineates each denomination of 'cash'.

#### RECORDKEEPING

Employees must retain a copy of all documentation supporting the receipt of cash. Receipts (validation) should be done at the time when the cash is received.

#### RECEIPTING

For in-person payments, a receipt should be prepared for the payer including the payer's name, amount of payment, method of payment (cash, check, money order, etc.), purpose of payment, date of payment and the signature or initials of person collecting the funds. Computer generated receipts, payment stubs, cash register receipts, or pre-numbered receipt book are acceptable forms of documentation. Cash must be counted by two individual people and initialed on the receipt by both parties. Checks and money orders must be confirmed with the written amount and dollar amount.

The daily receipt summary, and a copy of the deposit slip, shall be maintained by the department receiving funds. The bank copy of the deposit slip is eventually returned to the Tax Office as receipted. The Tax Collector or her staff shall ensure that the deposits were processed properly. The CFO settles any errors or differences with the bank.

At the end of the month, the CFO reconciles the total receipts according to the Revenue/Receipts Report to the bank statement and the Tax Collector's Report. The CFO is responsible for reconciling all bank accounts in the name of the Township. A monthly report is prepared and submitted by the Tax Collector and filed with the Township Clerk. The Township Clerk includes the report in the Mayor and Committee's Meeting agenda packets under "Reports". Mayor and Committee vote to file the reports that are included on the Agenda.

#### GUIDELINES TO MAINTAIN INTEGRITY OF CASH HANDLING AREA

The following general guidelines should be followed to help maintain the integrity of the cash handling area.

1. Unauthorized persons are not allowed in areas where cash is handled.
2. Tax Collector, Tax Assistant/Deputy are authorized to accept cash payment for tax, sewer assessments and all miscellaneous revenue collected by the Township
3. Tax Collector, Tax Assistant/Deputy, CFO, Finance Clerk, Administrative Assistant, Clerk, Zoning/TACO, Deputy Clerk are authorized to accept cash for miscellaneous.
4. Deposits must be completed by the end of the day
5. All deposits must be verified before they are sent to the bank.
6. Doors should be locked at all times when cash is handled.

7. Large sums of cash should be counted and handled out of sight of the general public.
8. Change Funds are to be kept at a minimum. Excess funds should be maintained in a locked device.
9. Cash must be deposited within 48 hours of receipt in accordance with N.J.S.A. 40a:5-15. Employees should make daily entries into Edmunds Tax Collection Module and should be delivered to the bank within 48 hours.
10. Cash should never be left unattended. This includes checks and applies to cash registers, cash boxes and cash drawers. If an employee leaves his or her work station for any reason, cash must be appropriately secured in a locked place.
11. Cash should be placed in a safekeeping device, such as a safe, locked container, locked drawer, for overnight storage and when cash is not being used.
12. Under NO circumstances should an individual commingle township cash with his/her own personal funds, deposit township funds in a personal bank account or take township funds home for safekeeping.
13. Checks are to be immediately endorsed "For Deposit Only" or equivalent upon receipt.

#### **L. SAFETY**

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

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

#### **M. SECONDARY EMPLOYMENT**

**The following policy is for any employee who holds a full time position with the Township of Hainesport.**

##### Objective

It is the policy of the Township of Hainesport that any employee who holds a full time position with the township shall consider the township employment responsibilities as primary. Any employment outside of the primary township position is considered secondary employment.

Hainesport Township recognizes that some employees may need or want to hold additional jobs outside their employment with the township. Employees of Hainesport Township are permitted to engage in outside work or hold other jobs, subject to certain restrictions.

## Procedures

Hainesport Township applies this policy consistently and without discrimination to all employees, and in compliance with all applicable employment and labor laws and regulations. The secondary employment cannot have an adverse effect on or create a conflict of interest with the primary employment. It cannot impair in any way the employee's ability to perform all expected duties, to make decisions and carry out in an objective fashion the responsibilities of the employee's position. The outside/secondary employment must be performed outside the employee's approved work schedule.

The following rules for outside employment apply to all full time employees notifying their supervisors of their intent to engage in outside/secondary employment:

1. New employees are to be instructed on the Policy during their first month of employment.
2. The Secondary Employment Policy is to be reviewed with all full time employees annually.
3. Notification of outside employment must be submitted to the supervisor prior to beginning that employment.
4. Work related activities and conduct away from Hainesport Township must not compete with, conflict with or compromise the township's interests or adversely affect job performance and the ability to fulfill all responsibilities to Hainesport Township. This prohibition extends to the unauthorized use of any township tools or equipment and the unauthorized use of application of any township confidential information. In addition, employees may not solicit or conduct any outside business during work time.
5. Hainesport Township employees must consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.
6. If outside work activity causes or contributes to job-related problems at the township, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related challenge(s).
7. Employees may not use Hainesport Township paid sick leave to perform work for another employer.
8. If an employee's outside/secondary employment presents a conflict of interest with Hainesport Township, or if such outside employment has any potential for negative impact on Hainesport Township, the employee will be asked to terminate the outside/secondary employment.
9. Hainesport Township is to maintain documentation of outside/secondary employment on file.

## **IV. DRUG AND ALCOHOL WORKPLACE POLICY**

The following policy is a synopsis of the Township's Drug and Alcohol Policy. A separate detailed document containing the entire policy is provided to all employees. Please refer to that document for further details and important information. If you need a copy, contact the Township Administrator.

The Township recognizes that the use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is intoxicated or under the influence of alcohol or drugs during working hours shall be immediately suspended and subject to termination. The supervisor of Department Head will immediately report any violations or suspected violations to the Township Administrator.

All Individuals employed by the Township in a position affecting public safety (known as a safety sensitive position) are subject to random testing. Safety sensitive positions include, but are not necessarily limited to, the following: individuals operating the Township buses, vehicles, vehicles that require a Commercial Driver's License (CDL), heavy equipment or heavy machinery, their supervisors, as well as any other position that requires random drug testing.

An employee will be required to submit to alcohol, drug or controlled substance testing when the employee's work performance or behavior causes a reasonable suspicion that the 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 will be deemed a positive test result, results in immediate suspension and may result in future disciplinary action, up to and including termination.

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs on Township premises, locations at which the employee has been assigned to perform work on behalf of the Township or during work hours by employees is strictly prohibited. Employees must notify the Township Administrator within five (5) days of conviction for a drug or alcohol related violation, whether or not the violation occurred in the workplace.

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

#### **1. REPORTING OF PRESCRIPTION & NON-PRESCRIPTION MEDICATION**

All individuals employed by the Township in a position affecting public safety shall not take any medication which may diminish their alertness or impair their senses prior to or after reporting for duty unless directed by a physician. Prior to reporting for duty, employees are required to report on the appropriate form (available through their supervisor) only those medications (prescription or non-prescription) which may diminish their alertness or impair their senses. The employee shall notify their supervisor as to the medication required and provide a copy of the healthcare provider's prescription. This information shall be confidential and disclosed only on a need to know basis.

### **V. COMPENSATION AND BENEFITS**

Full-time and Part-time employees may be eligible for the benefits as provided by the Township, subject to the rules and regulations governing the same, with the understanding that these benefits can be changed at any time by the Township.

In connection with health benefits, the Township may require employees to maintain a full-time employment status, re-enroll on an annual basis in order to verify proper coverage for employees and their eligible dependents. Employees shall notify the Township of any change in circumstances affecting their coverage, e.g., birth, death, divorce, or a covered dependent reaching the age of twenty-six (26). The Township reserves the right to conduct a coverage audit to verify proper coverage for employees and eligible dependents. Direct further questions and request for information to the Township Administrator.

**A. Pay Period, Paydays, Method of Pay and Paychecks**

All employees are paid biweekly on Wednesdays. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. Employees are reminded of their on-going obligation to make sure all personnel information is up to date. In the event of any changes, contact both the Payroll Department and Township Administrator.

**B. Hours of Work**

The normal working hours for administrative departments are 7:30am to 4:45pm Monday through Thursday and 7:30am to 12pm on Friday. The working hours for Public Works Department is 6:45am to 3:45pm Monday through Thursday and 7am to 12pm on Friday. The Township Committee may, from time to time, adjust or set different working hours for the administrative and/or Public Works Department.

**C. Overtime**

For non-exempt employees, all hours worked over forty (40) hours in the workweek (Monday through Friday) will be considered overtime and will be compensated at the rate of time and half (1 ½). Overtime may be earned only for extraordinary work assignments and must be authorized in advance by the employee's Department Head or Administrator. Employees who work unauthorized overtime will be subject to disciplinary action up to and including discharge. Exempt employees (including but not limited to managerial, administrative and professional employees) and highly compensated employees, as defined under the Fair Labor Standards Act, are not eligible for overtime compensation and are required to work the normal workweek and any additional hours needed to complete or fulfill their job duties without additional compensation.

**D. Flexible Spending Account**

In accordance with State law, the Township provides employees the ability to participate in a self-directed, self-funded flexible spending account program. Details and information are available from the payroll clerk.

**E. Medical, Prescription, Dental & Eye Glass Benefits**

The Township participates in the New Jersey State Health Benefits and Prescription Plan. These plans provide employees, their eligible dependents, including a civil union partner, access to medical and vision care insurance benefits. In addition, Hainesport Township provides self-insured care for dental, optical, wellness and other authorized medical expenses. Employees in the following employment classifications are eligible to participate in the health insurance plan:

- Regular full-time employees, their eligible dependents and civil union partner.
- All other employees and their eligible dependents as authorized by the Township Committee.
- Eligible dependent coverage subject to applicable federal and state laws.

Eligible employees may participate in the health insurance plan of their choice subject to all terms and conditions of the agreement between Hainesport Township and the insurance carrier. The Township reserves the right to change insurance, insurance carriers, networks, claims, agents, insurance mechanisms, coverage including changes in co-pay, co-insurance, type, amount or scope.

An employee's change in employment classification that results in loss of eligibility to participate in the health insurance plan may qualify for benefits continuation under the Public Health Services Act for a period of 18 to 36 months.

Details of health insurance plans are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. The information contained in this Section is a brief summary. Complete details are provided within the SPD and Master Plan Documents. To the extent there is any difference between this section, the SPD or the Master Plan Documents, the Master Plan Documents or, alternatively, the SPD shall control.

Hainesport Township also provides a cafeteria reimbursement plan for full-time employees **which begins when health insurance eligibility begins or would begin if health insurance is waived and is prorated accordingly**. It includes dental, optical, wellness and other authorized medical expenses up to the following:

Single Coverage based on \$1,500.00 per year.

Family Coverage (2 or more) is based on \$1,500.00 per individual family member up to a maximum of \$7,500 per year per family. There is no cap limit per individual member up to the maximum amount.

Receipts must be submitted for current calendar year through January 31<sup>st</sup> of the following calendar year. For example, receipts dated January 1 YEAR 1 through December 31, YEAR 1 must be submitted no later than January 31, YEAR 2.

Eligible dependents covered to the extent required by federal and/or state law. The CMFO will determine eligibility.

Dental Reimbursement:

- 100% Preventive
- 100% Corrective
- 100% Orthodontic

Vision Care:

- 100%

Wellness:

- 100% Health and Fitness Center Basic Membership

Deductibles and Co-Pays:

- Out of pocket medical expenses not covered by the employees' health plan

**1. Procedure:**

In order to receive reimbursement for cafeteria care, an eligible employee shall do the following:

1. Eligible employees will pay their bill directly when services are rendered.
2. The employee shall submit a copy of their bill and the original receipt to the Chief Finance Officer before noon the Thursday before a Township Committee meeting. Any request for reimbursement not received by this deadline will be placed on the following bill list for approval by the Township Committee.
3. The Chief Finance Officer will review the bill, verify the expense and prepare the purchase order. Any single purchase order must be for more than \$50.00. Medical bills will be held until the minimum of \$50.00 is reached. At that time full reimbursement will be processed.
4. All medical documents are confidential and not subject to the Open Public Records Act and will remain with the Chief Finance Officer.

Contact the Finance Office for more information about health insurance benefits.

## **2. Employee Premium-Sharing**

The amount of premium sharing paid by employees for benefits coverage shall either be 1.5% of the employee's base salary or according to the contribution schedule below, whichever is greater. Base salary shall be used to determine what an employee earns for the purposes of this policy and will mean pensionable salary.

- a. For family coverage or its equivalent, an employee who earns:
  - i. less than \$25,000 shall pay 3 % of the cost of coverage;
  - ii. \$25,000 or more but less than \$30,000 shall pay 4 % of the cost of coverage;
  - iii. \$30,000 or more but less than \$35,000 shall pay 5 % of the cost of coverage;
  - iv. \$35,000 or more but less than \$40,000 shall pay 6 % of the cost of coverage;
  - v. \$40,000 or more but less than \$45,000 shall pay 7 % of the cost of coverage;
  - vi. \$45,000 or more but less than \$50,000 shall pay 9 % of the cost of coverage;
  - vii. \$50,000 or more but less than \$55,000 shall pay 12 % of the cost of coverage;
  - viii. \$55,000 or more but less than \$60,000 shall pay 14 % of the cost of coverage;
  - ix. \$60,000 or more but less than \$65,000 shall pay 17 % of the cost of coverage;
  - x. \$65,000 or more but less than \$70,000 shall pay 19 % of the cost of coverage;
  - xi. \$70,000 or more but less than \$75,000 shall pay 22 % of the cost of coverage;
  - xii. \$75,000 or more but less than \$80,000 shall pay 23 % of the cost of coverage;
  - xiii. \$80,000 or more but less than \$85,000 shall pay 24 % of the cost of coverage;
  - xiv. \$85,000 or more but less than \$90,000 shall pay 26 % of the cost of coverage;
  - xv. \$90,000 or more but less than \$95,000 shall pay 28 % of the cost of coverage;
  - xvi. \$95,000 or more or but less than \$100,000 shall pay 29 % of the cost of coverage;
  - xvii. \$100,000 or more or but less than \$110,000 shall pay 32 % of the cost of coverage;
  - xviii. \$110,000 or more shall pay 35 % of the cost of coverage;
- b. For individual coverage or its equivalent, an employee who earns:
  - i. less than \$20,000 shall pay 4.5 % of the cost of coverage;
  - ii. \$20,000 or more but less than \$25,000 shall pay 5.5 % of the cost of coverage;
  - iii. \$25,000 or more but less than \$30,000 shall pay 7.5 % of the cost of coverage;
  - iv. \$30,000 or more but less than \$35,000 shall pay 10 % of the cost of coverage;
  - v. \$35,000 or more but less than \$40,000 shall pay 11 % of the cost of coverage;
  - vi. \$40,000 or more but less than \$45,000 shall pay 12 % of the cost of coverage;
  - vii. \$45,000 or more but less than \$50,000 shall pay 14 % of the cost of coverage;
  - viii. \$50,000 or more but less than \$55,000 shall pay 20 % of the cost of coverage;
  - ix. \$55,000 or more but less than \$60,000 shall pay 23 % of the cost of coverage;
  - x. \$60,000 or more but less than \$65,000 shall pay 27 % of the cost of coverage;
  - xi. \$65,000 or more but less than \$70,000 shall pay 29 % of the cost of coverage;
  - xii. \$70,000 or more but less than \$75,000 shall pay 32 % of the cost of coverage;
  - xiii. \$75,000 or more but less than \$80,000 shall pay 33 % of the cost of coverage;
  - xiv. \$80,000 or more but less than \$95,000 shall pay 34 % of the cost of coverage;
  - xv. \$95,000 or more shall pay 35 % of the cost of coverage;
- c. For a member with child or spouse coverage or its equivalent, an employee who earns:
  - i. less than \$25,000 shall pay 3.5 % of the cost of coverage;

- ii. \$25,000 or more but less than \$30,000 shall pay 4.5 % of the cost of coverage;
- iii. \$30,000 or more but less than \$35,000 shall pay 6 % of the cost of coverage;
- iv. \$35,000 or more but less than \$40,000 shall pay 7 % of the cost of coverage;
- v. \$40,000 or more but less than \$45,000 shall pay 8 % of the cost of coverage;
- vi. \$45,000 or more but less than \$50,000 shall pay 10 % of the cost of coverage;
- vii. \$50,000 or more but less than \$55,000 shall pay 15 % of the cost of coverage;
- viii. \$55,000 or more but less than \$60,000 shall pay 17 % of the cost of coverage;
- ix. \$60,000 or more but less than \$65,000 shall pay 21 % of the cost of coverage;
- x. \$65,000 or more but less than \$70,000 shall pay 23 % of the cost of coverage;
- xi. \$70,000 or more but less than \$75,000 shall pay 26 % of the cost of coverage;
- xii. \$75,000 or more but less than \$80,000 shall pay 27 % of the cost of coverage;
- xiii. \$80,000 or more but less than \$85,000 shall pay 28 % of the cost of coverage;
- xiv. \$85,000 or more but less than \$100,000 shall pay 30 % of the cost of coverage;
- xv. \$100,000 or more shall pay 35 % of the cost of coverage.

### **Definitions**

“Cost of coverage” means the premium or periodic charges for benefits.

“Healthcare plan” or “benefits” mean the healthcare plans and benefits made available to employees through or by the Township. If Federal or State law requires the Township to provide other or additional benefits not provided, the definition of “healthcare plan” or “benefits” shall include the mandated benefits.

### **F. Duplicate Coverage & Waiver of Benefits**

The State Health Benefits Plan prohibits multiple coverage as an employee, dependent or retiree. This prohibition is implemented in accordance with the rules and regulations promulgated by the State Health Benefits Commission. For example, if an employee is covered as a dependent under a spouse’s coverage, the employee is not eligible for coverage as an employee. Accordingly, payment for a waiver of benefits (described below) is only available if the employee is eligible for coverage.

An employee may waive medical and prescription drug benefits and will not be required to pay the Employee Premium Sharing Contribution provided the employee has alternative health benefits coverage under an employer plan provided to a spouse, domestic or civil union partner.

An employee must complete and submit all Township required documents including but not limited to a waiver of benefits application form, proof of alternative coverage or, in the Township’s discretion, a certification from the employee. The waiver and required documentation must be provided to the Township Administrator on or before February 15<sup>th</sup> of the calendar year during which the waiver is to take place.

An employee may resume coverage if alternate coverage is no longer in effect or available.

### **G. Benefits & Retirement**

Under State law, all employees must enroll in the New Jersey Public Employees Retirement System or the Police and Fire Fighters Retirement System as applicable. The employee’s contribution to the Plan will be deducted from the employee’s pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the Township Administrator in writing. The State retirement plans request six months advance notice to process the application.

After giving notice of retirement, 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. The Township 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.

Upon retirement, the Township will provide eligible and full-time employees (excluding elected township officials) with single coverage as available through the Township's healthcare benefit plan in accordance with local Ordinances and State law. Officials elected or appointed after May 21, 2010 are not entitled to health care benefits absent compliance with applicable regulations set by the New Jersey State Health Benefits Plan. Accordingly, any presently elected official who has served with no break in service prior to May 21, 2010, is eligible for Township provided health benefits.

#### **H. Benefits Continuation, Leaves of Absence & COBRA**

Health insurance coverage for employees on an approved medical leave of absence or who cease employment with the Township will terminate in accordance with the limitations set by the State Health Benefits Plan or requirements of federal or state law.

An employee and dependents covered by the Township's group health plan can temporarily continue coverage under the plan at their sole expense by paying the group rate if they lose coverage for certain reasons. An employee may continue coverage due to a reduction in working hours or termination for reasons other than gross misconduct on the employee's part.

An employee's spouse (including a domestic or civil union partner) covered by the Township's Plan has the right to choose continuation if the spouse loses group health coverage under the Plan for any of the following reasons:

1. The death of the employee-spouse.
2. A termination of the employee- spouse's employment (for reasons other than gross misconduct) or reduction in the employee- spouse's hours of employment.
3. Divorce or legal separation from the employee-spouse.
4. The employee-spouse becomes entitled to Medicare.

In the case of a dependent child of an employee covered by this Plan, he/she has the right to continuation coverage if group health coverage under the Township's Plan is lost for any of the following reasons:

1. The death of the employee-parent.
2. A termination of the employee- parent's employment (for reasons other than gross misconduct) or reduction in the employee- parent's hours of employment.
3. Parent's divorce or legal separation.
4. The employee-parent becomes entitled to Medicare.
5. The dependent ceases to be a dependent child under the Plan.

An eligible employee will be afforded the opportunity to maintain continuation coverage for three (3) years unless the employee lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is eighteen (18) months, unless the Social Security Administration determines that the employee was disabled at the time of termination or reduction of hours and the employee informs the Township Administrator before the end of the eighteen (18) month period, in which case coverage may be extended up to twenty nine (29) months. If during the eighteen (18) months another event takes place that also entitles the employee to coverage, coverage may be extended. The total amount of continued coverage is limited to thirty six (36) months.

Continuation coverage may be cut short for any of the following reasons:

1. The Township no longer provides group health coverage to any of its employees.
2. The premium for continuation coverage is not paid in a timely fashion.
3. You become covered under another group health plan that does not include a pre-existing condition(s) clause that applies to you or to a covered dependent. (Exceptions apply)
4. You become entitled to Medicare. (Exceptions apply)

As to items (2), (3) and (4), it is your responsibility to promptly inform the Township Administrator of these changes in status.

You will have to pay the premium for your continuation coverage plus 2%; you will have a grace period of at least thirty (30) days in which to pay the regular premiums.

Additional information is available from the Township Administrator.

#### **I. Workers Compensation**

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

#### **J. Conference and Seminar Policy**

Requests to attend a conference or seminar are subject to the approval of the Township Administrator. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Township Administrator at least thirty days before the event, if possible. Requests must be in writing including the conference schedule, registration information and estimated costs. Approval of any conference or seminar request is at the sole discretion of the Township Administrator and subject to the availability of funds.

In order to be considered, the employee must be a permanent (non-probationary) employee who works at least twenty (20) hours or more per week.

The Township, in considering attendance at a work related conference, will provide funding for overnight stays for full-time employees only, as directed by the Township Committee. The Township Administrator will determine if overnight accommodations are warranted, and if so, authorize the expenditure consistent with availability of funds as determined by the Chief Municipal Finance Officer.

If the employee is employed with another municipality or entity and the conference and/or seminar is directly related to that employment and/or certification is needed and maintained for that employment, all costs associated with the conference, seminar and lodging will be proportionately paid for by Hainesport Township.

## **VI. PAID AND UNPAID TIME OFF POLICIES**

### **A. Paid Time off: Prorating, Accrual & Exhaustion**

1. Advanced Availability of Time: At the beginning of each calendar year, by January 31<sup>st</sup>, or as soon thereafter as reasonably possible, the Township Administrator or his/her designee, shall inform all employees of the amount and form of paid time off available during the calendar year except as otherwise noted in connection with sick leave. The figures provided will be calculated on the assumed basis that the notified employee shall remain employed with the Township for the remainder of the calendar year.
2. Excess Time Taken: An employee will be responsible for time off taken in excess of the amount actually accrued on a prorated basis. Any amount taken in excess of that actually accrued by the employee will be due immediately upon resignation, termination or retirement and payable in the form of repayment or deduction from the employee's final pay check or other compensation or payment from the Township.
3. Accrual of Time: Subject to applicable state and federal statutes, all paid time off for a given calendar year will be prorated by the Township based upon the employee's regular, full time status and continuous service with the Township. A regular full-time employee is an employee who is scheduled to work an average of 37.5 hours calculated over the course of a calendar year. The accrual of all paid time off shall be calculated in accordance with the relevant portion of the Handbook/Manual governing each type of paid leave subject to the following universal conditions:
  4. The accrual of paid vacation days shall be suspended during any extended absences from the work place. For the purposes of this section, an extended absence is defined as any period of three weeks or longer where the employee is not reporting to work, for any reason, including FMLA, medical leave, vacation, or the use of accrued paid time off.
  5. An employee who exhausts paid time off in any one calendar year shall not be credited with additional paid time off until the beginning of the next calendar year.
6. Accrual During Suspension/After Resignation: Paid time off shall not accrue during a leave of absence or suspension without pay. Additionally, paid time off shall not continue to accrue after an employee has resigned or retired even if the employee's name remains on the payroll until exhaustion of vacation, personal or other time off. In other words, paid time off shall be prorated for that year and stop accruing as of the last day the employee actually performs work subject to his or her regular work schedule.
7. Miscellaneous: An employee who is terminated for cause, resigns not in good standing, terminates employment after less than six (6) months of continuous employment, terminates employment in lieu of discipline or as part of a resolution of discipline, shall not receive payment for accrued unused vacation leave or any other accrued paid time off unless expressly required by law. Employees who leave the employment of the Township for any reason will not be paid for accrued, unused sick or personal leave.

### **B. Paid Time Off: Requests, Scheduling & Limitations on Use**

All requests for vacation or personal time off must be made with thirty (30) days advanced notice in writing on the Township's approved request form. Sick leave used is subject to the Township's Attendance, Sick Leave, and Sick Leave Verification & Abuse policies. The Township may, in its sole discretion, permit the use of paid time off on shorter advanced notice (but not less than forty-eight (48) hours advance notice) if the Township Administrator determines that granting the request will not cause an inconvenience, burden or hardship. Any use of paid time off totaling five (5) or more consecutive days must be submitted to the Township Administrator.

Vacation or personal time off may be granted to employees wishing to observe special religious holidays.

No employee shall take off more than fifteen (15) consecutive work days (or a total of three (3) consecutive calendar weeks). Any request that exceeds the amount of time off stated within this paragraph must state special circumstances in writing to the Township Administrator in advance of the absence and be approved by the Township Committee by Resolution. The Township reserves the right to deny such requests in its sole discretion. Employees must submit proofs and/or certifications requested by the Township in support of such a request.

Paid time off must be used in increments of no less than one (1) hour.

Aside from the above, the Township Administrator shall approve leave requests and resolve conflicts. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

### **C. Holidays**

Employees are entitled to the paid holidays as approved annually by Resolution of the Township Committee at the annual Re-organization meeting.

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

An eligible employee must work their regular schedule the day before and the day after a holiday in order to receive holiday pay. In the event a holiday falls during the vacation period of a full-time non-contractual employee, that day will not be deducted from the employee's accrued vacation time.

### **D. Vacations**

All vacation time is subject to the limitations of and must be scheduled in accordance with this section and the Township's policies including but not limited to "Paid Time Off: Prorating, Accrual & Exhaustion" and "Paid Time Off: Requests, Scheduling & Limitations on Use". The amount of vacation an employee earns is also based upon the employee's years of continuous service and the date benefit eligibility begins. Part time employees working less than twenty-six (26) hours per week are not entitled to paid vacation time.

The annual vacation allowance for all employees shall be determined as of January 1<sup>st</sup> of any year. Vacation time off with pay is available to eligible full-time employees and *5-day per week*, part-time employees working at least twenty-six (26) hours per week to provide opportunities for rest, relaxation, and personal pursuits. Regular, full-time employees and part-time employees working at least twenty-six (26) hours per week are eligible to earn and use vacation a time as described in this policy. The amount of paid vacation time an employee receives each year is based, in part, on the employee's years of continuous uninterrupted employment with the Township and the date benefit eligibility begins.

Regular, full-time employees and part-time employees working at least twenty-six (26) hours per week shall accrue vacation time as follows:

- Up to one year of employment – one (1) working day for each month of service. No credit for the initial month if employment begins after the twenty-fourth (24<sup>th</sup>) day of the month
- One (1) year of employment and up to and including three (3) years – twelve (12) working days

- Beginning of the forth (4<sup>th</sup>) year and up to and including ten (10) years of employment – fifteen (15) working days
- Over ten (10) years of employment – twenty (20) working days the above vacation time is converted into hours as follows:

1. **Full-Time Administration** employees shall have vacation days/hours calculated as follows:

- a. Monday – Thursday = 7:30am – 4:45pm (less one-hour unpaid lunch) =  $8.25 \times 4 = 33$  hours
- b. Friday = 7:30am – 12pm = 4.5 hours
- c.  $33 \text{ hours} + 4.5 \text{ hours} = 37.5/5 = 7.5$  hours
  - i. 12 days =  $12 \times 7.5 \text{ hours} = 90$  hours
  - ii. 15 days =  $15 \times 7.5 \text{ hours} = 112.5$  hours
  - iii. 20 days =  $20 \times 7.5 \text{ hours} = 150$  hours

2. **Full-Time Public Works** employees shall have vacation days/hours calculated as follows:

- a. Monday – Thursday – 6:30am – 3:45pm / Friday – 7am-12pm  
(less one-half hour unpaid and one-half hour paid lunch) =  
 $9.25 \times 4 = 37$  hours – 2 hours (unpaid lunch) = 35 + 5 hours (Friday) = 40
- b.  $40/5 = 8$  hours
  - i. 12 days =  $12 \times 8 = 96$  hours
  - ii. 15 days =  $15 \times 8 = 120$  hours
  - iii. 20 days =  $20 \times 8 = 160$  hours

Vacation time is credited at the beginning of the calendar year in anticipation of continued employment. The employees' date of benefit eligibility will determine the number of years of service for vacation purposes.

The length of eligible service is calculated on the basis of a "benefit year". This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information).

Any eligible employee who exhausts all of his/her vacation leave in any one year shall not be credited with any additional paid vacation leave until the beginning of the next calendar year. Unused, accrued vacation leave shall be paid to the estate of a deceased regular, full-time employee in accordance with this policy.

Employees are encouraged to use available paid vacation time for rest, relaxation and personal pursuits. Vacation leave not used in a calendar year shall be used during the next succeeding year only. Vacation leave will not be carried over beyond one (1) year. Unused vacation time is unpaid.

## **E. Sick Leave**

Hainesport Township provides sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. All newly hired employees shall not be entitled to use accrued sick leave during the first 120 days of employment. Sick leave is provided on a calendar year basis.

Eligible regular full-time employees will accrue sick leave benefits at the rate of fifteen (15) day per year (1.25 days for every full month of service) Eligible regular part-time employees will accrue sick leave benefits at the rate of a maximum of six (6) days per calendar year (.5 days for every full month of service)

All other employees accrue sick leave at the rate of one (1) hour of sick leave for every thirty (30) hours worked up to a maximum accrual of forty (40) hours in a calendar year. Under no circumstances shall the Township's policies result in accrual of sick leave at less than 1 hour of sick leave for every thirty (30) working hours for any employee.

Sick leave benefits are intended solely to provide income protection for events specifically described within this policy, and may not be used for any other absence. Unused sick leave benefits will accumulate indefinitely; however, unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment to include retirement.

#### **1. Use of Sick Leave**

Employees who are unable to report to work due to a reason covered by this policy should notify their direct supervisor one (1) hour before the scheduled start of their workday absent exceptional circumstances. The direct supervisor must also be contacted on each additional day of absence. Sick leave can be used in one (1) hour increments up to the number of hours within that employee's scheduled work day. Any time an employee uses sick leave benefits the employee will be required to complete an employee leave form upon their return to work. Before returning to work from a sick leave absence of more than forty (40) consecutive working hours (DPW) or 37.5 consecutive work hours (Full Time Administrative employee), the employee must provide a healthcare provider's certification that he or she may safely return to work. The Township Committee or Township Administrator may waive the healthcare provider's certification requirement discussed in this policy.

Among other things, the use and verification of accrued paid sick leave fits into two general categories:

- 1.) The first forty (40) or (37.5) hours of accrued sick leave during a calendar year, and
- 2.) Accrued sick leave used in excess of that amount during the same calendar year.

The Township permits an employee, pursuant to N.J.S.A § 34:11D-3(a), to use the earned sick leave accrued for any of the following instances:

- a. Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury, or other adverse health condition, or for preventative medical care for the employee.
- b. Time needed for the employee to aid or care for a family member, (*family member means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, spouse, or domestic partner*) during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury, or other adverse health condition or during preventative medical care for the family member.
- c. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member; medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or

criminal proceeding related to the domestic or sexual violence.

d. Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others.

e. Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function, or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health condition or disability.

Except as specifically provided above, sick leave may not be used for personal business.

Once an eligible employee has exhausted the first forty (40) hours of accrued sick leave in a calendar year, the remaining sick leave is limited to use by the employee for their own illness or injury or that of an immediate family member (*immediate family member means a spouse, civil union, domestic partner, child, step-child, or legal ward*). At that point, sick leave is to be used only in cases where the employee is ill and unable to work, or in cases of the serious illness of an immediate family member.

**2. Requirements for using the First Forty (40) Hours or Thirty-Seven and Half (37.5) (5 consecutive days) of sick leave verification of sick leave**

The following verification requirements only apply during an eligible employee's use of the first forty (40) hours or thirty-seven and half (37.5) (5 consecutive work days) of sick leave in a calendar year.

Use of three or more consecutive days:

- a. Under circumstances described within paragraphs 1 or 2 above under "Use of Sick Leave", the employee shall supply a certification signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, the duration of the leave.
- b. Under circumstances described within paragraph 3 above under "Use of Sick Leave", the employee shall provide medical documentation; a law enforcement agency record or report; a court order; documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense; certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.
- c. Under circumstances described within paragraph 4 above under "Use of Sick Leave", the employee shall provide a copy of the order of the public official or the

determination by the health authority.

- d. Under circumstances described within paragraph 5 above under “Use of Sick Leave”, the employee shall provide tangible proof of the school-related, conference, meeting, function, or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the education of the employee’s child; or tangible proof of the meeting regarding care provided to the child of the employee in connection with the child’s health condition or disability.

Once an employee exhausts the first forty (40) hours or thirty-seven and half (37.5) (5 consecutive work days) of accrued sick leave in a calendar year, the following requirements will apply to any remaining sick leave:

- a. If an employee is absent for three or more consecutive days due to illness or injury, a healthcare provider’s certification must be provided verifying the disability and its beginning and expected ending dates. If an employee is attending to an immediate family member, a healthcare provider’s certification is required. Such certification may be requested for another sick leave absence as well and may be required as a condition to receiving sick leave pay. After the tenth day of absence on sick leave in any one calendar year, a healthcare provider’s certification must be submitted for all sick leave absences, regardless of duration. A healthcare provider’s certification may also be required based on the circumstances described within the Township’s Sick Leave Verification & Abuse policy.

Any employee who requires additional leave after he or she has used all of his or her accrued sick days must provide a certification from a healthcare provider containing the information requested by the Township. Any leave taken in excess of that provided under the Sick Leave Verification and Abuse Section on page 32.

### **3. Notification**

The following notification requirements apply to an eligible employee’s use of the first forty (40) or thirty-seven and half (37.5) hours (5 consecutive work days) of accrued sick leave:

- a. The employee should inform their supervisor as far in advance as possible when they intend to take sick leave, but no less than seven (7) days advance notice for a foreseeable sick leave and shall make a reasonable effort to schedule the use of sick leave in a manner that does not unduly disrupt the operations of the Township. A need is “foreseeable” when the employee is able to predict or know in advance that he or she will need to use earned sick leave, such as a scheduled doctor’s visit, a regularly occurring medical treatment, or regularly scheduled therapy appointment. Except in cases of emergency or unforeseen circumstances, employees must provide notice of their intention to take sick leave to their Department Head.
- b. Recognizing that emergencies and unforeseen circumstances arise which do not allow for advance notification, an employee may request a sick leave in accordance with the Township’s Attendance Policy. Unforeseeable means that the need for the sick leave was not reasonably anticipation. The employee must state the nature of the

emergency or unforeseeable circumstance as soon as practical as well as the anticipated duration of absence.

The failure to provide notice in compliance with this policy may result in a forfeiture of sick leave credit and may constitute cause for disciplinary action up to and including termination.

#### **4. No Discipline/Retaliation**

The Township will not count the legitimate use of the first forty (40) hours or thirty-seven and half (37.5) (5 consecutive work days) of accrued sick leave as an absence that may result in discipline, discharge, demotion, suspension, a loss or reduction in pay or any other adverse action including but not limited to retaliatory action for an employee's use or request to use such time, retaliation for an employee's filing of a complaint with the Commissioner for the Department of Labor or retaliation for informing another employee of their rights to leave under this policy or State Law.

#### **5. Reinstatement or Rehire**

In the event of termination, layoff or furlough or other separation from employment, up to forty (40) or thirty-seven and half (37.5) hours (5 consecutive work days) of accrued sick days shall be reinstated if the employee is required or reinstated within six (6) months. If reinstatement or rehire is greater than six months from the date of separation, the employee will accrue sick leave in the same manner and under the same terms as a new hire.

#### **6. Verification & Abuse**

Once the first forty (40) or thirty-seven and half hours (5 consecutive work days) of accrued sick leave is used in a calendar year, an otherwise eligible employee may be deemed ineligible for payment of accrued but unused sick leave under the following circumstances:

- a. An employee who, in the Township's discretion, exhibits a pattern of abusing sick leave or, upon request by the Township, fails to submit a certification from their healthcare provider which conforms to the Township's requirement.
- b. examples of a pattern of sick leave abuse are:
  - i. Calling out sick the day(s) before or after a scheduled holiday;
  - ii. Calling out sick the day(s) before or after a scheduled vacation;
  - iii. Calling out sick the day(s) before or after a scheduled personal day;
  - iv. Calling out sick the day(s) before or after a weekend.
- c. The examples provided above are intended solely for illustrative purposes and do not constitute an exhaustive list.
- d. The employee is not at home ill or home caring for an immediate family member who is ill, at an appointment with a healthcare provider, or, for a limited period, collecting necessities connected with healthcare and recuperation (e.g., prescriptions from pharmacy) on the day the employee calls out sick.

Failure to adhere to other requirements of policies regarding sick leave use, attendance, call-in and all other procedures or the requirements may result in non-payment of sick leave time at the discretion of the Township. In addition to non-payment of accrued sick leave, abuse of sick

leave may result in discipline up to and including discharge from employment. Absence without notice for five (5) consecutive days shall constitute job abandonment and it will be recorded as a resignation not in good standing absent proof acceptable to the Township of an unexpected medical circumstance that precluded the employee or an employee spokesperson from contacting the Township.

After the first forty (40) hours of accrued sick leave is used in a calendar year, whenever the Township requests an employee to provide a healthcare provider certification, the employee shall submit it in a timely manner to the Township Administrator and the certification must contain the following information:

1. The healthcare provider's medical prognosis and diagnosis;
2. The probable duration of the employee's condition;
3. Whether treatment is ongoing and if so the dates of treatment;
4. The probable duration of treatment;
5. Whether the employee is currently able to perform any services for the Township and, if so, a description of the precise services;
6. An estimated return to work date.

#### **F. Bereavement Leave**

Employees are entitled to three (3) consecutive calendar days leave of absence for each death of an employee's immediate relative (*Immediate relative includes spouse, significant other, civil union, domestic partner, child, parent, stepparent, stepchild, sibling, grandparents, daughter- or son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household.*) Employees are paid for all working days during the Bereavement Leave.

Bereavement leave is specifically provided to allow an eligible employee time to make necessary arrangements and attend funeral services. Therefore, bereavement leave must include one of the following days:

|                   |                                      |
|-------------------|--------------------------------------|
| Date of death     | Day of viewing                       |
| Date of interment | Day of religious or memorial service |

In no event shall any part of bereavement leave occur more than fifteen (15) calendar days from the date of death.

#### **G. Family and Medical Leaves**

Family and medical leave will be provided in accordance with the provisions of applicable state and federal family and medical leave laws. The Township of Hainesport employs less than fifty (50) employees during the requisite number of weeks and, as such, no Township employee is eligible for Family/Medical Leave as set forth in the federal Family and Medical Leave Act, 29 U.S.C § 2601 et seq., ("FMLA")

An employee may be eligible for Family/Medical Leave as set forth in the New Jersey Family Leave Act, N.J.S.A 34:11b-1 et seq. ("NJFLA"). Please note that leaves covered by NJFLA and any other law will run concurrently to the extent legally permissible. This policy shall apply absent an express provision of a collective bargaining or other written agreement between the Township and a majority representative addressing the same topic(s). Leave shall not extend a person's period of employment beyond its stated or anticipated expiration.

### **Available Family/Medical Leaves**

An eligible employee may be granted a family/medical leave:

- a. For the birth or adoption of a child of the employee and to care for the newborn child;
  - 1. Leaves will not be granted on an intermittent or reduced leave schedule
  - 2. Entitlement for such leave will expire at the end of the 12-month period beginning on the child's date of birth or placement
- b. To care for the employee's spouse, son, daughter or parent with a serious health condition;
- c. To care for the employee's parent in-law or civil union partner with a serious health condition; NJFLA leave shall not extend an individual's contract beyond the expiration of their contract.

In order for an employee to be eligible for NJFLA leave for the above purposes, the employee must have been employed for 12 months prior to the commencement of the leave and achieved at least 1,000 base hours during the preceding 12-month period.

Any leave granted by the Township for one of the above mentioned reasons will be counted against an eligible employee's leave under any Federal and any State law(s) which provide(s) for unpaid or paid leave under the same circumstance(s).

If the family/medical leave is granted for reasons described with in paragraphs 1(b) or (c) above, the leave may be granted on an intermittent or reduced schedule if medically necessary. Employees requesting an NJFLA leave are expected to consult with the Township's Administrator in order to arrange a treatment schedule which best suits the needs of the employee and the Township. Employees must make a reasonable effort to schedule the treatment, whether for themselves or others, so as not to unduly disrupt the Township's operations.

If an employee requests an intermittent or reduced leave schedule that is foreseeable based on a planned medical treatment, the Township may require the employee to temporarily transfer to an alternative position for which the employee is qualified in order to accommodate any recurring periods of leave. Employees transferred in such circumstances will receive equivalent salary and benefits.

### **Procedures**

#### **1. Employee Notice & Certification Requirements**

- a. An employee must notify the Township Administrator in writing ***and*** provide a written medical certification at least 30 days in advance for foreseeable leaves. Please provide yourself with adequate time to make sure you provide the required written medical certification no later than 30 days ***before*** the date the leave is to commence. If you do not provide 30 days' notice, you are required to explain your failure to do so to the Township Administrator. When an employee

becomes aware of a need for family leave less than 30 days in advance, the employee must provide notice either the same day or the next business day.

- b. If the need for the leave is not foreseeable, the employee is required to give notice as soon as practical (within one or two business days). Under such emergent conditions, the employee is responsible for promptly providing the Township Administrator with written confirmation of any oral notice of the basis for the leave and absent extenuating circumstances recognized by law, must provide the Township Administrator with a written medical or other certification within 15 calendar days from the date of the unforeseen circumstances prompting the need for such leave.
- c. An employee's written request for leave and required certification must also be delivered by the employee to the Township Administrator. The employee must permit the Township Administrator or, at the Township's discretion, a healthcare provider retained by the Township, to obtain authentication and/or clarification of all medical certifications.
- d. An employee who requests family leave must sign a form of certification attesting that the leave is for the birth or adoption of a child or to care for a family member because of that family member's serious health condition, whichever is applicable. An employee who intentionally misrepresents that she/he is taking family leave for the birth or adoption of a child or to care for a family member because of that family member's serious health condition, will be subject to disciplinary action up to and including discharge from employment. The form of certification shall contain a statement warning the employee of the consequences of refusing to sign the certification or falsely certifying.
- e. All certifications must be submitted in a timely manner or leave may be delayed, denied or terminated. Depending upon the circumstances, further medical opinions may be required by the Township at its expense.
- f. A medical certification must be completed, in its entirety, by a licensed healthcare provider and provide all information required on the certification form. Likewise, other certification forms must be entirely completed and submitted with all required supporting documentation.
- g. Proof of family relationship may be required, at the Township's discretion to support an employee's family leave request.
- h. Failure to provide required information, certifications, authorizations or releases as required by this policy or permitted by law may result in the delay, denial, or termination of the leave as well as disciplinary action, up to and including termination.
- i. The employee must notify the Township Administrator at least every 30 days,

or such shorter intervals as directed by the Township Administrator, of the status of the health condition that provided the basis for the leave and the employee's intent to return to work. Unless otherwise precluded by the form of leave, the Township Administrator shall inform the employee if she/he will be required to provide notification at shorter intervals than 30 days prior to the commencement of the employee's leave. During a covered leave, the employee must also provide requested medical re-certifications to the Township Administrator and in all medical leaves involving the serious health condition of the employee or the employee's family member, the employee must submit a recertification and intervals permitted by law.

- j. If the employee decides not to return to work, she/he must immediately notify the Township Administrator.
- k. Absent extenuating circumstances, the Township Administrator will, within 5 days from, the date it receives notice from the employee, transmit a letter notifying the employee of the employee's eligibility for NJFLA leave and the effective date for the commencement of NJFLA leave.

## **2. Duration of Leave**

- a. An employee's NJFLA leave for circumstances described above will not exceed 12 work weeks during a rolling 24-month period. A rolling method measures backward from the date an employee uses family/medical leave in order to determine the amount, if any, of leave time available under either or both laws.
- b. Intermittent leave shall not exceed a 12-month period and reduce schedule leave shall not exceed a 24-week period.

## **3. Coordinating Paid and Unpaid NJFLA Leave**

- a. If an employee is on an NJFLA the employee must use an accrued sick leave for the period of family/medical leave or other form of unpaid job protected leave. Once an employee's accrued sick time has been exhausted, the employee must use their remaining accrued paid leave time, such as vacation time, or personal leave time until it is exhausted. If an employee is on leave for any of the other reasons within this policy the employee must use accrued paid leave time until it is exhausted. In instances where the employee is receiving income replacement through another source (i.e. New Jersey Paid Family Leave, Worker's Compensation, or Temporary Disability benefits) the employee shall only be required to exhaust paid time off in the order noted above to the extent required by that income replacement source. If not required by the income replacement source or policy, an employee may elect to use accrued paid time off in the order and manner noted above to supplement income replacement up to the employee's ordinary full salary. Once applicable accrued paid leave time is exhausted the balance of the family/medical leave shall be unpaid the use of

accrued paid leave time will not extend an employee's 12-week family/medical leave period. Intermittent family medical leave time, when permitted, is on an unpaid basis.

- b. If an employee is on a family/medical leave, the employee's medical benefits will continue for the period of protected family/medical leave on the normal cost-sharing basis provided the employee is enrolling in the particular plan prior to commencement of the leave and continues to pay the required contributions during the course of the family/medical leave. Any employee who fails to make such payments may have such benefits terminated. Any employee who has questions concerning health benefits should contact the Township Administrator.
- c. When an employee is absent from work and receiving New Jersey Paid Family Leave, temporary disability benefits, or benefits pursuant to a comparable program or legal mandate, the Township will count the absences from work against any leave entitlement the employee may have under the NJFLA.

#### **4. Employment While on Leave**

Employees are prohibited from performing any services on a full-time basis for any entity or person for whom the employee did not provide services immediately prior to commencement of a NJFLA leave. Employees may continue part-time employment that commenced prior to a NJFLA leave at the same number of hours regularly scheduled prior to such leave.

#### **5. Return from Leave**

- a. When an employee returns from a family/medical leave within the 12 week period, the employee will return to the employee's own job, or an equivalent position offering equal pay, benefits and working conditions, unless otherwise allowed by law. However, an employee has no greater right to reinstatement, continued employment or other benefits than if they had been continuously employed during the family/medical leave period.
- b. If an employee fails to return to work at the conclusion of a family/medical leave and no further leave has been applied for and granted (in writing), the employee may be disciplined up to and including termination.

#### **6. Discrimination, Interference and Retaliation**

No person who makes a good faith application or use of NJFLA leave shall be subject to discrimination or retaliation in any form nor shall anyone interfere with the exercise of a person's NJFLA rights. If a person believes they have been subjected to a violation of this policy, the Township urges the individual to promptly report it directly to the Township Administrator.

Retaliation can take different forms including, but not limited to, discouraging the filing,

pursuit or participation in the investigation of a complaint made to the Township, or a Federal or State agency, as well as written or oral statements, conduct, threats of harm or intimidation, or other behavior which negatively affects a person's work environment, pay, or other terms, conditions, or privileges of employment with the Township.

### **New Jersey Paid Family Leave**

The State of New Jersey provides up to twelve (12) weeks of Family Leave Insurance Benefits. Under that law, benefits are payable to covered employees from the New Jersey State Plan (***The Township does not have a private plan for this benefit***) to:

1. **Bond with a Child** during the first twelve (12) months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual, is a biological parent of the child, or the first twelve (12) months after the placement of the child for adoption with the covered individual.
2. **Care for a family member with a serious health condition** supported by a certification provided by a healthcare provider. Claims may be filed for twelve (12) consecutive weeks or for 84 intermittent days during a 12-month period beginning with the first date of the claim.

Employees intending to take leave to bond with a newborn or newly adopted child must provide the Township Administrator with a minimum of thirty (30) days' notice prior to commencement of the New Jersey paid family leave. Failure to provide this notice will result in a 2-week (14 day) reduction in the employee's maximum Family Leave Insurance benefits entitlement for the 12-month period unless the time of the leave is unforeseeable for the time of the leave changes for unforeseeable reasons.

Employees intending to take leave to care for a seriously ill family member on an intermittent basis must provide the Township Administrator with a minimum of 15 days' notice prior to the commencement of the intermittent family leave unless an emergency or other unforeseen circumstance precludes prior notice.

Employees covered under the New Jersey State Plan can obtain additional information pertaining to the program and an application for Family Leave Insurance benefits (Form FL-1) by visiting the Department of Labor and Workforce Development's website at [www.nj.gov/labor](http://www.nj.gov/labor), or by calling the Division of Temporary Disability Insurance's Customer Service at (609)-292-7060, or by writing to the Division of Temporary Disability Insurance, PO Box 387, Trenton, NJ 08625-0387

### **H. Domestic Violence Leave**

The New Jersey Security and Financial Empowerment Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employee are entitled to 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;
- 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 family member must be a victim of domestic violence or a sexually violent offense
- The employee must have worked for the employer for at least 12 months and for at least 1,000 hours during the 12 month period immediately preceding the requested leave
- The 20 day leave must be taken within 1 year of the qualifying event.

Employees may take leave on an intermittent basis but such leave cannot be shorter than 1 full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employees seeking leave must provide proof that they qualify for the leave. Such proof may include a 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 ("FMLA") and/or the New Jersey Family Leave Act ("NJFMLA"). If so, the Township will treat the leave concurrently with the leave under those statutes.

The Township shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence". To the extent any medical information is provided, said information will be kept in a separate file from the employees regular personnel file.

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

Employees taking such leave may be eligible for Family Leave Insurance benefits through the State.

#### **I. Military Leave**

The Township is committed to complying with the federal and state laws regarding military leaves of absence. The Township does not discriminate on the basis of Veteran's status or liability for service in the United States Armed Forces (*Defined as the United States Army, Navy, Air Force, Marine Corp. or Coast Guard*) or New Jersey Militia (*Defined as the New Jersey State Guard, Army, Naval Militia and Air National Guard*). In the event you believe you are subjected to discrimination or retaliation, or witness discrimination or retaliation, in violation of this policy, please follow the Township's Complaint Reporting Procedure.

When a full-time employee who is a member of the reserve component of any United States Armed Forces or New Jersey Militia 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 their service in accordance with N.J.S.A. 38:23-1, N.J.S.A. 38A: 4-4 and the Uniformed Services Employment and Reemployment Rights Act (“USERRA”).

#### **J. Jury Duty**

An employee required to render jury service shall be entitled to be absent from work during that service and will be paid full salary. Employees must show the jury duty summons to their supervisor as soon as possible so the supervisor may make necessary arrangements to accommodate their absence. There will be no change in allowable benefits during jury duty absence.

#### **K. Leave for Religious Observance**

It is the Township’s policy to ensure that employees are reasonably accommodated with respect to requests for time off from work for religious observance. Such requests will normally be granted, unless they create an undue hardship on the Township. Employees requesting time off for religious observance should notify the Department Head as far in advance of the religious holiday as possible but not later than the notice required for scheduling and approval of a vacation day. Days granted are without pay unless the employee uses available accrued vacation, personal or compensatory time.

#### **L. Volunteer Emergency Responder (Added Res 2022-97-6)**

In accordance with N.J.S.A. 40A:9-160.1, Township employees who are active volunteer members of the volunteer Hainesport Fire Company, Hainesport Emergency Squad or Municipal Office of Emergency Management may respond to calls for service within the Township of Hainesport and occurring during the hours of their employment. A volunteer emergency responder is defined as an “active member in good standing of a volunteer fire company, first aid, rescue or ambulance squad, or volunteer in a county or municipal office of emergency management”. Response may be as follows:

1. Employees are only permitted to respond to alarms occurring during their work hours when said alarm is for the company to which they are serving in the Township of Hainesport
2. Employees must inform their immediate supervisor that they are responding to a call and the type of call.
3. Employees are required to report back to work as soon as possible and must return to work immediately if not needed for the call after responding.
4. Following the employee’s return to work, he or she must provide their supervisor with a copy of the incident report and a certification by their incident commander, or other official or officer in charge, affirming that the volunteer emergency responder was actively engaged in, and necessary for, rendering emergency services no later than two working days after the response.
  - a) This report and certification must also set forth the date and time the volunteer emergency responder was relieved from emergency duty by that officer or official.
  - b) Employee must provide at least one-hour notice to their supervisor prior to their scheduled shift that they are currently engaged in performing emergency services and unable to report to work at the start of shift.
  - c) If the employee is involved in more than one day of providing emergency services, the incident commander or other official or officer in charge must direct that appropriate notice be given to that employee’s employer each day that he or she is required to be absent from work.
5. Employees shall not be terminated, dismissed, suspended or disciplined if he or she fails to report for work because he or she is actively engaged in responding to an emergency alarm or serving as an emergency

responder during a state of emergency declared by the President of the United States or the Governor of New Jersey or is actively engaged in responding to an emergency call in compliance with the above.

6. N.J.S.A. 40A:9-160.1 states that “no employer shall be required to pay any employee for work time that the employee misses while serving as a volunteer emergency responder; provided, however, a volunteer emergency responder may charge his absence as a vacation day or sick day, if the volunteer has such days available”.

- A. A township employee who is an active volunteer emergency responder is permitted to leave his or her regular duties to respond to an alarm as provided herein, shall be granted 24 hours of “Emergency Response Leave Time” per calendar year for the following types of calls:

- (1) Dwelling & Building Fires
- (2) Motor Vehicle Accidents, Rescues
- (3) Gas Leaks and Odors
- (4) Fire Alarms

Vacation or sick leave will be charged after the 24 hours of Emergency Response Leave is exhausted in that calendar year for the calls listed above.

- B. A township employee who is an active volunteer emergency responder is permitted to leave his or her regular duties to respond to an alarm as provided herein, shall be granted time off from work and charged vacation or sick leave for the following types of call such as, but not limited to:

- (1) Fire Police Duty
- (2) Cover Assignments
- (3) Pump Outs, Service Assignments
- (4) Wires

- C. If the employee does not have any accrued vacation or sick time, the employee will not receive pay for any time missed while responding to the call.
- D. Unpaid leave does not apply to any township employee who, by statute or contract, is deemed an “essential employee”.

## **VII. WORKERS COMPENSATION**

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

## **VIII. DOMESTIC VIOLENCE POLICY**

Please refer to 10 page document insert Adopted February 11, 2020 by Resolution 2020-53-2 and NJ Safe Act Notice

## **IX. PROTECTION AND SAFE TREATMENT OF MINORS**

The Township is fully committed to protecting the health, safety and welfare of minors who interact with officials, employees, and volunteers of the Township to the maximum extent possible and has adopted a policy which establishes the guidelines for officials, employees, and volunteers who set policy for the Township or may work with or interact with individuals under 18 years of age, and those who supervise employees, and volunteers who may work with or interact with individuals under 18 years of age, with the goal of promoting the safety and wellbeing of minors.

## **X. DISCIPLINE/TERMINATION POLICY**

Listed below are some of the reasons for which an employee may be subject to discipline. This is not all inclusive and the lack of a particular basis shall not limit the Township's ability to discipline an employee. Types of behavior and conduct that the Township considers inappropriate or improper and which could lead to disciplinary action, up to and including termination, of employment include, but are not limited to, the following examples:

- Incompetence, inefficiency or failure to perform duties;
- Insubordination;
- Certain criminal convictions;
- Conduct unbecoming a public employee;
- Violation of Township policies, procedures and regulations;
- Falsification of public records including time and/or personnel records;
- Violation of Federal, State or Township regulations concerning drug and alcohol use and possession
- Chronic or excessive absenteeism or lateness;
- Misuse of public property, including motor vehicles;
- Failure to adhere to or violation of the Township's policies and procedures, including but not limited to violation of the Township's EEO, Disabilities in the workplace, anti-discrimination, anti-harassment, whistleblower, and anti-retaliation policies;
- Inability to perform one's job duties with or without a reasonable accommodation;
- Neglect of duty;
- Violation of the Township's drug and alcohol policies and related testing policies;
- Failure to report absence, unscheduled absence, chronic or excessive absence or chronic lateness;
- Failure to clock in or clock out via the means designated by the Township (e.g. hand scanner);
- Failure to clock in upon arrival to work using the designated, clock out upon departure from work, or clocking in or out for breaks or lunch;
- Changing your assigned schedule or work hours without authorization from your Department Head or Township Administrator;
- Theft of time;
- Theft or attempted theft of property belonging to the Township, fellow employees, volunteers or visitors;

- Failure to report to work prior to or following a vacation, holiday and/or leave, and/or any unauthorized day or absence;
- Fighting;
- Being under the influence of intoxicants (e.g. liquor) or illegal drugs ( e.g. cocaine or marijuana) on Township property or at any time during work hours;
- Possession, sale, transfer or use of intoxicants or illegal drugs on Township property or at any time during work hours;
- Careless waste of materials or abuse of tools, equipment or supplies;
- Deliberate destruction or damage to Township or suppliers' property;
- Sleeping on the job;
- Carrying weapons of any kind on Township premises and/or during work hours, unless carrying a weapon is a function of your job duties;
- Violation of established safety and fire regulations;
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;
- Defacing walls, bulletin boards or any other Township, vendor, consultant, agent or supplier property;
- Unauthorized disclosure of confidential information;
- Gambling on Township premises or during the employee's working hours;
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Township premises or working time;
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;;
- Unauthorized use of computers, internet, and email or use in violation of Township policy;
- Other sufficient cause.

Discipline shall be applied on a case by case basis. There is not right or entitlement to particular order of discipline. Neither this Handbook/Manual nor any other Township guidelines, policies or practices create an employment contract. Employment with Township may be terminated at any time with or without cause or reason by the employee or Township, except as otherwise provided by law or contract. Other than an enactment by the Township Committee at a public meeting, no one has the authority to make any representations or provide any assurances regarding an employee's employment, or terms and conditions of employment including but not limited to representations or assurances which conflict with the above policy or the employment at-will policy contained within the Notice to All Employees.

#### **XI. REQUESTS FOR EMPLOYMENT VERIFICATION, REFERENCES OR OTHER INQUIRIES**

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred solely to the Township Administrator. ***No other employee may issue a reference or respond to inquiries regarding a present or former employee. Under no circumstances should any information be released over the phone.***

In response to a request for information, the Township Administrator may provide an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1)

the Township is required to release the information by law or (2) the employee or former employee authorizes the Township in writing to furnish this information and releases the Township from liability.

## **XII. KEY CONTACTS**

Hainesport Municipal Building

### Mailing Address:

PO Box 477  
Hainesport, NJ 08036

### Physical Address:

1401 Marne Highway  
Hainesport, NJ 08036

**Unless otherwise specified, each of the individuals listed below can be contacted at the above address.**

### Administrator

Paula L Kosko, RMC, MPA  
609-267-2730 (p)  
609-261-4762 (f)  
[pkosko@hainesporttownship.com](mailto:pkosko@hainesporttownship.com)

### Personnel Committee

Leila Gilmore, Committeewoman  
609-267-2730 (p)  
609-261-4762 (f)  
[lgilmore@hainesporttownship.com](mailto:lgilmore@hainesporttownship.com)

Gerry Clauss, Mayor

609-267-2730 (p)  
609-261-4762 (f)  
[gclauss@hainesporttownship.com](mailto:gclauss@hainesporttownship.com)

### Chief Municipal Finance Officer

Dawn Gorman, CMFO  
609-267-2730 (p)  
609-261-4762 (f)  
[dgorman@hainesporttownship.com](mailto:dgorman@hainesporttownship.com)

## Employee Complaint Form

Date\_\_\_\_\_

Attach additional sheets if necessary to fully complete all questions

NAME: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

**TITLE:** \_\_\_\_\_ **SUPERVISOR:** \_\_\_\_\_

**Time period covered by this complaint:** \_\_\_\_\_

**Identify the individuals who allegedly committed the acts being complained of:**

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

[illegible]

**Identify all persons with knowledge of the complained conduct:**

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

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

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

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

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**What is your requested remedy for this complaint?**

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**ACKNOWLEDGMENT**

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

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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

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

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**RECEIPT FOR PERSONNEL POLICY & PROCEDURES MANUAL  
&  
EMPLOYEE HANDBOOK/MANUAL**

I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND UNDERSTAND THIS ACKNOWLEDGEMENT COMPLETELY BEFORE I SIGN IT. THE TOWNSHIP'S EMPLOYEE HANDBOOK/MANUAL CONTAINS IMPORTANT INFORMATION ABOUT MY EMPLOYMENT WITH THE TOWNSHIP. I ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF HAINESPORT TOWNSHIP'S EMPLOYEE HANDBOOK/MANUAL. I AGREE THAT IF THERE IS ANY POLICY OR PROVISION IN THE HANDBOOK/MANUAL THAT I DO NOT UNDERSTAND, I WILL SEEK CLARIFICATION FROM THE TOWNSHIP ADMINISTRATOR.

I UNDERSTAND THAT HAINESPORT TOWNSHIP IS AN "AT WILL" EMPLOYER, AND CONSISTENT WITH APPLICABLE FEDERAL, STATE AND LOCAL LAWS, EMPLOYMENT WITH THE TOWNSHIP OF HAINESPORT IS NOT FOR A FIXED TERM OR DEFINITE PERIOD AND MAY BE TERMINATED AT THE WILL OF EITHER PARTY, WITH OR WITHOUT CAUSE. NO DEPARTMENT HEAD, SUPERVISOR OR OTHER REPRESENTATIVE OF THE TOWNSHIP OF HAINESPORT 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/MANUAL STATES HAINESPORT TOWNSHIP'S PERSONNEL POLICIES IN EFFECT ON THE DATE OF PUBLICATION. I UNDERSTAND THAT NOTHING CONTAINED IN THE HANDBOOK/MANUAL MAY BE CONSTRUED AS CREATING A PROMISE OF FUTURE BENEFITS OR A BINDING AGREEMENT WITH HAINESPORT TOWNSHIP FOR BENEFITS OR FOR ANY OTHER PURPOSE. I ALSO UNDERSTAND THAT THESE POLICIES AND PROCEDURES ARE CONTINUALLY EVALUATED AND MAY BE AMENDED, MODIFIED OR TERMINATED AT ANY TIME.

I UNDERSTAND THAT ONLY THE TOWNSHIP COMMITTEE THROUGH THE ADOPTION OF AN ORDINANCE, BUDGET APPROPRIATION AND SALARY ORDINANCE CAN CREATE OR FILL A POSITION OF EMPLOYMENT OR ESTABLISH TERMS AND CONDITIONS OF EMPLOYMENT, WHICH ARE NOT ALREADY GOVERNED BY FEDERAL, STATE OR LOCAL LAW. ANY ORDINANCE CREATING A POSITION OR APPOINTING AN INDIVIDUAL TO AN OPEN POSITION MUST EXPLICITLY STATE THAT THE EMPLOYEE IS NOT AN EMPLOYEE AT-WILL OR EXPRESSLY CREATE THE POSITION AS A TENURED POSITION IN ORDER TO CHANGE THE AT- WILL NATURE OF EMPLOYMENT WITH THE TOWNSHIP. ANY OTHER POSITION IS AN AT- WILL POSITION.

SINCE THE INFORMATION AND POLICIES DESCRIBED WITHIN THIS HANDBOOK/MANUAL ARE NECESSARILY SUBJECT TO CHANGE, I ACKNOWLEDGE THAT REVISIONS TO THE HANDBOOK/MANUAL MAY OCCUR, EXCEPT TO THE TOWNSHIP'S POLICY OF EMPLOYMENT AT-WILL. REVISIONS OR CHANGES TO THE HANDBOOK/MANUAL WILL BE COMMUNICATED THROUGH OFFICIAL WRITTEN NOTICES, AND I UNDERSTAND THAT

REVISED INFORMATION WILL SUPERSEDE, MODIFY, OR ELIMINATE PRIOR POLICIES. ONLY THE TOWNSHIP COMMITTEE HAS THE ABILITY TO AUTHORIZE ANY REVISIONS TO THE POLICIES CONTAINED IN THIS HANDBOOK/MANUAL.

I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO COMPLY WITH THE POLICIES CONTAINED WITHIN THE HANDBOOK/MANUAL AND ANY REVISIONS MADE TO IT.

PRIOR TO SIGNING THIS DOCUMENT, I HAVE SPECIFICALLY REVIEWED THE FOLLOWING POLICIES: NOTICE TO ALL EMPLOYEES; ANTI-DISCRIMINATION & ANTI-HARASSMENT POLICY, ANTI-RETALIATION POLICY, COMPLAINT & REPORTING PROCEDURE, WHISTLEBLOWER POLICY AND NO EXPECTATION OF PRIVACY POLICY.

**PLEASE SIGN AND DATE THIS RECEIPT AND RETURN IT TO THE TOWNSHIP ADMINISTRATOR**

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EMPLOYEE'S SIGNATURE

DATE

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EMPLOYEE'S NAME PRINTED

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DEPARTMENT