

Donna Belton

19. 125

From: Julian Leone <opra+request-3714-93863839@requests.opramachine.com>
Sent: Thursday, January 24, 2019 11:42 PM
To: clerkforms
Subject: OPRA request - Howell Township Employee Handbook

Dear Howell Township,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Howell Township Employee Handbook. Please provide in pdf form.

Thank you,

Julian

TOWNSHIP OF HOWELL
RECEIVED
2019 JAN 25 AM 8:08
CLERK'S OFFICE

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-3714-93863839@requests.opramachine.com

Is clerkforms@twp.howell.nj.us the wrong address for OPRA requests to Howell Township? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3dhowell_township&c=E,1,fuJJSePhNKweYFTJIZY3jApK IKkWg6ombidxrcbnEwdRqTOAocRKiqHMcdgWWjpxgzGv4fDhj1PxRYN7Oityqbi1yyjpzkc3Gpj0Sz-sjEMKT2vKEhQLQbx&typo=1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,fMcrf72qlpAvfsrGGPihhCqGmHYp7cR2NFkj5jKgtOpt3ORneFFV39dYXcNfK2KXx7bRAUucrmhlv5WndL4qaYCwtnSb0STmpgiN C84RkJcxFl1rtGVLw,,&typo=1>

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2fhowell_township_employee_handbook&c=E,1,ev57eFCHSwxgiq55X008YLvH4vruzHlwR5vmLEksuJgp1SpliedMwFLpmtUEh1Y1OZ1IIQvy31v6I3I6hDsNhJJxbrhv8WTS23yH--7rb40i05Ge&typo=1

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Township of Howell



Personnel and Policy Manual (Revised – 2018)

DISCLAIMER

THE CONTENTS OF THIS MANUAL ARE PRESENTED AS A MATTER OF INFORMATION ONLY. THE PLANS, POLICIES AND PROCEDURES DESCRIBED ARE NOT CONDITIONS OF EMPLOYMENT. THE TOWNSHIP RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE ANY OR ALL SUCH PLANS, POLICIES OR PROCEDURES IN WHOLE OR IN PART, AT ANY TIME WITH OR WITHOUT NOTICE. THE LANGUAGE WHICH APPEARS IN THIS MANUAL IS NOT INTENDED TO CREATE NOR IS IT TO BE CONSIDERED TO CONSTITUTE A CONTRACT BETWEEN THE TOWNSHIP AND ANY ONE OR ALL OF ITS EMPLOYEES, EXCEPT AS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING AGREEMENT, OR APPLICABLE LAW, ALL EMPLOYEES ARE EMPLOYEES AT-WILL. THIS MEANS THAT ANY EMPLOYEE AND THE TOWNSHIP MAY TERMINATE EMPLOYMENT AT ANY TIME WITH OR WITHOUT GOOD CAUSE.

THE PERSONNEL POLICIES AND PROCEDURES CONTAINED IN THIS MANUAL ARE NOT INTENDED TO VOID, REPLACE, OR CONFLICT WITH NEGOTIATED UNION CONTRACTS OR RULES AND REGULATIONS OF THE POLICE DEPARTMENT.

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
WELCOME	6
ACKNOWLEDGMENT OF RECEIPT OF TOWNSHIP OF HOWELL PERSONNEL POLICY AND PROCEDURES MANUAL	7
DISCLAIMER	8
HOWELL TOWNSHIP GOVERNMENT	9
STATEMENT OF POLICY	10
EQUAL EMPLOYMENT OPPURTUNITY	11
USE OF EMPLOYEE IMAGE	11
ACCOMODATIONS FOR RELIGIOUS BELIEFS	11
AMERICANS WITH DISABILITIES	12
NEW EMPLOYEE PROCEDURE	13
IMMIGRATION	14
PERSONNEL RECRUITMENT	15
WORK SCHEDULE	17
CLOSING OF FACILITY	18
OUTSIDE EMPLOYMENT	19
PROBATIONARY PERIOD	19
PERSONNEL RECORDS	20
GRATUITIES	22
DISCIPLINE	23
OPEN DOOR POLICY	25
RETIREMENT	26
RESIGNATION	27

EMPLOYMENT REFERENCES	28
AUTHORIZATION TO RELEASE INFORMATION	29
POLICY AGAINST HARASSMENT	30
HARASSMENT COMPLAINT FORM	35
POLICY AGAINST FRATERNIZATION	41
NEPOTISM POLICY	42
ALCOHOL AND DRUG-FREE WORK PLACE	44
DRUG AND ALCOHOL POLICY FOR EMPLOYEES REQUIRED POSSESS A COMMERCIAL DRIVER'S LICENSE	52
SUPERVISORY REPORT OF REASONABLE SUSPICION	67
HOLIDAYS	70
VACATIONS	71
PERSONAL DAYS	74
SICK LEAVE	75
MEDICAL BENEFITS	81
EMPLOYEE ASSISTANCE PROGRAM	83
LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE	84
PENSION	85
CONTINUATION OF HEALTH COVERAGE (COBRA)	86
WORKER'S COMPENSATION	89
TRANSITIONAL DUTY POLICY	92
TRAINING COURSES AND EDUCATIONAL PURSUITS	93
BEREAVEMENT LEAVE	94

FAMILY AND MEDICAL LEAVE	95
LEAVE OF ABSENCE WITHOUT PAY	100
JURY DUTY AND WITNESS DUTY	101
MILITARY LEAVE	102
PAY PERIOD	103
OVERTIME AND COMPENSATORY TIME	104
NON CLASSIFIED EMPLOYEE OVERTIME AND COMP TIME	105
ABSENTEEISM AND TARDINESS	106
SAFETY POLICY	109
LUNCH BREAK	110
USE OF MUNICIPAL PROPERTY	111
MUNICIPAL VEHICLE & DRIVERS LICENSE POLICY	112
PROPRIETARY INTEREST POLICY	119
REIMBURSEMENT FOR EXPENSES	120
EMPLOYEE NOTICES	121
WHISTLE BLOWER POLICY	122
CONTAGIOUS/LIFE THREATENING ILLNESS POLICY	124
DRESS CODE POLICY	126
VOLUNTEER FIRE, FIRST AID AND OEM RESPONSE POLICY AND PROCEDURES	128
GAS CARD PROCEDURES	129
COMMON COURTESY DOCTRINE OUR CUSTOMER SERVICE POLICY	130

INTERNET AND E-MAIL USAGE POLICY	133
REMOTE ACCESS POLICY	136
CELLULAR TELEPHONE USE POLICY	140
WORKPLACE VIOLENCE POLICY	144
RESPECT & PROFESSIONALISM IN THE WORKPLACE	144
DOMESTIC VIOLENCE LEAVE	145
CASH HANDLING POLICY	147
SOCIAL MEDIA POLICY	153
CONFLICT OF INTEREST POLICY	154
POLITICAL ACTIVITY POLICY	154
EVALUATION POLICY	155

WELCOME

The Township of Howell welcomes you as a Township employee and hopes that your employment will be productive and rewarding. This Employee Handbook has been prepared to help explain Township policies and procedures and employee benefits.

If you have any questions concerning your employment, we encourage you to speak with your Department Head or the Human Resources Administrator.

ACKNOWLEDGMENT FOR RECEIPT OF
TOWNSHIP OF HOWELL PERSONNEL POLICY & PROCEDURES MANUAL

Employee's Name:

This personnel policy manual is the property of the Township of Howell (the "Township"). I _____, acknowledge receipt of this Personnel Policy & Procedures Manual on _____, 20___. I understand that this manual explains the Township's policies and procedures, and that it is furnished to me for my information. I also understand that this manual supersedes any prior understandings I may have had regarding the Township's employment policies. I acknowledge my responsibility to read and become familiar with the contents of this manual.

I understand that the Township may amend, supplement or terminate the policies stated in this manual without advance notice to me. I also understand that, except as provided by a collective bargaining agreement or applicable law, all employees are employees at-will. This means that either the Township or I may terminate my employment at any time for any reason, with or without cause, and with or without notice.

I also understand that, where applicable, the personnel policies & procedures contained in this manual are not intended to void, replace or conflict with negotiated union or association contracts. As to unionized employees, to the extent a collective bargaining agreement conflicts with these personnel policies, the collective bargaining agreement supersedes and/or modifies these personnel policies and procedures.

Upon separation from the employment with the Township, this personnel policy manual and any updates shall be returned to the Township.

[Signature of Employee]

Date

DISCLAIMER

The contents of this manual are presented as a matter of information only. The plans, policies and procedures described are not conditions of employment. The Township reserves the right to modify, revoke, suspend, terminate or change any or all such plans, policies or procedures in whole or in part, at any time with or without notice. The language which appears in this manual is not intended to create nor is it to be considered to constitute a contract between the Township and any one or all of its employees. Except as otherwise provided by a collective bargaining agreement or applicable law, all employees are employees at-will. This means that any employee may voluntarily terminate his or her employment at any time, for any reason. It also means that the Township may terminate any employee's employment at any time with or without good cause.

Most of the Township's employees belong to a union. The personnel policies and procedures contained in this manual are not intended to void, replace or conflict with negotiated union contracts or rules and regulations of the police department. As to unionized employees, to the extent a collective bargaining agreement conflicts with these personnel policies and procedures, the collective bargaining agreement shall supersede and/or modify these personnel policies and procedures.

HOWELL TOWNSHIP GOVERNMENT

The Township of Howell operates under the Council-Manager form of government as provided in New Jersey's Optional Municipal Charter Law commonly referred to as the Faulkner Act. This form of government operates in a manner similar to that of a business corporation, with the Township Council representing the corporate board of directors, a directly elected Mayor serving as member and chairperson of the board of directors and the Township Manager representing the chief executive.

There are five members of the Township Council, including the Mayor, that are elected at-large in partisan elections. The Mayor and Council members are elected for four year overlapping terms. The Mayor and Council annually select one of its members as Deputy Mayor.

The Township Council has responsibility for all legislative and policy matters, including the enactment of ordinances and resolutions. The Council formulates policy and legislation based on input from advisory boards and committees (which they may create or abolish as needs change), the Township Manager and his/her staff and the general citizenry.

As provided in NJSA 40:69A-91, the Council shall act in all manners as a body and may only deal with the administrative services solely through the Manager and shall not give any orders to any subordinate of the Manager, either privately or professionally.

The Township Manager is responsible for overseeing the day-to-day operations of the Township. The Manager hires all Township employees, directs and supervises all Township employees, directs and coordinates all Township services and enforces the municipal ordinances established by the Township Council.

OUR MISSION STATEMENT

The Howell Township Mayor and Council strive to make the Township of Howell the best it can be by consistently providing effective governance, valued public services and quality public facilities. The work of the Mayor and Council is supported by a non-partisan professional municipal organization defined by thoughtful policy recommendations, efficient delivery of public services and the responsible stewardship of the human, financial and physical resources entrusted to its care.

STATEMENT OF POLICY

In the management of personnel matters, the Township of Howell strives to abide by the following principles:

1. To provide equal employment opportunity for all people and to obtain well-qualified persons for all positions without regard to race, color, creed, national origin, ancestry, age, marital status, sexual orientation or sex. Employment shall be based on merit and fitness, free of personal and political considerations.
2. To maintain the high reputation of the government as an employer and to contribute to constructive community relations.
3. To maintain a public service of high competence and quality
4. To provide employees with proper supervision, instruction and working conditions so that they may render the best possible service.
5. To foster in managers, supervisors and employees an attitude of responsive service to the public.
6. To treat employees, individually and in groups, equitably and fairly; to help them achieve personal satisfaction and pride in their work; and to enhance their opportunities for career advancement through training and maximum use of their abilities.
7. To base promotion solely upon the qualifications of the individual candidates to meet the total requirement of the position.
8. To give first consideration in filling vacancies to qualified Township employees.
9. To use all personnel wisely and economically.
10. To expect and require employees to do the best work of which they are capable; to be loyal and conscientious; to present and conduct themselves in a proper manner; and to treat all with whom they come in contact with consideration and courtesy.
11. To provide employees competitive salaries and benefits.
12. To carry out public policy as expressed laws, regulations, or otherwise and to conduct the affairs of government with courtesy, honesty and integrity.
13. To provide employees with a fair and regular evaluatory procedure.

EQUAL EMPLOYMENT OPPURTUNITY

The Township of Howell maintains a strong policy of equal employment for all employees and applicants for employment. We hire, train, promote and compensate employees on the basis of personal competence and potential for advancement without regard for race, religion, sex, sexual orientation, national origin, age, marital status, disability or citizenship, as well as other classifications protected by applicable federal or state laws.

This equal employment opportunity philosophy applies to all aspects of employment with the Township, including recruiting, hiring, training, promotion, job benefits, pay, dismissal, educational assistance and social and recreational activities. It is the policy of the Township to hire well-qualified people to perform the many tasks necessary in providing high quality service. An integral part is to provide equal employment opportunity for all persons for employment and to recruit and administer hiring, working conditions, benefits and privileges of employment, compensation, training, opportunities for advancement including upgrading and promotion, transfer and terminations of employment including layoffs and recalls for all employees, without discrimination because of race, color, religion, national origin, sex, gender, sexual orientation, age, veteran's status, disability, or other characteristics unrelated to a person's qualification and/or job performance.

USE OF EMPLOYEE IMAGE

The Township reserves the right to photograph employees in situations appropriate to the business and to publish likenesses in publications, or other promotional materials, which include but is not limited to, websites and intranets. However, the company will, to the extent feasible, honor requests of employees who do not wish their image photographed or published.

ACCOMMODATIONS FOR RELIGIOUS BELIEFS

The Township will make every effort to accommodate an employee's sincere religious beliefs and/or practices, unless to so do creates an undue hardship, which includes but is not limited to, unreasonable expense or difficulty, unreasonable interference with the safe and efficient operation of the workplace, or a violation of a bona fide security system or collective bargaining agreement. Where time off is a reasonable accommodation, the time shall be charged as vacation, personal or comp time. Any absence not charged as paid time off, will be treated as unpaid time off. If as a reasonable a scheduling change results in an employee working a shift that entitles the employee to premium wages or benefits, the Township will not make such pay or provide such benefits unless provide by law or collective bargaining agreement.

AMERICANS WITH DISABILITIES

The Township complies with the New Jersey Law Against Discrimination and the Americans With Disabilities Act. The Township will not discriminate against any qualified employee or job applicant with respect to any terms, privileges or conditions of employment because of a person's known or perceived physical or mental disability. A qualified individual with a disability is: an individual with a disability who is qualified for (meets the skill, experience, education and other job related requirements) a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of the job. The Township also will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that accommodations do not require significant difficulty or expense. Requests for accommodations should be made at the earliest possible date, in most instances no later than three business days prior to the date by which an accommodation is needed. In order to verify a disability or to evaluate such a request, the company may require the submission of relevant medical documentation. Such documentation shall be used only for this purpose and will be treated with confidentiality to the extent required by law. While most accommodations are temporary in nature, the Township will consider requests for accommodations that are permanent. In either case, requests will be evaluated on the basis of reasonableness and effectiveness. When requests are declined as unreasonable or on the basis of undue hardship, the Township will use its best efforts to engage the employee in a dialogue to explore alternatives and options. As part of the process, employees may be required to grant the Township permission to speak or correspond directly with his/her health care provider.

When the Township has direct evidence that a medical condition or disability is impairing, or may impair and employee's ability to perform his/her job or poses a direct threat, the employee will be required to submit to a medical interview and/or examination. Under no circumstances shall the Township request genetic information, including family history. Any medical reports or documentation shall be treated confidentially to the extent of the law. In cases where competent medical opinion find the employee poses a direct threat to him/herself or others, the Township will use its best efforts to eliminate or reduce the threat.

The Township's nondiscrimination policy applies to all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall and termination.

To further the Township's nondiscrimination policy, the Township will:

1. Identify the essential functions of a job;
2. Determine whether a person with a disability, with or without accommodations, is qualified to perform the duties; and
3. Determine whether a reasonable accommodation can be made for a qualified individual.

If any applicant or employee has questions concerning the Township's equal employment opportunity policy, he or she should contact the Township Manager.

NEW EMPLOYEE PROCEDURE

The Township of Howell staffing representatives must ensure that all applicable forms are completed and the following procedure is followed:

New Employee Reports to Work

- (1) The Township of Howell representative informs the new employee of the requirements of the Immigration Reform and Control Act upon acceptance of the position.
- (2) The new employee provides the required documents the first day of employment.
- (3) The employee completes Part I (Employee Information and Verification) of the Employment Eligibility Verification (Form I-9).
- (4) The Township of Howell representative reviews the documents to confirm the employee's acceptability and completes Part II (Employer Review and Verification) of the Employment Eligibility Verification (Form I-9).
- (5) Employees will be notified of their Union Representatives if applicable.

New Employee Does Not Produce Documents

- (1) If a new employee does not provide the documents on the first day of employment, the Township will provide the person with three days starting with the first day of employment to provide same. If the documents are not produced at the end of the three days, the Township will suspend the employee without pay for five days.
- (2) If the new hire fails to produce the necessary documentation after a five-day suspension, the person will be terminated for failure to comply.
- (3) To receive pay approval, new employee must provide W-4 forms and copy of valid driver's license, direct deposit information and I9 approved documentation

IMMIGRATION REFORM AND CONTROL ACT

Introduction

In 1986, the Federal Government passed the Immigration Reform and Control Act. This act requires all individuals who accept employment after November 6, 1986, to provide official documented proof of their identity and eligibility to work in the United States.

Policy

In accordance with the Immigration Reform and Control Act, all individuals hired by the Township are required to provide necessary documentation to verify their identity and employment eligibility.

New Employee Does Not Produce Documents

- (1) If a new employee does not provide the documents on the first day of Employment, the Township will provide the person with three days starting with the first day of employment to provide same. If the documents are not produced at the end of the three days, the Township will suspend the employee without pay for five days.
- (2) If the new hires fails to produce the necessary documentation after a five-day suspension, the person will be terminated for failure to comply with legal requirements.

PERSONNEL RECRUITMENT

- (1) Unless otherwise provided, the Township Council, based upon the recommendations of the Township Manager, must formally create any new position by the adoption of a salary ordinance,
- (2) The Township Manager must approve the filling of any vacancy in all departments.
- (3) All permanent position vacancies to be filled, unless filled from within the Township organization, shall be advertised as determined by the Township Manager. The advertisement shall contain a statement to the effect that the Township of Howell is an "Equal Opportunity Employer M/F". Recognized employment agencies may also be used.
- (4) Notice of vacancies shall be made available to employees so that Township employees may have an opportunity to apply for positions for which they feel qualified. Interested employees shall submit a resume to the Township's Human Resources Office.
- (5) A resume and/or application for employment shall be completed by each person applying for a position with the Township. Resumes and applications shall be filed in the Township's Human Resources office.
- (6) Resumes and/or applications for employment shall be reviewed by the appropriate Department Head. Interviews will be scheduled for applicants who merit further consideration.

Following this interview process, the Department Head will forward prospective candidate applications and any other background material developed during the course of the preliminary interviews to the Township Manager. The Township Manager and/or Department Head and/or their designee(s) may set up a second interview with the applicant

- (7) Following the selection of an applicant to fill a vacant position, and the extending of an offer of employment by the Township, the applicant shall be subject to a medical examination, reference check and any investigation deemed appropriate such as background check via fingerprinting. The Human Resources Administrator shall arrange for a pre-employment medical examination and alcohol and drug screening of the selected applicant by the Township physician at Township expense

- (8) Procedures for the recruitment and hiring of police personnel shall be prepared by the Township Manager. When considering candidates for police positions, a psychological examination will also be required.
- (9) Following reports of a satisfactory medical examination, alcohol and drug screening, reference check, background investigations and where appropriate, psychological evaluation, the Township Manager shall report appointment to the Township Council
- (10) Following the hire of new employees, the Human Resources Administrator shall arrange for completion of all necessary employment formalities, including the completion of a form to be filed in the employee's personnel file certifying that the employee has read and understands these Personnel Policies and Procedures. The appropriate Department Head shall arrange for training of the new employee.
- (11) Occasional or temporary employees may be appointed by the Township Manager. Such employees will normally be paid on an hourly basis and shall complete an "Application of Employment" when first employed by the Township. Medical examinations, pre-employment alcohol and drug tests and background checks may be required.

Occasional or temporary, part time, seasonal and per diem employees shall not be eligible for fringe benefits and may be terminated at any time by the Township Manager.

- (12) Any significant misstatement or omission of material fact by an applicant in the application for employment, shall be cause for rejection of the application, or if hired, dismissal from employment.

WORK SCHEDULE

- (1) Accurate time and attendance records, including causes for absences, shall be maintained on each employee by the Department Head, who will certify to the accuracy of the report each pay period to the Township Payroll Department and/or Human Resources. The pay period for all employees shall be every two (2) weeks or bi monthly. Computation of an employee's bi-weekly pay shall be made by dividing the annual rate of pay, plus any other benefits for which withholding tax is deducted, by the number of pays in the year.
- (2) The regular hours of work for full-time Township employees shall be determined by the Township Manager.
- (3) When utilizing the Township attendance system i.e. Primepoint, POSS or any other system that may be utilized, employees are not permitted to document start or end times of other employees unless specifically designated or directed by the Department Head or Township Manager. As an example employees may not clock another employee in or out.

- (4) Punching in policy will be as follows:

Please be advised that as set forth in this employee handbook and the Township's bargaining unit agreements, overtime shall only be performed upon the direction and approval of an employee's supervisor and/or department head. In addition, employees shall only clock into work using the computerized attendance system, when they begin to perform their actual work for the Township of Howell. Employees should not report early or remain after their working hours, unless approved by their supervisor and/or department head. If an employee arrives early to their work location during non-working hours, employees are not to engage in any activity which would constitute work. Employees are responsible for ensuring that no work is performed outside of their authorized working hours unless approved by their supervisor and/or department head. The earliest employees are able to clock in is seven minutes prior to their start time. If an employee violates this policy, they may be subject to discipline.

CLOSING OF FACILITY

The Employer agrees that notification to employees will be provided by a call-in-system or by direct notice from employees' supervisors when it is determined by the Employer that certain local government facilities will be closed because of weather conditions or other facility problems. The call in system can be utilized by calling the main Township number, then by dialing extension 2121. Any decision of closing must come via the Manager's Office or directly from the Township Council. If the facility is closed by the Township Manager the employee will not be charged for a sick day, vacation day or personal day pre-scheduled for that day. Pre-scheduled is defined as having been submitted for approval prior to 11:59PM on the date of the closure. In the event that the Town Hall is closed or closes early due to weather conditions, all employees who are required to work shall receive equivalent compensatory straight time off.

OUTSIDE EMPLOYMENT

Full-time Township employees shall not accept outside employment or engage in outside business activities without the prior approval of the Township Manager. Any such requests shall be made in writing to the Township Manager through the employee's Department Head. The Township Manager shall communicate the approval or disapproval of the request to the employee in writing. A copy shall be placed in the employee's personnel file.

Requests to accept outside employment or engage in outside business activities shall set forth the nature of such employment or business activity and shall indicate the approximate hours per week that such work or business activity is expected to entail. Employees are prohibited from engaging in outside employment activities while on the job or using Township time, supplies or equipment in the outside employment activities. Any employees who holds an interest in, or is employed by, any business doing business with the Township must submit a written notice of these outside interests to the Township Manager.

Requests for outside employment will not be approved by the Township Manager if in his or her judgment there is reasonable probability that such employment will interfere with the employee's performance of his or her Township job or present a conflict of interest.

Once permission is granted, approval shall not be withdrawn arbitrarily.

PROBATIONARY PERIOD

All new full time employees shall serve a probationary period of six (6) months of continuous employment which may be extended for up to an additional six (6) month period at the discretion of the Township Manager. During that time it is specifically agreed and understood that the Township has the right to terminate the employment of the probationary employee.

PERSONNEL RECORDS

Confidential Nature and Review by the Employee: The Township Manager's Office is responsible for maintaining files for all employees of the Township. These records shall include, among other things: application for employment, resume, dates of appointments and promotions, job titles, salaries, commendations, performance evaluations, merit ratings, disciplinary matters, amount of leave time accrued and used, a record of the employee's training and other related matters, attendance records and all documents relating to fringe benefits, insurance, retirement, etc. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access

The records are confidential and are available only to the employee, the Township Manager, Human Resources and on a need-to-know basis other members of management and the Township's legal counsel. The Township will also make the records available as required by law. Employees are entitled to review the contents of their personnel folder but may not review the contents of other employee's personnel files.

Procedure: Employees who want to review their personnel folder shall submit a written request for an appointment to the Human Resources Administrator. Employees should provide the Township with at least five working days advance notice of their need for an appointment to review their personnel file. To protect the integrity of the personnel files, the employee will review the personnel file in the presence of the Human Resources Administrator or his or her designee. Employees will not be permitted to take personnel folders outside of the Township Manager's Office or to remove documents from the folder.

The Township maintains employee attendance records indefinitely. The Township maintains all other personnel records as set forth in current record retention law. Subsequently, these records may be destroyed. The employee has the right to duplicate these records before the file is purged.

Changing Vital Information: Each employee must notify the Township promptly, in writing, of any changing of vital information including but not limited to:

- Name
- Address
- Telephone Number
- Marital Status
- Dependent Children
- Change in status for health care programs
- Change in status for dental coverage
- Change in beneficiary on pension or life insurance policies
- Change in tax status for tax withholding purposes

Procedure

Changes may be accomplished by providing an Employee Action Notice to the Human Resources Administrator. When necessary, the Human Resources Administrator will provide the employee with the proper forms to change beneficiary, income tax deductions, etc.

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:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Township's compliance with applicable law;
- To Township's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, 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

GRATUITIES

Policy: It is the intent to discourage the public from offering gratuities to public employees. Therefore, employees shall neither accept nor solicit gratuities and shall discourage the practice wherever possible.

Procedure: When a particular situation makes the refusal or return of a gratuity of minor value awkward or difficult, or where the gratuity is of major value then the employee shall make a written report of such matter and file the report with his Department Head. A Department Head shall file such report with the Township Manager. The employee shall also report to his/her Department Head any situation where a gratuity is offered even if nothing was given. This procedure is intended solely to protect the employee and any such reports shall not be used in any way against the employee. Failure to file such report within seven days of occurrence of the incident shall be grounds for disciplinary action up to and including termination. If the situation makes it impossible for the employee to not accept the gratuity all efforts will be made to return the gratuity. At no point shall the employee keep the gratuity if it cannot be returned. The Township will donate said gratuity on behalf of the Township to a Township run entity that is able to accept donations.

The offer of money shall always be declined and the receipt of money shall be a basis for disciplinary action up to and including termination.

DISCIPLINE

Policy

The Township Manager may immediately terminate an employee who has engaged in impermissible behavior, without regard to progressive discipline. The Township cannot possibly provide its employees with an exhaustive list of impermissible behavior, the following provides some examples and is not exhaustive by any means:

- Insubordination or serious breach of discipline
- Harassment of Co-Worker/volunteer/visitors
- Neglect of duty
- Incompetency or inefficiency or incapacity
- Fighting or creating a disturbance among fellow employees
- Sleeping on duty
- Use of intoxicants, narcotics or controlled substances without a prescription, being intoxicated or narcotized while on duty
- Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved or revoked; provided that any regular member or officers of the police department who shall be absent from duty without just cause for a period of five days shall cease to be a member of the police department as provided by N.J.S.A. 40A:14-122, as amended
- Using leave for purposes other than for which it was granted
- False statements, misrepresentation, or fraud in application form or any other matter concerning employment
- Chronic or excessive absenteeism
- Disorderly or immoral conduct
- Theft, bribery or unauthorized use or possession of Township property
- Negligence or willful damage to public property or waste of public supplies
- Conviction of a crime
- The use or attempted use of one's authority or official influence to control or modify the political action of any employee or engaging in any form of political activity during working hours
- Infringement of policies defined in this handbook or failure to comply with departmental rules and regulations
- Rude or disrespectful conduct toward the public
- Other actions disruptive to the effective, efficient, economical operation of Township affairs
- Conduct unbecoming of a public employee

It is important that all employees perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy, or engage in inappropriate behavior. As previously noted, except as otherwise provided by a collective bargaining agreement or by law, employment may be terminated at will by the employee or the Township at any time with or without cause and without regard to progressive discipline.

Nevertheless, the Township may choose to exercise its discretion to use disciplinary measures that are less severe than termination in certain causes. Examples of such less severe forms of discipline include verbal warnings, written warnings, suspension,, probationary action and demotion.

Procedure

The Township Manager possesses the authority to terminate an employee with or without cause. In reaching his or her decision, the Township Manager may consider the recommendation of the employee's Department Head.

Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

At the discretion of Township action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

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

OPEN DOOR POLICY

POLICY: The Township encourages employees who feel they have been treated unfairly or contrary to the Township's policies to discuss their problems with management.

An employee who believes he or she was been treated unfairly or not in accordance with the Township's policies, may request a meeting with his or her Department Head to bring the matter to the Department Head's attention. Alternatively, the employee may meet with the Human Resources Administrator to discuss the problem.

RETIREMENT

Retirement, Disability and Death Benefits

Social Security

All Township employees are covered by Social Security (Federal Old Age, Survivors and Disability Insurance).

State Administered Plans

As a condition of employment, all full-time policeman are enrolled in the Police and Fireman's Retirement System of New Jersey ("PFRS") and all other full-time and permanent part-time employees are enrolled in the Public Employee's Retirement System of New Jersey ("PERS") or the Defined Contribution Retirement Program (DCRP). All rules and regulations pertaining to retirement as it applies to these plans are explained in detail in the latest edition of the New Jersey Public Employee Benefit Manual. Employees may obtain a copy of the manual from the State of New Jersey Division of Pensions.

Contributions

Members of PFRS, PERS and DCRP contribute to their respective systems at State-regulated rates. The Township contributes to the systems in amounts set by the State, to keep the systems actuarially sound.

Retirement

Retirement benefits at prescribed percentages of average salary are provided under both systems.

An employee intending to retire should give the Township Manager and Department Head at least three months' written notice. Additionally, the employee should apply to PFRS, PERS or DCRP for pension benefits and information at least six months prior to planned retirement to assure that all necessary paperwork from the State is process in a timely manner.

Life Insurance

Group Life Insurance is provided by the PFRS at no cost to the employee. Under PERS, group life insurance is provided on both a contributory and non-contributory basis. During the first 12 months of service, an employee is required to contribute 1% of his annual salary; thereafter, the employee may choose lesser coverage at a cost of 0.5% of salary or in accordance with State Law.

RESIGNATION

Policy: Employees of the Township of Howell may resign in good standing by giving their Department Head at least two week's written notice of their intent to resign, to provide sufficient time for appointing and training a successor

Procedure: Employees may resign from their position by providing their written resignation to their Department Head. The Department Head shall forward the written resignation to the Township Manager.

The Township will retain the employee's written resignation in the employee's personnel file. The Township Manager or the Human Resources Administrator may interview the employee prior to the effective date of the employee's separation.

Please see the sections on sick, personal and vacation leave for additional information relative to resignations and retirements.

EMPLOYMENT REFERENCES

Employees may not provide any current or former Township of Howell employee with an employment reference. Any request from a current or former Township of Howell employee for an employment reference from the Township of Howell must be referred to the Township Manager.

Additionally, employees should not, under any circumstances, provide another individual with employment information regarding a current or former Township of Howell employee. Any employee who receives a request for reference information should forward the request to the Township Manager. The Township Manager shall only confirm employees' dates of employment, salary history and job title.

A current or former employee may authorize the Township of Howell to release information in addition to dates of employment, salary history and job title. The Township will only release information in addition to dates of employment, salary history and job title if the current or former Township of Howell employee completes the Authorization to Release Information form and provides a signed original to the Township Manager.

AUTHORIZATION TO RELEASE INFORMATION

Name:

Social Security No.:

I, _____, authorize the Township of Howell to release any and all information and documentation concerning me to a representative of _____ for the purpose of assisting _____ in determining my qualifications for employment. This information includes, but is not limited to [describe with particularity]:

I further authorize the Township of Howell to answer fully and honestly any questions posed orally or in writing concerning me by any representative of _____.

In exchange for the Township of Howell's full and honest disclosure of information and documentation, I hereby release the Township of Howell from any and all claims I may have against the Township of Howell or its agents for statements, information or documents the Township provides to _____ in response to its inquiries.

[Signature of Candidate]

Date

POLICY AGAINST HARASSMENT

The Township is committed to maintaining a workplace free from harassment (sexual or otherwise) or intimidation of any employee or job applicant, male or female. The Township does not accept, condone or tolerate actions of harassment by any employee, vendor, member of the public or any other person associated with the Township on the basis of any personal characteristic, including, but not limited to race, creed, color, religion, sex, sexual orientation, national origin, blood trait, genetic information, gender identity or expression, age, marital or political status, veteran status, disability or handicap or any other classification protected by federal, state or local law.

While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings or images, and other similar verbal, written, printed or physical conduct. Harassment also consists of unwelcome conduct, whether verbal, physical or visual, that is based on a person's protected status, such as race, creed, color, religion, sex, sexual orientation, age, national origin, marital or political status, veteran status, disability, blood trait, genetic information, gender identity or expression or handicap which can be reasonably accommodated without undue hardship or any other classification protected by federal, state or local law or regulation. Harassment involves behavior that is personally offensive, fails to respect the rights of others, lowers morale and interferes with work effectiveness. Harassment may take different forms. Whatever form it takes, harassment is insulting and demeaning to the recipient and will not be tolerated in the workplace or any location where at which Township sponsored activity takes place.

Applicability

Township officials, appointees, managers, supervisors, employees, volunteers and outside contractors alike must comply with this policy and take appropriate measures to insure that such conduct does not occur. Independent contractors, vendors and all other parties, engaged in a professional business relationship with the Township of Howell are also expected to abide by the policy. Harassment of any employees, in connection with their work, by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee should report such harassment to the supervisor. Appropriate action will be taken against any non-employee

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

Sexual Harassment

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

Sexual Harassment Defined

Sexual harassment is unwelcomed, unsolicited conduct of a sexual nature or because of one's sex, which an employee reasonably regards as undesirable or offensive. It includes unwelcome sexual advances, requests for sexual favors and any other conduct of a physical, verbal or nonverbal nature where:

- a) Submission to that conduct or communication is made a term or condition, Explicitly or implicitly, of obtaining or retaining employment; or
- b) Submission to or rejection of that conduct or communication by an individual used as a factor in decisions affecting that individual's employment, or
- c) That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.

Sexual harassment may include unwanted sexual advances; offering employment benefits in exchange for sexual favors; visual conduct (leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters); verbal sexual advances, propositions or requests; verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, caricatures or representations of persons using electronically or physically altered photos, drawings, or images; notes or invitations; and/or, physical conduct (touching, assault, impeding or blocking movements).

Employees who believe that they have been subject to harassment should report the incident directly to the Township Manager, who will ask the employee to complete a Harassment Complaint Form. The complaining party should specify the name of the alleged harasser and any and all witnesses to such alleged harassment. Completion of the written Complaint form is preferred but not required. This does not have to occur on Township property during regular work hours for an employee to file a complaint under this policy.

Any individual uncomfortable reporting an incident to the Township's Manager should feel free to go to any management representative that he or she feels most comfortable to

relay the problem, i.e. Department Head. Under no circumstances shall an employee be required to make a report of harassment to the person he/she is accusing of harassment. To the extent the claim is against the Township Manager, the employee should report it to any Council member or to the Township Attorney or Human Resources Administrator.

It is recommended, but not required, that an individual who believes that he/she has been subjected to harassment from either a co-worker or a supervisor should confront his/her harasser and make clear that such behavior is not welcome. Thereafter, the individual should immediately bring the matter to the attention of his/her immediate supervisor or Department Head. If this is not practical, or if the employee does not feel comfortable with the avenue of redress, the employee may bring the complaint directly to the Township Manager or other Township representative as set forth above.

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

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

The Township encourages employees who witness conduct which they believe violates the Township's Policy Against Harassment to report the violation pursuant to this complaint procedure. All supervisory personnel are required to ensure adherence to and compliance with this policy. Upon being informed of and/or witnessing possible harassment, supervisory employees are required to inform the Township Manager and take appropriate remedial action to stop the harassment.

The Township encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within 120 days to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed. Notification by employee to appropriate personnel of any harassment problem is essential to the success of this policy and the Township generally. The Township cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring those kinds of problems to the attention of management so that steps are necessary to correct them.

Investigation Procedure

The Township shall conduct an investigation into the harassment complaint to determine the merits of the allegations. The Township Manager shall designate an objective investigator to determine the validity of any complaint. The objective investigator may include the Township Manager or any third party deemed appropriate. The investigation shall be completed in a reasonable time to resolve the issue and minimize the effects of such investigation on the parties involved.

1. The investigation will, at a minimum, include an interview with the employee bringing the complaint and the accused. If the Township determines that the complaint has merit, the accused shall face appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges against the individual. Disciplinary action may include a written warning, suspension, demotion and/or termination of employment.
2. All employees have a responsibility to cooperate fully with the investigation of harassment. Although the extent of each investigation will vary, discretion and cooperation are crucial at all levels. The failure to cooperate in an investigation will subject an employee to disciplinary action, up to and including termination.

Privacy

To the extent possible, all persons involved in a harassment complaint will be given the utmost protection of privacy. Specifically, the Township will strive, both during and after the investigation, to maintain confidentiality to the fullest extent possible

Responsibility of Supervisory Personnel

Supervisors are to monitor the work environment to ensure that all subordinates comply with this Policy Against Harassment. When a supervisor learns of a violation of this policy, the supervisor shall assist the victim in reporting the alleged incident(s) of harassment. Alternatively, the supervisor shall report the matter to the Township Manager.

Any supervisor who receives a harassment complaint from any employee must bring it to the attention of the Township Manager for resolution.

Retaliation Prohibited

The Township encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result from the good faith reporting of harassment. It is a violation of this policy for any personnel to retaliate against another because he or she filed a complaint or otherwise participated in the complaint procedure

Supervisors shall closely monitor the work environment for any forms of retaliation once an allegation has been made. This will include but not limited to verbal remarks, irregular assignments or any other activity that may contribute to a hostile work environment.

Any retaliatory conduct or recurrence of the offensive behavior should be reported immediately to the Township Manager.

Any employee with questions regarding the Township's Policy Against Harassment may contact the Township Manager.

HARASSMENT COMPLAINT FORM

NAME: _____

DEPARTMENT: _____

JOB
TITLE: _____

SUPERVISOR: _____

UNION REPRESENTATIVE(IF
ANY): _____

TIME PERIOD COVERED BY
COMPLAINT: _____

INDIVIDUALS WHO ALLEGEDLY COMMITTED HARASSMENT:

	<u>NAME</u> <u>JOB TITLE</u>	<u>DEPARTMENT</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

DESCRIBE THE DATES AND THE NATURE OF THE HARASSMENT
ALLEGEDLY COMMITTED BY EACH IDENTIFIED INDIVIDUAL (ATTACH
ADDITIONAL SHEETS IF NECESSARY):

IDENTIFY ALL EMPLOYEES OR OTHERS WITH KNOWLEDGE OF THE COMPLAINED CONDUCT:

ARE THERE ANY DOCUMENTS WHICH CONTAIN INFORMATION SUPPORTING THE OCCURRENCES DESCRIBED ABOVE?

IS THERE ANY PHYSICAL EVIDENCE WHICH SUPPORTS YOUR COMPLAINT? IF SO PLEASE DESCRIBE:

HAVE YOU MISSED ANY WORK TIME AS A RESULT OF THE ALLEGED HARASSMENT? IF "YES," IDENTIFY THE OCCASIONS:

HAVE YOU INCURRED ANY UNREIMBURSED MEDICAL EXPENSES AS A RESULT OF THE ALLEGED HARASSMENT?

IF YOU PREVIOUSLY COMPLAINED ABOUT THIS OR RELATED ACTS OF GENERAL HARASSMENT TO A HOWELL SUPERVISOR OR OFFICIAL, PLEASE IDENTIFY THE INDIVIDUAL TO WHOM YOU COMPLAINED, THE DATE OF THE COMPLAINT AND THE RESOLUTION OF YOUR COMPLAINT:

ARE YOU AFRAID THAT SOMEONE MAY RETALIATE AGAINST YOU BECAUSE YOU FILED THIS COMPLAINT? IF SO, PLEASE IDENTIFY THE PERSON(S) AND INDICATE THE REASONS WHY YOU FEEL THE PERSON(S) MAY RETALIATE AGAINST YOU.

WHAT IS YOUR REQUESTED REMEDY IN THIS COMPLAINT?

ACKNOWLEDGEMENT

THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT. I UNDERSTAND THAT IF ANY OF THE STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO DISCIPLINARY ACTION.

BY: _____

DATE: _____

TO INVESTIGATE YOUR COMPLAINT, IT WILL BE NECESSARY TO INTERVIEW YOU, THE ALLEGED HARASSER(S), AND ANY WITNESSES WITH KNOWLEDGE OF THE ALLEGATIONS OR DEFENSES. THE TOWNSHIP OF HOWELL WILL NOTIFY ALL PERSONS INVOLVED IN THE INVESTIGATION THAT IT IS CONFIDENTIAL AND THAT UNAUTHORIZED DISCLOSURES OF INFORMATION CONCERNING THE INVESTIGATION 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 THE TOWNSHIP OF HOWELL DEEMS RELEVANT.

BY: _____

DATE: _____

WITNESS STATEMENT FORM

NAME: _____

DEPARTMENT: _____

—

JOB
TITLE: _____

UNION REPRESENTATIVE (IF
ANY): _____

LENGTH OF TIME KNOWN

COMPLAINANT
_____ RESPONDENT _____

INDIVIDUALS WHO ALLEGEDLY COMMITTED HARASSMENT:

IDENTITIES OF OTHER PERSONS WITH KNOWLEDGE OF FACTS RELEVANT
TO THIS INVESTIGATION:

PLEASE PROVIDE A DETAILED DESCRIPTION OF THE EVENTS YOU WITNESSED. INCLUDE THE DATE, TIME, LOCATION AND INDIVIDUALS PRESENT. ATTACH ADDITIONAL SHEETS IF NECESSARY.

ANY OTHER INFORMATION WHICH SHOULD BE CONSIDERED IN EVALUATING THE VALIDITY OF THE COMPLAINT IN THIS CASE:

ACKNOWLEDGEMENT

I, _____, AFFIRM THAT THE INFORMATION I HAVE PROVIDED IS TRUE AND CORRECT. I UNDERSTAND THAT IF ANY OF THE STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO DISCIPLINARY ACTION. I ACKNOWLEDGE THAT THE INVESTIGATION IS CONFIDENTIAL AND THAT I AM NOT TO DISCLOSE INFORMATION OBTAINED BY ME DURING THE COURSE OF THE INVESTIGATION. I UNDERSTAND THAT UNAUTHORIZED DISCLOSURES COULD RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING DISCHARGE.

BY: _____

DATE: _____

POLICY AGAINST FRATERNIZATION

To maintain a productive and professional work environment for all employees, the public which we serve and the vendors who serve the Township, and to guard against the potential for workplace harassment or the creation of a conflict of interest, real or perceived, the Township has adopted a No Fraternization policy.

Supervisors are strictly prohibited from dating or otherwise pursuing a romantic relationship with any subordinate, regardless if the supervisor does not directly oversee, supervise or is not otherwise responsible for the work performance of the subordinate employee. This policy does not apply to Township employees that are married the effective date of this policy.

No Township employee will use his or her position to obtain or accept money, goods or services from a Township resident or vendors for any reason.

In the event such a relationship is discovered by an employee, or it is discovered that an employee is accepting money, goods or services from a resident or vendor, he or she must report it immediately to the Township Manager. Violations of this policy, including the failure to report the existence of a relationship inconsistent with the policy, will result in discipline, up to and including termination.

NEPOTISM POLICY

Nepotism is defined as favoritism extended to relatives by blood or marriage. Nepotism in employment relationships is a form of discrimination. The Township Manager is guided by the below established principles to ensure that nepotism is not a factor in employment matters, which would disadvantage other persons' opportunities for hire, promotion, training, and retention.

1. Persons related by blood, marriage, or adoption to another person elected, appointed, or permanently employed by the Township shall not be denied employment opportunities by the Township, except where such appointment has the significant potentiality for creating an adverse impact on supervision, safety, security, morale or other potential for conflict of interest. Prior to employment or appointment all persons shall submit an official disclosure statement, disclosing to the manager the names of relatives who work for the Township or who are elected or appointed Township official. Disclosure shall be maintained in the individual's application folder or personnel folder. A failure prior to appointment may later become a basis for an employee action, such as termination.
2. Employees related to a member of the Township's supervisory workforce shall not hereafter be appointed to a position that is in a line relationship directly subordinate to the supervisory relative without the express written authorization of the Manager. Notwithstanding an agreement which would provide for the attainment by an employee of such a subordinate position, at any time thereafter the manager has the authority to compel the transfer of the subordinate employee to another position or assignment. Similarly, an employee may not be promoted into a position of supervisory authority unless a conflict with a relative can be resolved satisfactorily to eliminate conflict or appearance of conflict.
3. It is the intent of this policy that disclosure shall apply to any conferral of benefit which may give rise to the appearance of a conflict of interest. For example opportunities provided to subordinate employees for advanced schools, training or certification or for scheduling adjustment shall be disclosed provisions shall apply to require full disclosure by a supervisor and/or evaluator of any action which may be objectively perceived as a conflict of interest in the eyes of the general work force.
4. It is further the intent of this policy that a candidate for promotion or appointment to a position with line authority shall not be disadvantaged by this policy. When necessary the Manager shall transfer the family member who is the subordinate in the relationship to another position for which the individual is qualified. The Manager may adjust the transferred employee's compensation to that compensation required within the transferred position provided that salary step placement shall be as nearly close to the wages previously provided to the employee in the prior position. The salary treatment to such employee shall also be subject to any collective negotiation obligation

with a majority representative. The above adjustment, since it is necessary to avoid conflict, shall not be viewed as a discriminatory practice.

Confidential Labor Relation Personnel

Employees and Appointees who represent the Township for purposes of collective negotiation or grievance adjustment shall not engage in dating relationships with other Township employees, elected officials, or Township appointees.

Definition

The term “relation” or “family” shall include the following relationships: wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, step-child, dependent or relative in a household living relationship.

‘

ALCOHOL AND DRUG-FREE WORK PLACE

Policy:

The Township of Howell is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Township of Howell employee improperly consumes alcohol or illegally uses drugs on the job, comes to work under the influence, or possesses, distributes or sells alcohol or drugs in the work place. We recognize that alcohol and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

The key purposes in establishing a drug-free workplace through various accountability measures, including testing at pre-determined and random times are:

- Deter employees from engaging in the use of substance that are potentially harmful to themselves and others;
- Identify and remove those who pose a safety threat to the workplace through the use of prohibited substances;
- Enhance the public's trust of our employees and Howell Township as a whole.

Covered Workers

Any individual who conducts business for the Township, is applying for a position, or is conducting business on Township property is covered by our drug-free workplace policy. Our policy includes but is not limited to managers, supervisors, full-time employees, part-time employees and applicants.

Applicability

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the organization and while on organization property.

Prohibited Behavior

- 1) It is a violation of Township policy for any employee to possess, sell, trade, or offer for sale alcohol or illegal drugs or otherwise engage in the consumption of alcohol or illegal use of drugs on Township premises, in Township vehicles, or while on Township business.
- 2) It is a violation of Township policy for anyone to report to work under the influence of alcohol or illegal drugs.

- 3) It is a violation of Township policy for anyone to use prescription drugs illegally. (Nothing in this policy, however, precludes the appropriate use of legally prescribed medications).
- 4) 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.
- 5) Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Township property while performing Township business.
- 6) Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.
- 7) Employees using prescription drugs that may affect job performance or safety must notify the Township Manager or Human Resources Administrator who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act.
- 8) Howell Township personnel who hold a CDL are subject to the provisions of the Commercial Driver's License Drug and Alcohol Testing Policy. (A program to assist employees who may have a drug/alcohol problem is provided through the Township's Employee Assistance Program).
- 9) It is a violation of Township policy for anyone to use illegal substances.
- 10) The Township has a Zero Tolerance policy. Anyone found in violation of sections 1 – 9 of the Prohibited Behaviors listed of above will be terminated.

Notification of Convictions

Any employee who is convicted of a criminal drug violation or a motor vehicle violation of Driving While Impaired must notify their Department Head and the Township Manager in writing within five calendar days of the conviction. The Township will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

Searches

Entering the organization's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Township owned property inclusive of, but not limited, vehicles, lockers, work stations, desks, cabinets, etc. may be searched at any time when there is reasonable suspicion to believe a violation of the drug and alcohol free workplace policy is being committed. Moreover, searches may be

conducted of pockets and clothing, wallets, purses, briefcases and lunchboxes, desks and other locations if consent is given or at the direction of law enforcement.

Drug and Alcohol Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test, a confirmation test, the opportunity for a split sample (which shall be the employees responsibility to pay for), review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription for the positive result, and a documented chain of custody.

Annually, a specific percentage of employees will undergo drug and/or alcohol random drug and/or alcohol testing. Testing will be unannounced and the dates for administering random alcohol and drug tests shall be spread reasonably throughout the calendar year.

Employees selected for random drug and alcohol testing shall be selected by a lottery system via computerized program. Once chosen to undergo testing, the employees name will be re-entered into the system for the next round of testing announcements. Under this selection process, each employee shall have an equal chance of being tested each time selections are made.

Upon selection, the employee shall report to the test site immediately. If the employee is performing a safety sensitive function at the time of notification, the employee shall stop performing that function in a manner consistent with safety and proceed to the test site as soon as possible.

All drug testing information will be maintained in a separate confidential record. The presence and use of legal substances and medications will not be made known to Township staff.

Each employee, as a condition of employment, will be required to participate in pre-employment, random, post-accident, reasonable suspicion, return to duty and follow up testing upon selection or request of the Township Manager or their designee.

The substances that will be tested for are: Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Metabolite, Opiates, Phencyclidine, Cannabinoids (THC), Methadone, Mathaqualone, Propoxyphene and Alcohol.

Testing for the presence of alcohol will be conducted by analysis of breath and/or saliva.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Any employee who tests positive will be terminated following the appropriate review by the MRO.

Applicants

In case of applicants, if he or she violates the drug-free workplace policy, the offer of employment will be withdrawn. The Township will not discriminate against applicants for employment because of a past history of alcohol or drug abuse. Therefore, individuals who have failed pre-employment test may initiate another inquiry with the Township after a period of no less than six months, but must present themselves drug-free.

Employees

In keeping with the U.S. Department of Transportation requirements, the Township has, by resolution, adopted testing practices for employees holding Commercial Drivers Licenses ("CDL") to identify persons who use illegal drugs either on or off the job. It shall be a condition of employment for all employees not subject to testing under the U.S. Department of Transportation requirements (i.e., employees whose position does not require them to possess a Commercial Driver's License) to submit to alcohol and/or drug testing under the following circumstances other than the random testing described above:

- 1) When there is reasonable suspicion to believe that an employee is under the influence of alcohol or using illegal drugs,
- 2) When an employee is involved in an on-the-job accident (*) where personal injury or damage to Township property occurs,
- 3) When an employee is involved in two or more incidents (**) within a 30 day period,
- 4) As a part of a follow-up program for treatment for drug and/or alcohol abuse.

(*) An accident is defined as property damage of \$500.00 or more, or where any personal injury is reported.

(**) An incident for purposes of this policy includes any contact with a vehicle with another object that was not intended.

A supervisor shall require an employee to submit to a drug test when he or she has reasonable suspicion to believe that the employee violated the prohibitions against drug use.

The supervisor's determination that reasonable suspicion exists to require the employee to undergo a drug test must be based on specific, contemporaneous, articulable

observations concerning the appearance, behavior, speech, or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of drugs.

When a supervisor or other trained Township official has reasonable suspicion that an employee may be under the influence of drugs he or she shall:

- 1) Complete the Supervisor's Report of Reasonable Suspicion form, following the appropriate instructions. The Supervisor's Report of Reasonable Suspicion should be completed as promptly as practicable, but in no event longer than twenty-four hours after the observed behavior or after the results of the drug test is released, whichever is earlier.
- 2) Contact the Township Manager or Human Resources Administrator who will provide further instruction immediately after noticing the behavior or event.

If the required test is not performed within thirty-two hours after the supervisor determines reasonable suspicion exists, the supervisor shall cease attempts to administer a drug test and shall prepare a report stating the reasons for not administering the required test.

In the case of Sworn Officers, all of the Attorney General's guidelines and Police Department General Orders will be followed in reference to any drug and alcohol testing.

Any employee who refuses to comply with a request for drug testing shall be considered as having produced a positive test result and will be discharged. Any employee who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be terminated. If the laboratory detects that a substance has been added to the sample to interfere with the normal testing process, the employee will be deemed to have refused to test and the same sanctions will apply.

Alcohol Levels and Consequences

Non-CDL Employees

Employees who do not possess or are not required to maintain a CDL will undergo random testing for alcohol as part of this policy. If an employee is found to be at work with a blood alcohol concentration (BAC) of .08 or above they will be terminated and will not be permitted to operate a motor vehicle when leaving.

Any non-CDL employee who is found to be working with a BAC between .05 and .079 will not be permitted to work until the next scheduled work day and must pass a return to work alcohol test. The employee will also be required to submit to random alcohol testing for the following six months at a frequency of not more than once per month. All costs associated with the additional testing will be the responsibility of the employee.

Other disciplinary actions will be determined based upon the specific circumstances involved.

CDL Employees

Employees who are found to be at work with a BAC of .04 or above will be terminated.

Employees who are required to maintain a CDL and are found to have a BAC between .02 and .039 will not be permitted to work until their next scheduled shift, but not less than 8 hours, and will not be permitted to perform and safety-sensitive functions for at least 24 hours. A return to work evaluation showing a BAC of under .02 must also be completed prior to returning to work.

(NOTE: CDL Employees are subject to the provisions within the “Drug and Alcohol Policy for Employees Required to Possess a Commercial Driver’s License”)

Rehabilitation

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and alcohol/drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the improper consumption of alcohol or illegal use of drugs is incompatible with employment with the Township of Howell. Therefore, the Township strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell the Township Manager or any other management representative with whom the employee feels comfortable.

The Township recognizes the health implications of alcohol abuse and drug use on its employees and considers it a treatable illness. As with other illnesses, the Township’s primary objective is to assist in the employee’s rehabilitation. The Township designed this policy to encourage employees to voluntarily seek help for any substance abuse problems.

An employee may voluntarily admit to the Township that he or she has an alcohol or substance abuse problem without fear of discipline or discharge. Upon admission of an alcohol or substance abuse problem, the Township will provide the employee with information on where he or she may seek counseling and the individual will immediately enroll himself or herself in a rehabilitation program through the Township’s Employee Assistance Program. The costs of counseling may be covered by the employee’s medical insurance. If not, the cost of such outside services is the employee’s responsibility.

An unpaid leave of absence will be granted for a reasonable period of treatment. The Township will make every effort to hold the employee’s position during the rehabilitation process. The Township will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem unless that employee refuses to enroll in and complete a rehabilitation program. Employees who voluntarily enter rehabilitation on more than one occasion, however, shall be subject to disciplinary action up to and including immediate termination.

It is crucial to note that the accommodations in this section apply only when an employee voluntarily comes forward. If a substance abuse problem is disclosed to the Township only after there has been (1) a positive alcohol or drug test, (2) a violation of a Township rule or standard, (3) a violation of law, or (4) a violation of this policy, the Township will not consider the employee to have voluntarily come forward. If an employee fails to remain drug free after the first voluntary rehabilitation, he/she shall be terminated.

Confidentiality

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Shared Responsibilities

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on or off duty use of alcohol or other drugs. It is the responsibility of the Township's supervisors to counsel employees whenever they see changes in performance or behavior that suggests an employee has an alcohol or drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment and co-workers should encourage anyone who may have an alcohol or drug problem to seek help.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment
- Support fellow workers in seeking help
- Use the Employee Assistance Program
- Report dangerous behavior to their supervisor

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy
- Observe employee performance
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance
- Counsel employees as to expected performance improvement
- Clearly state consequences of policy violations.

Prescription/ Over the Counter Drug Usage

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication or mix of medications may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices. All CDL employees and all employees who drive a Township vehicle or perform safety sensitive job functions must notify their supervisor or Human Resources of any prescription or over the counter drug usage that may affect their ability to function in a safe capacity. The Township reserves the right to seek medical consultation or obtain medical documentation to determine whether to provide reasonable accommodation to permit the employee to perform the essential functions of the job. Such consultation and/or documentation will be treated confidentially to the extent required by law.

Communication

Communicating our drug-free workplace policy to both supervisors is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a copy of this policy
- The policy will be reviewed in orientation session with new employees
- The policy and assistance programs will be reviewed at safety meetings

DRUG AND ALCOHOL POLICY FOR EMPLOYEES REQUIRED TO POSSESS A COMMERCIAL DRIVER'S LICENSE

Purpose

The illegal use of drugs and alcohol is a national problem that seriously affects Americans. Drug and alcohol abuse not only affects individual users and their families, but also presents dangers for the work place.

Howell Township has always been committed to providing a safe environment and fostering the well being and health of our employees and residents. Illegal drug and improper alcohol use undermines our capability to keep this commitment.

To keep this commitment and to comply with the provisions of the Omnibus Transportation Employee Testing Act of 1991, this policy outlines mandated drug and alcohol testing requirements. Specifically, this policy describes, among other things, the positions subject to testing, prohibited conduct, the circumstances under which a driver will be required to submit to drug and/or alcohol testing, testing procedures, and the consequences of violating the policy.

Drivers with questions concerning this policy should contact the Township Manager. The Township Manager may be reached at the following telephone number: (732) 938-4500.

Note: This policy is designed to provide the Township of Howell and its authorized agents with guidelines concerning Department of Transportation mandated drug and alcohol testing requirements. It is not intended nor should it be construed as creating any enforceable rights in the Township employee. This policy is not in any way intended, nor should it be construed as an expressed or implied contractual promise, commitment or contract. The Township of Howell reserves the right to change this policy and/or any educational materials at any time with or without notice.

Positions Subject to Testing

Drivers whose position requires them to possess a Commercial Driver's License ("CDL") must undergo drug and alcohol testing in accordance with DOT regulations. A CDL is required for drivers who drive motor vehicles which:

- A. Have a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- B. Have a gross vehicle weight rating of 26,001 or more pounds; or
- C. Are designed to transport 16 or more passengers, including the driver; or

- D. Are of any size and are used in the transportation of materials found to be hazardous and which require the motor vehicle to be placarded.

Prohibited Conduct

A. Alcohol

1. No driver shall report for duty or remain on duty while having an alcohol concentration of 0.02 or greater. No supervisor having actual knowledge that a driver has an alcohol concentration of 0.02 or greater shall permit the driver to perform or continue to perform safety-sensitive functions.
2. No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. No supervisor having actual knowledge that a driver possesses unmanifested alcohol may permit the driver to drive or continue to drive a commercial motor vehicle.
3. No driver shall use alcohol while performing a safety-sensitive function. No supervisor having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.
4. No driver shall perform safety-sensitive functions within four hours after using alcohol. No supervisor having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.
5. No driver required to take a post-accident alcohol test shall use alcohol within eight hours following the accident, unless the driver undergoes a post-accident alcohol test, whichever occurs first.
6. No driver shall refuse to submit to a post-accident alcohol test, a random alcohol test, a reasonable suspicion alcohol test or a follow-up alcohol test. No supervisor shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

7. The Township will treat a driver's refusal to submit to an alcohol test required under this Policy as a verified positive test result.

B. Drugs

1. No driver shall report for duty or remain on duty when the driver uses any drug, except when the driver uses the drug pursuant to the instructions of a doctor who has advised the driver that the drug does not adversely affect the driver's ability to safely operate a commercial motor vehicle. No supervisor having actual knowledge that a driver has used a drug shall permit the driver to perform or continue to perform a safety-sensitive function.
2. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for drugs. No supervisor having actual knowledge that a driver has tested positive for drugs shall permit the driver to perform or continue to perform safety-sensitive functions.
3. No driver shall refuse to submit to a post-accident drug test, a random drug test, a reasonable suspicion drug test or a follow-up drug test. No supervisor shall permit a driver who refuses to submit to such a test to perform or continue to perform safety-sensitive functions.
4. The Township will treat a driver's refusal to submit to a drug test required under this Policy as a verified positive test result.

Required Testing

Pursuant to the DOT regulations, Howell Township will conduct the following alcohol and drug testing.

Pre-Employment Testing

1. **Pre-Employment Drug Testing**
 - a. Prior to the first time a driver reports to duty, but after Howell Township extends an offer of employment, the driver shall undergo drug testing. Howell Township shall not hire drivers who test positive for drug use.

- b. Howell Township shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of the employment application.

2. Pre-Employment Alcohol Testing

- a. A driver shall not be required to submit to alcohol testing prior to the first time the driver reports to duty.

Post-Accident Testing

As soon practicable following an accident involving a commercial motor vehicle, the driver shall submit to post-accident alcohol and drug testing. The driver must submit to post-accident alcohol and drug testing if the accident involved a fatality or if the driver received a citation under State or local law for a moving traffic violation arising from the accident.

The Township of Howell, pursuant to its independent authority, will require a driver to submit to post-accident alcohol and drug testing if the accident results in personal injury or damage to Township property.

A driver who is subject to post-accident testing shall remain readily available for testing or Howell Township may deem the driver to have refused to submit to testing.

1. Alcohol Testing

The driver shall make every effort to submit to post-accident alcohol testing within two hours after the accident. If the driver cannot submit to testing within two hours, the driver should continue to try to submit to testing up to eight hours after the accident.

If the driver is unable to submit to alcohol testing within eight hours after the accident, the driver should stop trying to submit to testing. Howell Township will record the reason why the driver could not submit to testing.

2. Drug Testing

The driver shall make every effort to submit to post-accident drug testing within thirty-two hours following the accident.

If the driver is unable to submit to drug testing within thirty-two hours after the accident, the driver should stop trying to submit to testing. Howell Township will record the reason why the driver could not submit to testing.

3. Accident Reporting Procedures

- a. Upon being involved in a motor vehicle accident while operating a commercial motor vehicle, the operator shall follow standard reporting procedures including:
 - i. Contacting the Township of Howell Police by the fastest possible means, relating the vehicle identification number and location of the accident;
 - ii. The Township of Howell Police shall notify the Township Manager of the motor vehicle accident.
 - iii. If the accident results in a death or the issuance of a moving violation citation to the driver, the driver's supervisor must transport the uninjured driver to the drug and alcohol test site and remain with the driver until the test has been administered.
- b. This section is not intended to prevent an injured person from obtaining immediate medical attention.

Random Testing

1. All drivers shall be subject to annual drug and alcohol random testing. Random alcohol testing will be done before, during or just after performing a safety-sensitive function.
2. Annually, a specific percentage of the drivers will undergo drug testing and a specific percentage of drivers will undergo alcohol testing. The percentage is determined annually by the U.S. Department of Transportation. Random drug and alcohol testing will be unannounced and the dates for administering random alcohol and drug tests shall be spread reasonably throughout the calendar year.
3. Drivers for random alcohol and drug testing shall be selected by a lottery system. Once chosen to undergo testing, the employee's name will be re-entered into the system for the next round of testing announcements. Under this selection

process, each driver shall have an equal chance of being tested each time selections are made.

4. Upon selection, the driver shall report to the test site immediately. If the driver is performing a safety-sensitive function at the time of notification, the driver shall stop performing that function in a manner consistent with safety and proceed to the test site as soon as possible.

Reasonable Suspicion Testing

1. Alcohol Testing

- a. A supervisor shall require a driver to submit to an alcohol test when he or she has reasonable suspicion to believe that the driver has violated the prohibitions against alcohol concentration, on-duty use of alcohol, pre-duty use or use following and accident.
- b. The supervisor's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.
- c. When a supervisor or other trained Township official has reasonable suspicion that a driver may be under the influence of alcohol, he or she shall:
 - i. Complete the Supervisor's Report of Reasonable Suspicion form, following the appropriate instructions. The Supervisor's Report of Reasonable Suspicion should be completed as promptly as practicable, but in no event longer than twenty-four hours after the observed behavior or after the results of the alcohol test is released, whichever is earlier.
 - ii. Contact the Township Manager, who will provide further instruction.
- d. Reasonable suspicion alcohol testing is authorized only if the required observations are made just before, during or immediately after performing driving or safety-sensitive functions.

- e. Every effort should be made to conduct alcohol testing no more than two (2) hours after the supervisor determines reasonable suspicion exists.
- f. If the required testing is not performed within two hours after the supervisor determines reasonable suspicion exists, the supervisor shall prepare a report indicating the reasons the alcohol test was not promptly administered.
- g. If the required test is not performed within eight hours after the supervisor determines reasonable suspicion exists, the supervisor and Howell Township shall cease attempts to administer an alcohol test and shall state in the report the reasons for not administering the required test.

2. Drug Testing

- a. A supervisor shall require a driver to submit to a drug test when he or she has reasonable suspicion to believe that the driver violated the prohibitions against drug use.
- b. The supervisor's determination that reasonable suspicion exists to require the driver to undergo a drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of drugs.
- c. When a supervisor or other trained Township official has reasonable suspicion that a driver may be under the influence of drugs, he or she shall:
 - i. Complete the Supervisor's Report of Reasonable Suspicion form, following the appropriate instructions. The Supervisor's Report of Reasonable Suspicion should be completed as promptly as practicable, but in no event longer than twenty-four hours after the observed behavior or after the results of the drug test is released, whichever is earlier.
 - ii. Contact the Township Manager, who will provide further instruction.
- d. If the required test is not performed within thirty-two hours after the supervisor determines reasonable suspicion exists,

the supervisor shall cease attempts to administer a drug test and shall prepare a report stating the reasons for not administering the required test

Return-to-duty Testing

- a. If a driver has an alcohol test with a result indicating an alcohol concentration of 0.04 or greater, the driver must be evaluated by a Substance Abuse Professional. The driver shall be responsible for the cost of the Substance Abuse Professional. The driver must complete all treatment recommended by the Substance Abuse Professional.
- b. Prior to returning to duty, any driver who engaged in alcohol use prohibited by the DOT regulations and this policy, must undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02. The driver shall be responsible for the cost of return-to-duty testing.

Return-to-Duty Drug Testing

- a. If a driver tests positive for drugs, the driver must be evaluated by a Substance Abuse Professional. The driver shall be responsible for the cost of the Substance Abuse Professional. The driver must complete all treatment recommended by the Substance Abuse Professional.
- b. Prior to returning to duty, any driver who engaged in drug use prohibited by the DOT regulations and this policy, must undergo a return-to-duty drug test with a result indicating a verified negative result for drug use. The driver shall reimburse the Township of Howell for the cost of return-to-duty testing.

Follow-Up Testing

1. Any driver required to be evaluated, and/or treated by a Substance Abuse Professional shall be subject to unannounced follow-up testing as the Substance Abuse Professional directs. The driver shall reimburse the Township of Howell for the cost of follow-up testing.
2. Follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the

driver is to perform safety-sensitive functions or just after the driver has ceased performing safety-sensitive functions.

3. Follow-up testing shall consist of at least six tests in the first 12 months following the driver's return to duty. In no event shall the follow-up testing exceed 60 months from the date of the driver's return to duty.
4. The Substance Abuse Professional may excuse the requirements for follow-up testing at any time after the first six tests have been administered if he or she determines that they are no longer required.
5. The driver shall be further evaluated by the Substance Abuse Professional to ensure that he or she has properly followed any prescribed rehabilitation program.

Alcohol and Drug Testing Procedures

Alcohol Testing Procedures

1. Drivers shall submit to breath tests which indicate their breath alcohol content. Alcohol breath tests shall be administered by a trained Breath Alcohol Technician.
2. When a driver receives notice to report to the alcohol testing site for a breath alcohol test, the driver shall:
 - c. Proceed immediately to the testing site;
 - d. Present positive identification, such as a photo driver's license, to the Breath Alcohol Technician; and
 - e. Follow the Breath Alcohol Technician's instructions on completing the United States Breath Alcohol Testing Form.
3. The Breath Alcohol Technician shall conduct the breath alcohol test on a breath alcohol device approved for testing by the U.S. Department of Transportation. External calibration checks must be performed at regular intervals to ensure the accuracy of the breath alcohol device.
4. The Breath Alcohol Technician shall open an individually sealed mouthpiece and attach it to the breath testing device in the driver's presence. The Breath Alcohol Technician shall

instruct the driver to blow forcefully into the mouthpiece for at least 6 seconds or until the breath testing device indicates that an adequate amount of breath has been obtained. The Breath Alcohol Technician shall show the driver the results displayed on the breath-testing device and complete required paperwork.

5. Test Results

- a. If the breath alcohol-screening test results in a breath alcohol concentration of less than 0.02, the driver shall complete any remaining paperwork and shall be free to leave the testing site.
- b. If the breath alcohol-screening test results in a breath alcohol concentration of 0.02 or greater, the Breath Alcohol Technician shall conduct a confirmatory breath alcohol test.
 - i. The confirmatory breath alcohol test will be administered at least fifteen minutes but no more than thirty minutes after the completion of the breath alcohol screen test.
 - ii. The Breath Alcohol Technician shall instruct the driver not to eat, drink, put any object or substance in his or her mouth and to the extent possible, not to belch during the waiting period before the confirmatory test. The Breath Alcohol Technician shall explain to the driver that this prevents any accumulation of mouth alcohol which could lead to an artificially high reading and is for the driver's benefit.
 - iii. The Breath Alcohol Technician shall provide the driver with a new mouthpiece for the confirmatory test and ensure that the breath-testing device registers 0.00 on an air blank.
 - iv. In the event the screening and confirmation breath test results are not identical, the confirmation test result is deemed to be the final result upon which any action shall be based.
- c. If the confirmatory breath alcohol test results in a breath alcohol concentration of less than 0.02, the driver shall

complete any remaining paperwork and shall be free to leave the testing site.

- d. If the confirmatory breath alcohol test results in a breath alcohol concentration of 0.02 or greater, but less than 0.04, the driver shall not perform safety-sensitive functions for at least 24 hours.
 - e. If the confirmatory breath alcohol test results in a breath alcohol concentration of 0.04 or greater, the driver shall not perform safety-sensitive functions until a Substance Abuse Professional evaluates the driver. Prior to returning for duty, the driver must complete any treatment prescribed by the Substance Abuse Professional and submit to a return-to-duty test which results in a breath alcohol concentration of less than 0.02.
6. If a driver is unable to provide enough breath for a complete breath alcohol test, he or she shall be referred to a medical doctor acceptable to the Township for evaluation. If the evaluation fails to detect any medical reason for the inability to provide sufficient breath, the driver shall be deemed to have refused testing.

Drug Testing Procedures

Drivers shall submit to urine tests to detect the presence of one or more of the following drugs: marijuana, cocaine, amphetamines, opiates and semi synthetic opiates. and phencyclidine.

When a driver receives notice to report to the testing site for a drug test, the driver shall:

- a. Proceed immediately to the testing site;
- b. Present positive identification, such as a photo driver's license, to the collector,
- c. Follow the collector's instructions on completing the Custody and Control Form.

The collector shall present the collection container to the driver sealed in its wrapper or shall unwrap the collection container in the driver's presence. The driver shall void at least 45 ml of urine in

the collection container, in accordance with the collector's instructions.

In the presence of the driver, the collector will pour 30 ml of urine in one specimen bottle, unwrapped in the driver's presence, and at least 15 ml of urine into another specimen bottle, also unwrapped in the driver's presence, to be used as a split sample.

- a. If the driver cannot provide the required quantity of urine, the collector shall instruct the driver to drink not more than 40 ounces of fluids and, after a period of up to three hours, again attempt to provide a complete sample using a fresh collection container.
- b. If the driver is still unable to provide an adequate specimen, the collector shall discontinue testing and notify Howell Township. The Medical Review Officer shall refer the driver for a medical evaluation by a physician acceptable to the Township to determine whether the inability to provide a specimen is genuine or constitutes a refusal to test.

To safeguard the collection process:

- a. the specimen bottles shall be sealed with a tamper proof sealing system which ensures against undetected opening;
- b. the specimen bottles shall be identified with a unique identifying number identical to that appearing on the Custody and Control Form;
- c. the driver shall initial the specimen bottles in the space provided, to affirm the identity of the specimens; and
- d. the shipping container in which the specimens and associated paperwork may be transferred shall also be sealed and initialed to prevent undetected tampering.
- e. the Custody and Control Form shall be used to maintain control and accountability of each specimen from collection to testing completion. The Custody and Control Form shall identify every individual in the chain of custody.

The collector will ship both specimen bottles to the laboratory for analysis. The laboratory will test the specimen containing 30 ml of urine in the initial screening, and reserve the specimen containing at 15 ml of urine.

The laboratory will forward the results of the initial screening to the Township's Medical Review Officer. If the tests results are negative, the Medical Review Officer will forward the results to Howell Township.

If the test result is positive, the Medical Review Officer shall contact the driver to determine whether a medical explanation for the positive test exists. The Medical Review Officer will release the test result to Howell Township only after speaking with the driver. If the driver declines to speak with the Medical Review Officer, the Medical Review Officer will release the test result to Howell Township anyway.

In the event of a positive test, the Medical Review Officer shall make all reasonable efforts to notify the driver that the driver has 72 hours to request a test of the split specimen. If the driver requests a test of the split specimen, the Medical Review Officer shall contact the laboratory.

- a. The split sample yields a negative test result; or
- b. If the split sample yields a positive test result, the driver is referred to, evaluated and treated, if necessary, by a Substance Abuse Professional.

Penalties for Violations

Howell Township, pursuant to its independent authority, implements the following penalties for violations of this policy:

Penalties for Alcohol Violations

1. If an alcohol test yields a breath alcohol concentration of more than 0.02, the driver will be subject to disciplinary action up to and including termination of employment.
2. Any driver who refuses to take a breath alcohol test shall be terminated.

Penalties for Drug Violations

1. If any drug test yields positive results, the driver will be subject to disciplinary action up to and including termination of employment.
2. Any driver who refuses to take a drug test shall be terminated.
3. Any driver who adulterates his or her urine sample or otherwise engages in conduct that obstructs the testing process shall be terminated.

Rehabilitation

Howell Township, pursuant to its independent authority, offers its employees the following opportunity for rehabilitation:

- The Township strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell the Township Manager or any other management representative with whom the employee feels comfortable.
- An employee may voluntarily admit to the Township that he or she has an alcohol or substance abuse problem without fear of discipline or discharge. Upon admission of an alcohol or substance abuse problem, the Township will provide the employee with information on where he or she may seek counseling and the individual will immediately enroll himself or herself in a rehabilitation program. The costs of counseling may be covered by the employee's medical insurance. If not, the costs of such outside services are the employee's responsibility. An unpaid leave of absence will be granted for a reasonable period for treatment.
- The Township will make every effort to hold the employee's position during the rehabilitation process. The Township will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem unless that employee refuses to enroll in and complete a rehabilitation program. Employees who voluntarily enter rehabilitation on more than one occasion, however, shall be subject to disciplinary action up to and including immediate termination.
- It is crucial to note that the accommodations in this section apply only when an employee voluntarily comes forward. If a substance abuse problem is disclosed to the Township only after there has been (1) a positive alcohol or drug test, (2) a violation of a Township rule or standard, (3) a violation of law, or (4) a violation of this policy, the Township will not consider the employee to have voluntarily come forward. If an

employee fails to remain drug free after the first voluntary rehabilitation, he/she may be terminated.

Employee Access to Records

E. A driver is entitled to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.

F. Procedure to Obtain Records:

1. To obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests, the driver must submit a written request to the Township Manager.
2. The Township Manager will promptly provide the records requested by the driver.

II. Supervisor Training

Howell Township shall provide supervisors designated to determine whether reasonable suspicion exists with at least sixty minutes of training on alcohol misuse and at least sixty minutes of training on drug use. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and drug use.

SUPERVISOR'S REPORT OF REASONABLE SUSPICION

This checklist is to be completed when an incident occurs which provides reasonable suspicion that a driver may be under the influence of drugs or alcohol. Check each applicable item in the proper column.

EMPLOYEE NAME	TIME OF INCIDENT	DATE OF INCIDENT
DEPARTMENT HEAD	SUPERVISOR	

Incident or Cause for Suspicion

Yes No

- | | | |
|--------------------------|--------------------------|---|
| ☐ | ☐ | Observed abnormal or erratic behavior |
| ☐ | ☐ | Observed or reported possession of a prohibited substance |
| ☐ | ☐ | Apparent drug or alcohol intoxication |
| ☐ | ☐ | Arrest or conviction for drug-related offense |
| ☐ | ☐ | Other (please explain) |

Unusual Behavior

Yes No

- | | | |
|--------------------------|--------------------------|--|
| ☐ | ☐ | Extreme aggressiveness or agitation |
| ☐ | ☐ | Withdrawal, depression, mood changes, or unresponsiveness |
| ☐ | ☐ | Verbal abusiveness |
| ☐ | ☐ | Physical abusiveness |
| ☐ | ☐ | Inappropriate verbal response to questioning or instructions |
| ☐ | ☐ | Other (please explain) |

Physical Signs or Symptoms

Yes No

- | | | |
|---------------|---------------|---|
| <u> </u> | <u> </u> | Possessing, dispensing, or using a controlled substance |
| <u> </u> | <u> </u> | Slurred or incoherent speech |
| <u> </u> | <u> </u> | Excessive sweating or clamminess of the skin |
| <u> </u> | <u> </u> | Unsteady gait or other signs of physical control loss |
| <u> </u> | <u> </u> | Dilated or constricted pupils or any unusual eye movement |
| <u> </u> | <u> </u> | Bloodshot or watery eyes |
| <u> </u> | <u> </u> | Extreme fatigue or sleeping on the job |
| <u> </u> | <u> </u> | Shaky hands or body tremors |
| <u> </u> | <u> </u> | Flushed or very pale face |
| <u> </u> | <u> </u> | Highly excited or nervous |
| <u> </u> | <u> </u> | Nausea or vomiting |
| <u> </u> | <u> </u> | Odor of alcohol/marijuana |
| <u> </u> | <u> </u> | Dizziness or fainting |
| <u> </u> | <u> </u> | Runny nose or sores around the nostrils |
| <u> </u> | <u> </u> | Inappropriate wearing of sunglasses |
| <u> </u> | <u> </u> | Skin puncture marks |
| <u> </u> | <u> </u> | Other (please explain) |

Description of Events:

DEPARTMENT HEAD SIGNATURE

TIME

DATE

SUPERVISOR SIGNATURE

TIME

DATE

HOLIDAYS

Designated Holidays:

The Township recognizes the following days as paid holidays for which full-time employees actively on the payroll at the time of the holiday will receive a day of pay at straight time without having to perform work, except police officers and radio dispatchers of the Police Department:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	General Election Day
Good Friday	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	The day after Thanksgiving Day
	Christmas Day

The work days prior to Christmas and New Year's Day will be one-half day. Employees will be required to work until the noon hour. No lunch hour will be permitted on these days.

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday.

When an official holiday occurs during an employees vacation, the employee shall not have the holiday charged against vacation leave. When an official holiday occurs while an employee is on sick leave, the employee shall not have the holiday charged against sick leave.

The above mentioned holidays shall be included in the employee's regular pay period.

Observation of Religious Holidays:

Employees who wish to observe religious holidays not designated as a holiday by the Township may do so without loss of pay by using personal time, or vacation days, but only to the extent that the employee has not already used up his or her personal time and/or vacation days.

Unionized Employees:

All unionized employees shall receive holiday benefits as provided in their applicable collective bargaining unit.

VACATIONS

Vacation Time:

Each non-unionized employee who has the length of continuous employment specified in the following schedule shall be entitled to the working time shown as vacation with pay at his or her regular rate of pay.

<u>LENGTH OF EMPLOYMENT</u>	<u>VACATION TIME</u>
2 months to 1 year of service	One (1) day per month worked up to ten (10) working days
After one year of service to the completion of five years of service	13 working days
After six years of service to the completion of nine years of service	15 working days
After ten years of service to the completion of fifteen years of service	18 working days
After sixteen years of service to the completion of nineteen years of service	20 working days
After nineteen years of service to the completion of twenty-two years of service	22 working days
After the completion of twenty-two years of service	25 working days
After the completion of twenty-five (25) years	1 additional day for each year or more up to a maximum of thirty (30) days

Vacation leave shall be computed on a calendar year basis. Employees in the Sewer Department shall be entitled to earn vacation based upon their date of hire with the Howell Township MUA although no days will be credited for service with the former HTMUA.

New Hires

New hires shall not be eligible for vacation until the completion of six months of service with the Township (unless authorized by the Township Manager). Employees with less than a full year of service with the Township, but at least six months continuous employment, the following shall apply:

During the first calendar year or portion thereof, an employee shall receive no vacation entitlement for the first two (2) months. After the first two months the employee will earn one (1) vacation day per month thereafter up to ten (10) days for the calendar year (January 1 to December 31).

First year employees may carry their vacation allotment up to five (5) days to the next year only, depending upon their date of hire and ability to utilize during the first calendar year.

Any new employee hired before the fifteenth day of the month shall be credited with having worked one month for purposes of vacation entitlement.

During the year that the employees vacation days increase to the next level, based on their anniversary date, the employee shall receive credit for additional days on January 1 if their anniversary dates falls within January 1 through June 30 of the year in which they increase to the next level. The employee shall receive credit for the additional days on July 1 if their anniversary date falls within July 1 through December 31 of the year in which they increase to the next level.

Accumulation of Vacation Time

Accumulation of vacation leave beyond that earned in a 12 month period shall be permitted only with the consent of the Township Manager. Employees will not be paid for vacation leave earned and not used while still employed by the Township. Upon retirement within the definition of a NJ State Retirement System, excluding deferred retirement an employee shall be paid the prorated amount of unused vacation day.

If an employee exceeds vacation leave usage, upon termination said monies are to be deducted from his/her final check. If that is not possible to pay owed monies out of the last check, the employee will owe the remaining balance of the days.

Scheduling Vacation Time

Subject to the approval of the Township Manager, vacations shall be scheduled by Department Heads in such manner as to insure adequate levels of personnel to operate such departments efficiently especially during busier times of the year.

Requests for vacation leave must be submitted by December 31 of the current year. Priority shall be given to employees in each department with the longest service, so long as the Township can maintain efficiency. An employee who fails to submit his or her request for a specified vacation period, or who requests a change in the established vacation schedule, will forfeit his or her priority and be assigned a vacation period which accommodates the timely requests of other employees.

Efforts will be made to schedule vacation leave in accordance with the employee's wishes and consistent with the maintenance of efficiency. The Township, however, may require an employee to reschedule his or her vacation in cases of business necessity. Vacation leave may be taken in units of full or half days. Vacation carryover can only be completed with prior approval by the Township Manager and subject to applicable restrictions.

Unionized Employees

Unionized employees shall receive vacation benefits in accordance with their respective collective bargaining agreements.

PERSONAL DAYS

Personal Leave

Full-time unclassified employees receive one and a half personal days after the completion of six months of service and three personal days total after the completion of one year of service. Thereafter, full-time employees are entitled to three personal days with pay per year. Employees may take personal days in one-half or one day increments. Any employee who does not lose more than four hours of time due to a Worker's Compensation injury (not including the day of the accident) in any one calendar year January 1-December 31 shall receive an additional personal day the following year.

Employees shall be permitted to use all personal days in January in accordance with applicable procedures, however, the employee shall owe the Township for pay received on account of such days, if the employee resigns or leaves employment prior to June 30 and December 31, of any year. Amounts owed on account of personal days taken in this event shall be deducted from the employee's last paycheck. Personal days cannot be accumulated from year to year. Upon termination of employment, an employee will forfeit his or her accrued but unused personal days. An employee will be paid his/her personal days on a prorated basis upon retirement with pension from the Township, excluding a deferred retirement. If an employee does not utilize any sick days during a full(January 1-December 31) calendar year, they shall be credited with an additional two (2) personal days for use the next ensuing year.

Procedure

All employees should inform their department head as far in advance as possible when they intend to take a personal day. Additionally, personal leave time is subject to the Township Manager's approval.

Unionized Employees

Unionized employees shall receive personal leave in accordance with their respective collective bargaining agreements.

SICK LEAVE

Definition of Sick Leave

All full-time Township employees are entitled to sick leave if he or she is incapacitated through sickness or injury to a degree that makes it impossible for the employee to perform the duties of his or her position, or if a physician quarantines an employee because of exposure to a contagious disease.

Sick Leave Benefits

All full-time employees are entitled to sick leave with pay which shall accrue at the rate of one working day per month during the first year of employment. An employee hired before the fifteenth day of the month shall be credited with a full month of service. After the completion of one year of service, all full-time employees shall accumulate sick leave at the rate of twelve (12) days per year. Sick leave may be taken in units of full or half days. Sick time does not accrue during leave of absence.

Notification

If an employee is absent for reasons that entitle him or her to sick leave, the employee shall notify the designated supervisor or Department Head not later than one (1) hour prior to the employee's usual reporting time. If unable to contact the designated supervisor or Department Head, the employee shall notify the Township Manager or Human Resources Administrator. Should none of the above mentioned personnel be available, the employee may call the non-emergency number of the police department and leave word with the dispatchers. The failure to provide notice of intention to take sick leave may result in a forfeiture of sick leave credit and may constitute cause for disciplinary action.

Verification of Sick Leave

A certificate from a physician designated by the Township or the employee's own physician may be required as proof of the need for sick leave. Additionally, the Township may require that any employee absent on sick leave be examined by a physician designated by the Township. The Township may also require an employee to obtain a certificate from a physician designated by the Township before returning to work.

In cases of extended illness, disability, or a pattern of absences, the employee shall furnish such reports or medical certificates of his or her condition as may be required by the Department Head or Township Manager. Additionally, the Department Head or Township Manager may require that the employee be examined by the Township physician prior to returning to work, to determine the employee's fitness to perform the requirements of his or her position.

Employees are referred to the additional sections of this manual entitled Family and Medical Leave, Absenteeism and Tardiness and Contagious Life Threatening Injury Policy.

Accumulation of Sick Leave

Employees shall be entitled to accumulate unused sick leave without limitation with the exception of retirement as set forth in these policies, accumulated sick leave shall be forfeited upon separation from service.

Conversion of Unused Sick Days

Upon retirement within the definition of the State Pension's System(s) excluding a deferred retirement, an employee with at least two years of continuous service is entitled to one day's pay at the rate in effect at the time of retirement for each two unused sick leave days up to a maximum of sixty (60) days pay in accordance with State Law, unless terminated following conviction in a criminal court. All employees hired after May 21, 2010 shall only be entitled to receive a total of \$15,000 of accumulated sick leave payments at the time of his/her retirement(excluding deferred retirement) in accordance with NJSA 40A:9-10.4.

No employee shall be paid for accumulated sick leave upon their voluntary resignation or termination of employment from the Township.

If an employee exceeds sick usage, whether still employed, or upon termination or resignation or retirement, said monies are to be deducted from his/her final paycheck. If it is not possible to pay owed monies out of the last check, the employee will owe the Township the remaining balance of the days.

Donated Leave Policy

All full time non-classified civilian employees who receive sick time are entitled to the following donated sick leave policy between the all non-classified civilian employees and members of the TWU and Teamsters Union:

A. A permanent full-time employee is eligible to receive donated sick or vacation leave if the employee:

1. Has completed at least one year of continuous employment with the Township;
2. Has exhausted all accrued sick, vacation and personal leave, all sick leave injury benefits, if any, and all compensatory time off;
3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave; and
4. Either (i) suffers from a catastrophic health condition or injury; (ii) is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or (iii) requires absence from work

due to the donation of an organ (which shall include, for example, the donation of bone marrow).

B. As used herein, a "catastrophic health condition or injury" means:

1. With respect to an employee, (i) a life-threatening condition or combination of such conditions; or (ii) a period of disability required by his or her mental or physical health and necessitating the care of a physician who provides a medical verification of the need for the employee's absence from work for 60 or more work days.

2. With respect to an employee's immediate family member, (i) a life-threatening condition or combination of such conditions; or (ii) a period of disability required by his or her mental or physical health and necessitating the care of a physician who provides a medical verification of the need for the family member's care by the employee for 60 or more work days.

C. An employee may request that the Township Manager approve his or her participation in the program, as a leave recipient or leave donor. The employee's supervisor may make such a request on behalf of the employee for his or her participation in the program as a leave recipient.

1. The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the Township Manager medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be.

2. When the Township Manager has approved an employee as a leave recipient, the Township, with the employee's consent, will post the employee's name along with those of other eligible employees on bulletin boards within the workplace to encourage the donation of leave time (or email all Township employees of said request. If the employee is unable to consent to this posting, the employee's family may consent on his or her behalf.

D. A leave recipient must receive at least five sick days or vacation days or a combination thereof from one or more leave donors to participate in the donated leave program. A leave recipient shall receive no more than 180 sick days and/or vacation days, and shall not receive any such days on a retroactive basis.

E. A leave donor shall donate only whole sick days or whole vacation days and may not donate more than ten such days to any one recipient. A leave donor must have remaining, after the donation, at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave. A leave donor may not revoke the leave donation. Employees desiring to donate leave shall complete a donated leave form satisfactory to the Township.

F. Any unused, donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results

in less than one day per donor to be returned, that leave time shall not be returned. Unused donated leave shall not be converted upon retirement into additional compensation.

G. Employees are prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

H. The Township reserves the right to suspend or terminate the donated leave program at any time upon 30 days written notice of such suspension or termination to affected employees and the majority representatives of Township unionized employees.

I. Donated leave used by a recipient will count against any leave entitlement to which the recipient is eligible under the Federal Family and Medical Leave Act and, when taken to care for a member of the employee's immediate family, that Act and the New Jersey Family Leave Law.

Unionized Employees

Sick and terminal leave benefits for employees that are represented by unions shall be in keeping with sick and terminal leave provisions incorporated in their respective contracts.

New Jersey Earned Sick Leave Law

Under New Jersey's Earned Sick Leave Law, most employees have a right to accrue up to 40 hours of earned sick leave per year. This portion of the sick leave policy will pertain to part time, per diem, seasonal interns and any other employee not deemed full time. This portion shall not apply to full time exempt, non-exempt. Union or non-union full time employees The Sick benefit year shall run from January 1 to December 31.

Rate of Accrual

Employees shall earn sick leave at the rate of one hour for every 30 hours worked, up to a maximum of 40 hours per year. Employees shall be able to use their earned sick leave time 120 days after the employee's date of hire. Persons currently employed by the Township prior to October 29, 2018 shall begin accrual on October 29, 2018 and will be able to start using accrued time February 26, 2019. Sick leave may only be take in whole or half day increments.

Acceptable Reasons to Use Earned Sick Leave

- You need diagnosis, care, treatment or recovery for mental or physical illness, injury or health condition or preventative medical care.
- You need to care for a family member during diagnosis, care, treatment or recovery for a mental or physical illness, injury or health condition or the family member needs preventative medical care.
- You or a family member has been the victim of domestic violence or sexual violence and need time for treatment, counseling or need to prepare for legal proceedings.
- You need to attend school related conferences, meetings or events regarding your child's education or to attend a school related meeting regarding your child's health.
- The Township closes due to a public health emergency or you need to care for a child who school or child care provider closes due to a public health emergency.

Family Members Defined

The law recognizes the following individuals as family members:

Child (biological, adopted, or foster child; stepchild; legal ward; child of domestic partner or civil union partner) grandchild, sibling, spouse, domestic partner or civil union partner, parent, grandparent, spouse, domestic partner or civil union partner of an employee's parent or grandparent, sibling of an employee's spouse, domestic partner or civil union partner, any other individual related by blood to the employee, any individual whose close association with the employee is the equivalent of family.

Advance Notice

If your need for earned sick leave is foreseeable, you must notify your department head seven days in advance of your intended sick leave. If your need for earned sick leave is unforeseeable, you must give notice as soon as the need for using the leave is known to the employee. It is noted that you cannot be retaliated against for requesting and using earned sick leave. Please see your Department Head as to how they would like you to call in for the sick leave. The employee is not responsible for finding coverage for their shift if they should utilize paid sick leave.

Documentation

If an employee uses 3 or more consecutive work days or more than 40 hours, the employee must furnish documentation for the leave. It should be noted that it is not required to specify the medical reason for your leave. All requests for sick leave and records of hours worked to earn sick leave shall be documented in the Township's electronic time and attendance system (i.e. Primepoint, POSS).

Unused Sick Leave

Up to 40 hours of unused sick leave can be carried over into the next benefit year; however, no more than 40 hours of accrued time may be utilized in any benefit year. Employees will not be paid out their accrued sick leave upon separation from the Township.

Where an employee is terminated, laid off, furloughed, or otherwise separated from employment with the employer and where the employee is reinstated or rehired in New Jersey within six months of the separation, any unused earned sick leave accrued by the employee prior to the separation shall be returned to the employee upon rehire or reinstatement.

Where an employee uses earned sick leave during hours that would have been overtime if worked, the employer is not required to pay the overtime rate of pay. Employees are not permitted to donate accrued sick time to other employees.

MEDICAL BENEFITS

Please note: Full detail of employee's health, medical and hospitalization plans can be found in the official insurance plan documents. If there is any conflict or inconsistency between the information in the policy and procedures manual and the official documents, the official documents will govern. The Township reserves the right to modify, revoke, suspend, terminate or change any or all such plans, in whole or in part, at any time with or without notice.

Medical and Hospitalization Insurance

All full-time employees and their dependents shall become eligible for enrollment in to the Township's hospitalization, medical, surgical and major medical expense group insurance plan in accordance with the specific requirements of the insurance plan carried by the Township. Employees become eligible for coverage on the anniversary of two months of employment.

Effective January 1, 2019, employees shall not be eligible to enroll in Direct 10 or Aetna 10, which shall be replaced with Direct 15 or Aetna 15. All employees shall elect to enroll in Direct 15 or any plan that is offered through the SHBP that has a premium equal to or less than Direct 15 or Aetna 15. If the employee wishes to remain in Direct 10 or Aetna 10, they may pay the difference between Direct 10 and Direct 15 (or another plan equivalent such as Aetna). Payment shall be made via payroll deduction.

Employees shall contribute towards their healthcare coverage in accordance with New Jersey State law requirements. The contribution is pre-tax dollars in accordance with a section 125 plan. Payments of such premiums by the Township shall terminate upon the employee's separation from service as set forth in the timetable for enrollment/termination. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

Dental Benefits

The Township of Howell provides dental insurance coverage for all full-time employees. The Township pays the full premium for the employee and one-half the dependent premium. Enrollment for dependent is optional. Supplementary dental insurance premium costs will be paid by the employee. Employees are eligible for coverage on the two month anniversary of employment.

Buy Out Program

The Township has implemented an employee buy-out program. Township employees are entitled to cancel medical coverage and be reimbursed according to State Law requirements. The employee must submit proof of coverage under another health plan for

the employee and dependents being dropped. The Buy Out Program may only be applied for during open enrollment periods offered by the Township. As per Chapter 2 Law, the employee must be covered under a private plan in order to be eligible for the waiver incentive. If the employee is covered under their spouse's SHPB the waiver incentive shall not apply.

Unionized Employees

Health insurance and dental benefits for employees that are represented by unions shall be in keeping with insurance provisions incorporated in their collective bargaining agreements.

EMPLOYEE ASSISTANCE PROGRAM

The Township takes an interest in the well being of our employees, and provides its employees with an Employee Assistance Program, which helps employees and their household members deal with certain personal and family problems including: substance abuse problems, financial, job related issues, marital and family concerns, mental or emotional illnesses.

All records of participating employees or their household members are kept strictly confidential.

Additional information on the Employee Assistance Program may be obtained through Human Resources.

LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

Life Insurance

In addition to the Group Life Insurance policy provided through the pension system, the Township provides a Life Insurance Policy in the amount of \$50,000 for members of the Superior Officers Association, \$25,000 for Department Heads, Teamsters, Unclassified Employees and Officials and members of the PBA, and \$10,000 for Classified Employees and TWU members. Also, all Township employees covered by this Group Life Insurance policy are provided with an Accidental Death and Dismemberment policy. Employees shall become eligible for these benefits on the second month anniversary of employment with the Township.

Unionized Employees

Life Insurance and accidental death and dismemberment benefits for employees that are represented by unions shall be in keeping with insurance provision incorporated in their collective bargaining agreements.

PENSION

Social Security

All Township employees are covered by Social Security (Federal Old-Age, Survivors and Disability Insurance).

State Administered Plans

Employees are required to be enrolled in the Public Employee Retirement System (PFRS, PERS, DCRP) as administered by the State of New Jersey and documented in the New Jersey Public Employee Benefit Manual which is available from the State of New Jersey Division of Pensions. Specific information on pension benefits and contributory life insurance benefits can also be obtained from the Township Manager.

Contributions

Members of PFRS, PERS and DCRP contribute to their respective systems at State regulated rates. The Township contributes to the systems set by the State, to keep them actuarial sound.

Retirement Benefits

Retirement benefits at prescribed percentages of average salary are provided under both systems and documented in the New Jersey Public Employee Benefit Manual available from the State of New Jersey Division of Pensions.

In both systems, a disability retirement allowance is provided under specified conditions.

CONTINUATION OF HEALTH COVERAGE (“COBRA”)

Consolidated Omnibus Budget Reconciliation Act of 1986

On April 7, 1986, a federal law was enacted (Public Law # 99-272, Title X) requiring that most employers sponsoring Group Health Plans offer employees and their families the opportunity for a temporary extension of health coverage (called continuation coverage) at group rates in certain instances where coverage under the employer’s Plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the law. (Both you and your spouse should take the time to read the section of this Manual carefully).

If you are an employee covered by the Township’s Group Health Plan, you have the right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or termination of your employment (for reasons other than gross misconduct on your part), or if you are a retiree, or because your employer has filed for reorganization under Chapter 11 of the Bankruptcy Code.

If you are the spouse of an employee (or a retiree for reason #5 below) covered by the Township’s Plan, you have the right to choose continuation coverage for yourself if you lose group health coverage under the Plan for any of the following five reasons:

1. The death of your spouse.
2. A termination of your spouse’s employment (for reasons other than gross misconduct) or reduction in your spouse’s hours of employment.
3. Divorce or legal separation from your spouse.
4. Your spouse is entitled to (covered under) Medicare.
5. Your spouse’s employer filed for Chapter 11 reorganization.

In the case of a dependent child of an employee (or retiree for reason #6, below) covered by this Plan, he/she has the right to choose continuation coverage if group health coverage under the Township’s Plan is lost for any of the following reasons:

1. The death of a parent.
2. Termination of a parent’s employment (for other than gross misconduct) or reduction in hours of employment.
3. Parent’s divorce or legal separation.
4. A parent becomes entitled to (covered under) Medicare.

5. The dependent ceases to be a dependent child under the Plan.
6. The parent's employer files for Chapter 11 reorganization.

Under the law, the employee or family member has the responsibility to inform the Plan Administrator, in this case, the Township Manager, of a divorce, legal separation, or the Social Security determination that a qualified beneficiary was disabled at the time of the employee's termination or reduction in hours, or a child losing dependent status under the Plan, within sixty (60) days of the qualifying event or Social Security determination of disability. The Township Manager has the responsibility to notify the Plan Supervisor of the employee's death, termination of employment or reduction in hours, or Medicare entitlement.

When the Township Manager is notified that one of these events has happened, the Township Manager will in turn notify you that you have the right to choose continuation coverage. Under the law, you have at least sixty (60) days from the date you would lose coverage because of one of the events described above to inform the Township Manager that you want continuation coverage.

If you do not choose continuation coverage, your group health insurance coverage will end.

If you choose continuation coverage, the Township is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the Plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for three years unless you 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 you were disabled at the time of termination or reduction of hours and you inform the Township Manager before the end of the eighteen (18) month period, in which case your coverage may be extended up to twenty nine (29) months. If during the eighteen (18) months another event takes place that also entitles you to coverage, coverage may be extended. The total amount of continued coverage is limited to thirty six (36) months.

The law, however, also provides that your 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 you 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.

4. You become entitled to (covered under) Medicare.

You do not have to show that you are insurable to choose continuation coverage. Under the law, however, you may have to pay all or part of the premium for your continuation coverage; you will have a grace period of at least thirty (30) days in which to pay the regular premiums. The law also says that, at the end of the eighteen (18) month, twenty nine (29), or three (3) year continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under this plan, if applicable.

If you have any questions about the law, please contact the Township Manager.

Also, if you have changed marital status, or you or your spouse have changed addresses, please notify the Township Manager.

WORKER'S COMPENSATION

Policy

The Township of Howell will provide Worker's Compensation as required by State Law for all employees.

Procedure

Any time an injury occurs while on the job, an employee must report the incident to his or her supervisor or Department Head immediately, no matter how small the injury. If the employee reports the injury to the supervisor, the supervisor shall immediately notify the Department Head. The Department Head or the supervisor, if the Department Head is not available, shall immediately notify Human Resources of the injury.

The injured employee shall proceed to a medical facility designated by the Township. If an employee requires emergency medical treatment, the injured employee should be transported to the nearest hospital. If an employee is injured after normal business hours or on a weekend/holiday, the supervisor will fax details of the injury to Human Resources or the Township's Worker's Compensation Carrier.

Accident/Injury Reports

The supervisor or Department Head must complete a detailed Accident Investigation Report form as soon as possible following the injury. This Report should be filed promptly with the Manager's Office. Additionally, the injured employee must complete an accident report as soon as possible after the injury and give the report to the Township Manager's Office.

Leave of Absence

Pursuant to N.J.S.A. 40A:9-7, when an employee is injured or disabled resulting from or arising out of his or her employment and such injury or disability shall be evidenced by the certificate of a physician designated by the Township to examine such employee, the injured or disabled employee shall be granted a leave of absence with pay for a period not exceeding one year.

Compensation

Compensation for time lost from the job due to on-the-job injury or job related illness will be handled as follows:

1. The employee will continue to receive his or her regular salary from the Township of Howell

2. The employee shall reimburse the Township for amounts paid from any benefits received from worker's compensation, proceeds of insurance policies paid by the Township, and any monies received as a result of litigation or other legal proceedings resulting from any job related injury or disability
3. Employees will not be taxed on any Worker's Compensation payments and this income will not be reported to the IRS on the employee's W-2 form at the end of the year.
4. Employees will not be charged sick time for on-the-job injuries.

Benefits

Continuation of benefits while on Worker's Compensation will be in accordance with the New Jersey Division of Pensions Employee Benefit Manual.

Return to Work

Once the injured employee is released by the authorized physician to return to work and to perform his/her regular assigned duties, all subsequent absences related to the injury prompting the leave of absence, must be evidenced by a certificate from the authorized physician. Otherwise, sick or vacation time will be charged to the employee. If accrued sick and vacation time has been expended, then the Township reserves the right to make the necessary payroll deductions. All absences must be evidence by an authorized physician. Physician's certificates must be submitted through the Department Head and forwarded to the Township Manager's Office.

Seniority

An employee's prolonged absence from work because of a job related injury or disability will not affect the employee's seniority for the purposes of lay-offs provided that the employee has applied for and had been granted a leave of absence as provided in this Manual. Additionally, the injured or disabled employee's anniversary date shall not be changed due to absences caused by job related injury or disability.

Vehicle Policy

Township Employees who in the course of the workday must attend a scheduled doctor's appointment related to Worker's Compensation, shall use their own vehicles to attend such appointments and may not use Township vehicles. The only time use of a Township vehicle is acceptable is during the initial onset of injury, where a supervisor must accompany the employee to the designated medical facility.

All pre-approved medical appointments for Worker's Compensation injuries shall not be made during working hours unless specified by union contract or approved by Human Resources or the Township Manager. No overtime unless specified by contract shall be

granted for said medical appointments. In the event that the pre-approved medical treatment cannot be scheduled during non working hours, all efforts will be made to schedule the appointment at the beginning or end of the shift. The Township reserves the right to contact the doctor's office to inquire about scheduling appointments during off hours.

TRANSITIONAL DUTY POLICY

The Township will endeavor to bring employees with temporary work related disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty will not exceed 45 workdays unless the department demonstrates the need for such duty for an extended period of time. In that event, the department may extend the transitional duty for an additional period not to exceed 45 workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

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

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Township Manager who will render a written response within 24 hours.

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

TRAINING COURSES AND EDUCATIONAL PURSUITS

It is the Township's policy to encourage Township employees to raise their level of competence in the performance of their duties and responsibilities. Therefore, in-service training courses may be attended by Township employees if recommended by the Department Head and approved by the Township Manager who may reimburse the employee's necessary fees for such courses. Employees who continue their academic pursuits in a matriculating program and who earn a degree are entitled to scheduled salary supplements authorized by the Township Manager and contained within the provisions of the several bargaining agreements. As a general rule, non-represented employees will receive supplements set forth in the bargaining agreements of similarly situated bargaining unit members.

BEREAVEMENT LEAVE

Bereavement Leave Time

In the event of the death of a member of a full time employee's immediate family, no sick leave, or other benefits shall be charged to the employee for the days necessary to settle personal affairs. There shall be Four (4) consecutive working days leave, which shall be taken at a time reasonably related to the event of the death. The term "immediate family" shall be defined as the employee's spouse, child, parent or guardian, brother or sister, parents-in-law, son-in-law, daughter-in-law, grandparents, brother-in-law, sister-in-law and grandchildren, step children, step parents, in-laws residing in the same house and civil union partners. Employees are entitled to one (1) day bereavement leave in the event of an aunt, uncle, niece, nephew or grandparents-in-law.

In the event of a death out of state of one of the above (as defined in immediate family) five (5) bereavement days may be granted. In the even of an aunt, uncle, niece, nephew or grandparents-in-laws, up to three (3) days may be granted.

In the event that an employee is predeceased by a spouse, the employee shall be entitled to in-law bereavement time. In-law bereavement shall terminate when the employee divorces.

Proof of death may be required.

Unionized Employees

Employees represented by recognized union contracts shall be entitled to bereavement leave in keeping with the terms and conditions established in the contract.

FAMILY AND MEDICAL LEAVE

1. Eligibility

Employees may be entitled to a leave of absence under the federal Family and Medical Leave Act (FMLA) and/or New Jersey Family Leave Act (NJFLA). This policy provides employees information concerning FMLA and NJFLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact the director of human resources.

FMLA leave is available to employees who meet the following criteria: an employee must: (1) have been employed by the Township of Howell for at least 12 months (which need not be consecutive); (2) have been employed by the Township of Howell for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and (3) be employed at the worksite where 50 or more employees are located within 74 miles of the worksite.

NJFLA leave is available to employees who meet the following criteria: (1) have been employed by the Township of Howell for at least 12 months; and (2) worked 1,000 hours during the immediately preceding 12-month period.

Eligible employees who take leave under this policy must use all accrued available vacation, sick and personal days during the leave or usage of time as per Union contract. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

2. Entitlements

The FMLA and NJFLA provide eligible employees with a right to leave and health insurance benefits. The FMLA also entitles employees to certain written notices concerning their potential eligibility for and designation of FMLA leave. The employee will receive seniority credit for the time that the employee has been on leave. At the conclusion of the leave period, an eligible employee is entitled to reinstate to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

a. FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date an employee uses his/her FMLA leave. Leave may be taken for anyone, or for a combination, of the following reasons:

- (i) To care for the employee's child after birth, or placement for adoption or foster care;

- (ii) To care for the employee's spouse, son, daughter or parent (but not in-law) who has a serious health condition.
- (iii) For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job and/or
- (iv) Because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of contingency operation

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

b. NJFLA Leave Entitlement

An employee's NJFLA unpaid leave entitlement is limited to a total of 12 weeks in any 24 month period upon advanced notice to the Township. The 24-month period is calculated using a "rolling period" by measuring backward from the date an employee uses leave. Leave taken because of the birth or the placement for adoption. NJFLA unpaid leave for an employee may be taken to provide care made necessary by reason of:

- (i) The birth of a child of the employee;
- (ii) The placement of a child with the employee in connection with adoption of such child by the employee; or
- (iii) The serious health condition of a family member of the employee (family Members include parent. In-laws, children, and spouse).

c. Leave covered by both FMLA and NJFLA will run concurrently. For example, an employee taking leave to care for a family member will have the leave designated as both FMLA and NJFLA leave

3. Military Family Leave Entitlement (Injured Service Member Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible member who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to take up to 26 weeks of leave during a single 12-month period to care for the service member with a serious injury or illness or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a member of the National Guard or Reserves is called to active duty and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. Leave to care for a service member shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured service member.

4. Intermittent Leave and Reduced Leave Schedules

FMLA and/or NJFLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered service member. In addition an employee with more than one qualifying event within a 12 month period is not entitled to a separate 12 week period of leave for each event.

5. No Work While on Leave

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by law.

6. Notices of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the Township of Howell telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: (1) their rights and responsibilities in connection with such leave; (2) Township of Howell's designation of leave as FMLA-qualifying or non qualifying, and if not FMLA-qualifying, the reasons why; and (3) the amount of leave, in known, that will be counted against the employee's leave entitlement.

The Township of Howell may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the Township of Howell's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualifying for FMLA protection, the Township of Howell and employee can mutually agree that leave be retroactively designated as FMLA leave.

7. Employee Leave Obligations

a. Provide Notice of the Need for Leave

Employees who take FMLA and/or NJFLA leave must timely notify the Township of Howell of their need for leave. If the leave is foreseeable. The employee shall be required to provide at least thirty (30) days notice prior to the leave beginning. If the leave needs to begin in less than thirty (30) days, the employee must provide such notice as is practicable. Employees who fail to give 30 days notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy the notice obligations, may have leave delayed or denied.

b. Procedure

The employee shall submit to the Township Manager a written form entitled Application for Family Medical Leave. The Application for Family Medical Leave form provides the Township with, among other things, notice that leave will be taken, the amount of leave to be taken, and the reason for the leave. In addition, if the leave involves an illness, the employee shall be required to submit to the Township Manager a written form entitled Certification of Health Care Provider. The Certification of Health Care Provider form must be completed by a health care provider and shall include, among other things:

- (1) The date which serious health condition commenced;
- (2) The probable duration of the condition;
- (3) The appropriate medical facts within the knowledge of the health care provider regarding the condition;
- (4) Where applicable, a statement that the employee is needed to care for a covered relation and the amount of time needed to care for the person.

Intermittent or reduced leave medical certifications shall state:

- (1) The dates on which treatment is expected to be given and the duration of such treatment;
- (2) A statement of the medical necessity for the intermittent or reduced leave schedule and the expected duration;
- (3) Where applicable, a statement that an intermittent or reduced leave schedule is necessary to care for a covered relation or will assist in the recovery and the expected duration and schedule of the leave.

The Township may require subsequent recertification on a seasonable basis. Failure to provide any certification is grounds for denial of the leave. If the Township has doubt as to the validity of the certification provided, the Township may require, at its expense, that the employee obtain a second opinion from a health care provider selected by the

Township. If the second opinion differs from the first, a third mutually agreeable health care provider shall be selected, whose opinion shall be binding. The Application for Family Medical Leave form and the Certification of Health Care Provider form is available in the Office of the Township Manager.

Commencing on July 1, 2009, Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Unless the Township grants an extension, an employee who fails to return to work upon the expiration of a family or medical leave could be subject to discipline up to and including termination. Employees should direct their written request for an extension of leave to the Township Manager as soon as they realize that they will not be able to return at the expiration of the leave.

LEAVE OF ABSENCE WITHOUT PAY

Policy

Leave of absence without pay may be granted for full-time and part-time employees. Normally, it shall be granted only when the employee has used their accumulated sick and vacation leave in the case of illness, or their vacation leave if leave without pay is requested for reasons other than illness.

The Township may pay up to three months premiums coverage and, thereafter, the employee would be responsible for 100% of the cost of such coverage for a period of up to nine months. Coverage may be extended under COBRA for a period not to exceed 18 months. The 18-month period must include the leave of absence time.

Sick, vacation and personal time shall not accrue during an employee's leave of absence.

Procedure

Written request for a leave of absence without pay must be initiated by the employee, favorably endorsed by the employee's Department Head and the Township Manager. Such leave shall not be approved for a period longer than six months at one time. The Township Manager may extend such leave for an additional six months, or any portion thereof. The Township shall not extend leaves of absences beyond one year.

A request for any type of leave shall be made in writing to the Township Manager. Such request, whenever possible, shall be made for enough in advance to permit approval, and at the same time, to permit coverage for the particular employment so that municipal services shall not suffer.

The decision to grant or deny an unpaid leave of absence shall be at the sole discretion of the Township Manager.

JURY DUTY AND WITNESS DUTY

Jury Duty Leave of Absence

When an employee is called for jury duty and for the duration of such service, the employee shall be entitled to a temporary leave with pay provided that:

1. The employee notifies their Department Head within three business days after receipt of the summons;
2. The employee inquires about the anticipated length of service and informs his or her Department Head of the expected duration in advance of accepting service;
3. The employee reports for work at such time as his or her presence as a juror is not required;
4. The employee provides the Township with an appropriate certification or order from the assignment judge, clerk of the court or such other officer as shall be appropriate setting forth the period of such jury duty service; and
5. The employee reimburses the Township for any payments or fees received as a result of such jury service less any travel expenses.

Witness Duty Leave of Absence

The Employer agrees to allow a reasonable period, with pay, to any employee called upon to testify in a legal proceeding in connection with said employee's official duties as a municipal employee provided a subpoena is legally served upon said employee. It is specifically agreed that an employee who is a plaintiff in any action or who is taking part in any action against the Township shall not be eligible for pay under this Section. Additionally, no employee shall be eligible for paid leave against the Township if the employee is testifying in a matter against the Township's interests, unless subpoenaed by the State. For personal matters, the employee will use available personal days or vacation days.

MILITARY LEAVE

Periodic Training

Any employee who is a member of the National Guard, Naval Militia, Air National Guard or a reserve component of any of the Armed Forces of the United States, and who is required to engage in periodic training, shall be granted a military leave of absence with pay for the period of such training not to exceed federal law mandate and supported by official documentation. This paid leave of absence shall be in addition to the employee's vacation.

Employees shall reimburse the Township for any payments or fees received during such military leave less travel expenses.

Active Duty

Engagement in field training as above provided for shall be distinguished from active duty. In the event that any employee shall be called to active duty in any of the military or naval forces of the United States, he shall automatically be granted an indefinite leave of absence without pay for the duration of such active military service.

Such employee shall be reinstated without loss of privileges or seniority provided he or she returns to work with the Township no longer than three months following his or her honorable discharge from military service, and provided the employee has notified the Township of his or her intent to report for duty prior to the expiration of the leave.

PAY PERIOD

For all employees the standard pay period is bi-weekly or bi-monthly. Bi-weekly and bi-monthly salaried shall be computed by dividing the employee's salary by the number of pay periods in the year.

Advances

The Township will not provide employees with salary advances.

Paycheck Distribution

Paychecks are available online (via the Township's payroll company's website)

Paycheck Errors

If an employee discovers an error in his or her paycheck, he or she should inform the Payroll Administrator or the CMFO of the error immediately.

Direct Deposit

In accordance with recent state legislation, specifically, P.L. 2013, c.28, the Township enacted an ordinance mandating direct deposit for all employees. This includes full time, part time, seasonal and hourly employees. The law went in to effect July 1, 2014. If a form has not yet been completed and submitted, one is available from the Human Resource Administrator.

27 Pay Periods

Salaries for all full time employees are negotiated on a yearly basis. They are paid on Fridays every two weeks (unless otherwise specified by contract). The annual salary is divided by the number of Fridays in the year to determine the bi-weekly pay. Normally the pay periods will equal 26 pays, however, about every ten years, there will be 27 paydays. In that year the bi-weekly payroll is paid on a 27 pay basis.

Overtime is still based on the normal 26 pay year and is unaffected by a 27 pay year.

In addition to the pay date, all paychecks shall indicate the actual periods that the payroll covers.

OVERTIME AND COMPENSATORY TIME

Overtime

- Overtime work shall be kept to a minimum, and except in cases of emergency, must be recommended by the Department Head. Department Heads shall rotate overtime assignments in an equitable basis among those qualified to perform the necessary work.
- Overtime compensation shall be one and one-half times the employee's regular rate of pay or in accordance with contract provisions for employees that belong to recognized bargaining units. Please also see Non Classified Employee Overtime and Compensatory Time.
- Overtime hours worked shall be reported on regular daily time reports. Supporting reasons for all overtime work shall be noted on the time sheets.
- In recognition of Township of Howell's responsibility to its taxpayers, overtime may be required. Employees must recognize their obligation to work beyond the required work week.
- All employees should expect to perform a reasonable amount of overtime. The Township recognizes that it may be inconvenient on occasion for an employee to work overtime and it will give due consideration to each request for relief from assigned overtime.

NON-CLASSIFIED EMPLOYEE OVERTIME AND COMPENSATORY TIME

Purpose

The purpose of this policy is to standardize the documentation, compensation and use of overtime and compensatory time for non-classified employees, both those considered as exempt and non-exempt. All other employees within Howell Township are regulated through the Collective Bargaining Agreements of each Union.

Procedures

Exempt, Non-Classified Employees

Exempt, non-classified employees may accrue compensatory time at a rate of straight time for the hours worked in excess of 40 hours per workweek. All compensatory time earned is to be documented and forwarded to the Township Manager for each pay period. The total accrued and maintained shall not exceed 120 hours, and documentation of the carried balance is to be forwarded to the Township Manager each month. All requests to use compensatory time off must be forwarded to the Township Manager or his/her designee who has the sole discretion in approving or denying the request made.

Upon separation from Howell Township, no exempt, non-classified employee will receive any monetary compensation for compensatory time accrued.

Non Exempt, Non Classified Employees

In accordance with the "Fair Labor Standard Act (FLSA)" all non exempt, non classified employees are entitled to receive a minimum wage plus overtime at a rate of not less than one and one half times the regular pay rate for hours worked in excess of 40 hour workweek.

All compensatory time and overtime earned is to be documented and forwarded to the Township Manager for each pay period. The total accrued and maintained compensatory time shall not exceed 120 hours, and documentation of the carried balance is to be forwarded to the Township Manager each month. All requests to utilize compensatory time off must be forwarded to the Township Manager or his/her designee who has the sole discretion in approving or denying the request made.

Upon separation from Howell Township, all applicable FLSA Law shall apply.

CLOSING

All other policies with this document are considered void. In the event of a conflict between this policy and any State or Federal law or regulation, the law or regulation will take precedence over the content contained herein.

ABSENTEEISM AND TARDINESS

Regular attendance at work, reporting on time, and completing the required hours of work are necessary for each employee so that the Township may meet its commitments to its residents. Employee absences place an additional burden on the remaining work force and seriously affects the Township's ability to service its residents. Management recognizes that circumstances beyond the employee's control may cause him or her to be absent from work for all or part of a day. The Township, however, will not tolerate unexcused absences or tardiness.

All employees are expected to come to work regularly and on time, and to notify their Department Head when they are unable to do so. In the event the employee is unable to contact a member of his/her department, the employee should contact the Police Dispatcher.

To ensure that the Township enforces its attendance and tardiness policy with uniform consistency, and that the Township provides its employees with an opportunity for improvement, the Township implements the following attendance and tardiness policy:

Definitions

1. Unexcused Absence: Employee fails to report for work for the duration of employee's shift without an excuse approved by the employee's Department Head.
2. Excused Absence: Employee fails to report to work for the duration of the employee's shift with an excuse approved by the employee's Department Head.
3. Unexcused Incident of Tardiness: Employee reports for work after the authorized reporting time without an excuse approved by the employee's Department Head.
4. Excused Incident of Tardiness: Employee reports for work after the authorized reporting time with an excuse approved by the employee's Department Head.

Department Heads will keep attendance and tardiness records for each employee. The Department Head will note the following details on each employee's attendance and tardiness records: report time, if tardy; dates absent; reason for absence or tardiness; whether the absence or tardiness constitutes an excused or unexcused absence or incident of tardiness; whether the employee provided notice; time of notification, if any, whether the employee left work prior to the end of the scheduled work day; and reason for leaving early.

- A. Any employee who cannot report to work on time shall call his or her Department Head (or appropriate person as designated by the Department's call out procedures) not later than one hour prior to the scheduled starting time of the work shift from which he or she is tardy. In the event the employee is unable to contact a member of his/her department, the employee should contact the Police Dispatcher.
- B. If an employee reports for duty after the employee's scheduled starting time, the Department Head shall indicate the employee's tardiness in the employee's attendance and tardiness records.
- C. Any employee requesting absence for one or more days shall call his/her Department Head on a daily basis to report the nature of the illness. The Township may waive this daily requirement upon the certification of a physician in cases of convalescence or hospitalization. In the event the Department Head is temporarily unavailable, employees must notify the Police Department dispatcher. The message shall include a telephone number where the employee may be reached so that the Department Head may verify the reason for the absence.

If an employee will be absent, the employee shall telephone his or her Department Head or the Police Department dispatcher if the Department Head is unavailable, as early as possible, but not later than one hour prior to the scheduled starting time of the work shift from which he or she is absent.

- D. If an employee fails to notify his or her Department Head or Police Department dispatcher, the Township may deny the use of sick leave for the absence and take action.
- E. An employee who is absent for five or more consecutive work days who does not notify the Department Head, or the Police Department dispatcher on any of the first five days, is considered to have forfeited their employment with the Township unless a reasonable circumstance that can be articulated dictates otherwise.
- F. Whenever any employee accumulates absences on three consecutive work days, or when absences total five work days in thirty calendar days, the employee shall provide a physician's certification to his or her Department Head upon return from illness.
- G. Township employees are expected to maintain reasonable regular attendance and may utilize sick leave only when incapacitated and unable to perform the duties of their position due to illness or injury or to care for approved family members. Excessive absenteeism not only disrupts the delivery of services, but it also negatively affects co-workers. Employee sick time shall be monitored throughout the year by the Township and if it is determined that an employee is abusing their sick time, appropriate disciplinary action will be taken.

If an employee has questions about this attendance and tardiness policy, the employee should contact his or her Department Head.

SAFETY POLICY

The Township of Howell 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 the appropriate safety equipment. Employees must observe safety rules and use 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 Committee that meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their Safety Committee Representative. For administrative employees, the contact will be the Human Resources Administrator. For Public Works employees, the contact will be the Director of Public Works; and for the Police and Court employees, the contact will be designated by the Chief of Police.

LUNCH BREAK

Policy

All employees are required to take a lunch break.

Procedure

Department Heads shall oversee the staggering of employee lunch times to ensure that office are adequately staffed at all times.

USE OF MUNICIPAL PROPERTY

Policy

Employees are responsible for taking care of any equipment assigned to them. Employees of the Township of Howell shall not remove, or in any way assist in the removal of supplies, materials, goods, or equipment belonging to the Township from its offices or facilities, unless such removal has been authorized by the Township Manager. Employees may not use equipment, supplies, postage, or other Township materials for personal use.

Unauthorized use or removal of municipal equipment and supplies shall be cause for disciplinary action up to and including discharge from equipment. If any equipment is stolen, missing, malfunctioning or is broken by an employee or any other entity, the employee shall report this immediately to their supervisor. Failure to report in a timely manner may result in disciplinary action.

MUNICIPAL VEHICLES & DRIVERS LICENSE POLICY

Municipal vehicles are to be used for official business of the Township of Howell only. It is the goal of Howell Township to create a safe working environment for all of our employees and residents. We understand the operation of a motor vehicle is an inherent element of providing services to the residents and businesses within our municipality and we are committed to ensure the safety of our drivers and other drivers.

Township and Municipal vehicles are defined as any vehicle owned, leased, or rented by the Township of Howell.

The policies and procedures outlined herein are intended to establish the framework from which we manage the use of municipal vehicles and all of our fleet exposures to ensure compliance with regulations as well as focusing on the safe operation of municipal vehicles.

Township vehicles may not be taken home unless authorized by the Township Manager. Personal use of municipal vehicles is prohibited and shall be cause for disciplinary action up to and including termination from employment. Only authorized municipal personnel or persons conducting business with the Township may be transported in municipal vehicles except for approved municipal business. Any employee whose work requires that the operation of a Township vehicle must hold a valid New Jersey State Driver's License.

No family member(s) or other private citizen(s) are permitted to be transported within municipal vehicles unless it is specifically related to the official performance of the duties of the employee, or permission is granted by the Township Manager

Driver Selection

As part of our hiring processes, employees who will be operating motor vehicles as part of their job tasks will be evaluated post-offer but also during pre-employment to ensure that their driving record meets criteria established by the Township. Driving records will be reviewed in accordance with the policy outlined herein and depending upon which vehicles will be operated, drivers may be required to pass a road test to demonstrate his/her ability to operate vehicles.

Motor Vehicle Abstract

Motor vehicle records of all drivers will be reviewed on a regular basis, with a minimum of one check per year. This review will include all employees operating Township vehicles, volunteers operating vehicles owned or insured by the municipality, as well as employees operating their personal vehicles on municipal business.

MVA reviews are intended to verify that not only does the operator have a valid license to drive, but that their driving record is acceptable to the Township based upon the criteria established herein.

A review of the municipal operation shall establish a list of all employees/volunteers who operate vehicles in the performance of their duties. Each of the employees/volunteers identified shall provide their driver's license number or a copy of their license.

MVA's shall be reviewed by the Human Resources Administrator to ensure that employee personal information is protected. The results of the review shall be shared with those who have a legitimate reason to have that information. Department Heads and supervisors shall ensure that all drivers within their control have been properly evaluated and meet the established criteria for operating the vehicles.

Review Criteria

All drivers shall be evaluated on the below criteria, which categorizes violations found on MVA's based upon the severity of the violations. A driver with a poor driving record is more likely to be involved in a collision and is likely to drive a municipal vehicle in the same manner he/she drives their own vehicles.

Violations:

- A. Statutory Violations
 - a. Driving while license is under suspension
 - b. Operating an unregistered vehicle
 - c. Operating an uninsured vehicle
- B. Major Violations
 - a. Driving under the influence of alcohol or drugs
 - b. Reckless driving
 - c. Careless driving
 - d. Leaving the scene of a motor vehicle collision
- C. Moving Violations
 - a. Speeding
 - b. Failure to yield the right of way
 - c. Disregard of a traffic control device

Driving Determination

- No one shall operate a municipal vehicle without a current valid driver's license.
- Drivers with a history of repeated violations should be restricted from driving Township vehicles if directed by the Township Manager
- Any and all accidents or incidents in a municipal vehicle or on municipal time must be reported immediately to the employee's supervisor and in cases of motor vehicle accident or incident, the Police Department.

Note: Operation of motor vehicles may be a requirement for employment and therefore the criteria listed in this program should be evaluated carefully and formally adopted to ensure consistent application of the policies and adherence to the rules as developed.

Driver Training

Driver training is a critical component of maintaining a safe driving environment. Training for drivers of specialized vehicles should be completed prior to the driver being assigned to drive the vehicle without supervision by a qualified driver/operator. Driver training should also be part of any corrective action plan developed in response to any preventable collision or when poor driving habits have been observed by supervision.

Driver Monitoring/Supervision

Driver supervision is a key component to controlling exposures from motor vehicles. Driver supervision may employ the services of an outside vendor, or the use of GPS tracking to monitor the movement and activity of municipal vehicles or may simply involve the monitoring of driver activity by department supervision.

Driver monitoring services provide a mechanism for other drivers to report driver behavior, both good and bad via a toll-free call center. The call center will screen all calls to determine validity of the comments and to determine the exact behavior demonstrated by the driver. Driver supervisors are expected to review any reported behaviors with the driver involved, and to implement corrective action to address any bad behaviors. Corrective action guidance is included with the reports from the call center.

GPS monitoring allows supervision to monitor vehicle speed and operation as well as the location where the vehicle is at all times. This can be used to identify driver behaviors, both good and bad, and to assist in the deployment of resources in response to a need with the municipality. Driver observation programs and GPS are tools to assist the supervision in monitoring drivers with their teams and to supplement supervision of drivers.

Vehicle Inspection

Vehicle safety starts with operating a vehicle that is properly maintained and ready for operation prior to driving. Each vehicle should be inspected by the driver prior to each use if possible.

Commercial vehicles are required under federal regulations to be inspected prior to operation during a "Pre-Trip" inspection, which must be documented and maintained in the vehicle when the vehicle is in use.

All vehicle inspections should identify any issues found and in need of repair or service. Serious issues that render the vehicle unsafe should be clearly identified and the problems immediately reported to the appropriate supervisor so that the vehicle can be taken out of service and repairs scheduled. Minor issues should be documented and reported to the

supervisor to allow for the minor repairs to be scheduled before they become a more serious concern.

Fleet Maintenance

Maintaining vehicles is the best way to control the costs of operating a fleet and ensuring that all vehicles are in safe operating order. Vehicles should be serviced and maintained on predetermined basis, with vehicle mileage, fuel usage or a specified time period used to determine service intervals.

All vehicle maintenance and repairs should be logged to establish an accurate record of work performance and issues identified for each vehicle.

Commercial Vehicles/CDL Drivers

Any vehicle with a gross vehicle weight rating of 26,001 pounds or more is defined as a commercial motor vehicle and requires that the operators of these vehicles maintain a valid CDL (Commercial Driver's License). The management and oversight of CDL drivers requires additional action to ensure compliance with the federal regulations that govern commercial drivers. CDL drivers are required to participate in several drug testing programs as outlined in Township policy, must perform pre-trip and post-trip inspections and in some cases must maintain medical certificates verifying their health for driving commercial vehicles.

Emergency Vehicles

The operation of emergency vehicles brings an additional level of responsibility as the lights and sirens of the emergency vehicles impacts the movement of all traffic on the roadway. In addition to meeting the directives of all sections of the Fleet Management program, these drivers should also receive training in the safe operation of emergency vehicles. Training for emergency vehicles can be completed through "CEVO – Coaching the Emergency Vehicle Operator" or "EVOC – Emergency Vehicle Operators Course" or other recognized training programs.

The operators of rescue/EMS vehicles are exempted from the requirements for a CDL license despite the size and weight of these emergency vehicles. These requirements apply to career and volunteer drivers equally as the exposures from the operation of these vehicles does not change based upon any compensation provided. Independent volunteer organizations who are insured through the Township must establish rules equal to or greater than those in this guidance document.

Accident Review

All incidents and collisions involving municipal vehicles should be investigated to determine if the incident was preventable by the driver involved or not. A "preventable collision" is defined by the National Safety Council as one in which "the driver failed to

do everything reasonable to avoid the collision.” The driver does not necessarily need to be found at fault for causing the collision, but he or she could have done something that would have prevented the collision. Police reports for vehicle collisions should be completed, but should not be relied upon as the sole determination of preventability.

All collisions should be reviewed by a panel from the municipality for motor vehicle incidents. The panel should review all of the pertinent facts related to the collision.

Once the panel has completed their review, the results of the review and determination of preventability should be shared with the driver. A corrective action plan should be implemented for any collision deemed to be preventable. The corrective action plan can include remedial training for the driver to address the issues during the review or disciplinary action intended to address the cause of the collision.

Any Township employee or volunteer who drives a Township vehicle shall adhere to the following procedures:

Procedure

- Assigned drivers are responsible for ensuring that the vehicles are kept clean, in good operating condition, and are serviced in accordance with a preventative maintenance schedule.
- Assigned drivers must have a valid State Driver’s License and/or a Commercial
- Driver’s License which authorizes them to operate equipment that requires a Commercial Driver’s License.
- Any employee leaving the boundaries of the municipality with a Township owned vehicle shall report that they will be out of the Township to their immediate supervisor or person above the immediate supervisor. If the employee is unable to contact their supervisor, he/she may leave a message with the Police Department dispatcher. They shall also report their return to their supervisor or the Police Department dispatcher.
- Municipal vehicles may only be driven by the person they are assigned to, or have received authorization for such use
- There shall be no smoking or use of a vaporizing device in any Township vehicle or piece of equipment.
- The Township does not accept responsibility for employees who violate the terms
- and conditions of EZ Pass. Should an employee receive a ticket for failure to pay tolls, the employee, not the Township, will be responsible for payment of said ticket.

- The Township does not accept responsibility if an employee receives any motor vehicle violation associated with the operation of the vehicle, while driving a Township vehicle. It is the responsibility of the employee, not the Township, to pay said fines received as a result of the driver's operation. Although equipment and other violations not directly related to the operation of the vehicle will be the responsibility of the Township, all employees are required to inspect each vehicle prior to operation and report for repair any apparent problems for repair. Vehicles needing a repair or other corrective action(s) shall not be used until said condition is rectified.
- Any employee operating a motor vehicle in the course of their employment, whether Township owned or not, must wear their seatbelts at all times in accordance with state law
- For insurance reasons, employees should use Township vehicles for official business whenever possible. When the employee's assigned vehicle is not available, or that employee is not assigned a vehicle, they should request a Township vehicle from their supervisor. If one is not available through their supervisor, a request should be made to Vehicle Maintenance, Department of Public Works or the Township Manager. If a vehicle cannot be provided, the Township Manager or Deputy Manager or their designee may authorize the use of the employee's personal vehicle.
- Any employee authorized to use their personal vehicle to conduct Township business must provide the Township Manager with copies of current and valid vehicle registration and insurance cards. If an employee is authorized to use their personal vehicle on a regular basis, a copy of the insurance declaration page showing the coverage provided will be requested.
- Any employee performing work which requires the operation of a Township vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. An employee that fails to report such an instance, is subject to disciplinary action, including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a Township vehicle 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.)

- Zero use of alcohol or any substance that would impair the driver's ability to safely operate a vehicle, while operating a Township vehicle whether it be actively engaged in Township business or on call status is strictly prohibited. Please see the alcohol and drug free workplace policy.
- Department Heads are responsible for proper documentation for assignment and maintenance of vehicles assigned to their department and personnel therein.
- Use of cell phones and other distracted driving is prohibited.

PROPRIETARY INTEREST POLICY

The content of all work records, documents, correspondence, worksheets emails, faxes and internal memoranda generated by all employees of the Township is Township property. The above described work product may be distributed and discussed with the intended recipients and Township employees in the regular and necessary course of business.

However, such materials shall not be maintained privately, they may not be duplicated and provided to third parties, and access to such records may not be granted without receiving advance permission of the Department Head. All public requests for records shall be directed to either the Township Clerk or the Township Manager, except as to matters for which a superseding procedure has been adopted pursuant to statute, state regulatory body, or governor's executive order. All employee contacts with the press shall be approved by the Township Manager or Department Head.

REIMBURSEMENT FOR EXPENSES

Reimbursement for Use of Personal Auto

Employees authorized to use their personal vehicle for municipal business shall be provided reimbursement as per current IRS Standard Rates, if said use was previously approved by the Manager or the Manager's designee provided that:

- Use of personal car is considered necessary and is authorized in advance by the Department Head;
- A Township vehicle was not reasonably available when personal car is used; and
- An adequate record is maintained and submitted showing the date the car was used, the miles driven and the nature of the trip of business. Employees shall attach toll and parking receipts to the voucher.

This reimbursement to the employee is for the purpose of assisting the employee with expenses of operating the personal car including the personal insurance coverage of the employee. The Township does not assume liability for the employee's personal vehicle when used on Township business.

Reimbursement for Other Expenses

An employee shall be entitled to receive the reasonable expenses of travel associated with Township business provided that the Department Head and/or Township Manager approves the expenditures in advance and the employee submits a voucher describing such expenses to the Township Manager.

Receipts for all tolls and related travel expenses shall be attached to the voucher. If a municipal vehicle is used, it is the user's responsibility to insure at the commencement of the trip, that there is adequate fuel by using the fuel tanks as the Department of Public Works. If fuel is purchased, it shall be reimbursed to the employee, provided that receipt for the purchase are attached to the voucher. Parking cost shall be reimbursed as long as receipt is provided. Meals will not be included in reimbursement (this is not including meal allowance for TWU members). Hotel rooms will not be reimbursed unless the room is over 125 miles from Howell Township and approved by the Department Head and Township Manager. In the event an employee must use their own funds for procurement of an item or service that directly benefits the Township, the proper budget encumbrance and approval from Township Manager and Department Head must be executed. If reimbursement amount is less than \$25, petty cash can be utilized. Petty cash is in the Finance Department. If the item or service is more than \$25 a purchase order will need to be executed for reimbursement. All efforts to use the Township procurement card shall be utilized before an employee pays out of pocket.

EMPLOYEE NOTICES

The Township will maintain a bulletin board located in each department for employee notices. The Township will post notices as required by federal and state law.

WHISTLE BLOWER POLICY

In the ordinary course, a violation of this policy should be reported to an employee's Department Head in writing, signed by the employee. If that is not practical or if the action is taken but does not prevent or correct the perceived violations, the employee is to deliver a written statement, signed and dated to the Township Manager. The written statement should detail the specific information the employee possesses so that the Township may undertake an investigation. The Township or any of its employees will not retaliate against any employee who makes a good faith report pursuant to this policy, even if an investigation reveals that no violation occurred.

It is the Township's responsibility to correct or prevent such violations. This is a legal obligation and a practical necessity. A violation can taint the credibility of the Township and cause the Township and its employees to be subjected to adverse publicity leading to public distrust.

This policy is important to the Township. Each employee should seek to resolve any problem within Township channels before reporting it to any outside person or entity.

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

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

- Disclosing or threatening to disclose to a supervisor, Department Head, the Manager other official or to a public body, as defined in the Conscientious Employee Protection Act (N.J.S.A. 34:19-1 et seq.) an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation

promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with the statute, the employee must bring the violation to the attention of the Township Manager, Human Resources Administrator, or other person designated by the local unit). However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. Under the law, the employee must give the Township a reasonable opportunity to correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy.

CONTAGIOUS/LIFE THREATENING ILLNESS POLICY

The Township is committed to providing and maintaining a healthy and safe work environment which allows all employees to perform their jobs in a safe and productive manner. The Township respects the dignity and worth of every employee through its Equal Opportunity Employment statement, which explains its policy and practice with respect to prohibiting discrimination in every phase of employment.

The Township provides support for individual employees who may be facing the trauma of a life-threatening or catastrophic illness. The purpose of this policy is to support the physical and emotional health of all employees, minimize disruptions of productivity and morale caused by the presence of a worker with a life-threatening illness and demonstrate the Township's continued commitment to its affirmative action goals related to physically disabled employees.

Employees with such conditions, who are able to meet appropriate standards and whose continued employment does not pose a threat to their own health and safety or that of others, are assured equal employment opportunities and reasonable accommodations in their employment.

If an employee is able to work, he or she is expected to be productive. If the individual cannot work, then he or she may be eligible for disability benefits.

The Township will take reasonable precautions to protect such information from inappropriate disclosure including the following:

- Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information
- Information may be disclosed without 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 those individuals unless it is vital to the audit or evaluation.
- Information may be disclosed to the Department Head as required by State or Federal law. Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

Consistent with the concern for employees with life-threatening illness, the Township offers the following range of resources available through the Township Manager.

1. Employee education and information on terminal illnesses and specific life-threatening illnesses.
2. Referral to agencies and organizations which offer supportive services for life-threatening illnesses.

3. Consultation in assisting employees in efficiently managing health, leave and other benefits.

The Township encourages employees who need these resources to contact the Township Manager.

APPEARANCE AND DRESS CODE

Appearance and Dress Code

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Howell presents to its residents. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Bearing this in mind, the following standards have been set to promote employee's image during working hours. The Department Head may modify these general standards, apropos to a particular workplace or assignment.

Personal Grooming Standards

Hair is to be presentable, kept clean, neat and trimmed. This includes beards and mustaches. If an employee does not have a beard or mustache he is to be clean-shaven.

Jewelry

Items of jewelry shall not be garish and shall be "business acceptable." Piercings worn on body parts other than the ears shall not be exposed.

General Appearance Standards

All clothing shall not be revealing or sexually provocative. Baring of midriff is unacceptable

Employees should refrain from wearing clothing, displaying words or images that make political, religious, ethnic, racial, sexual or profane comments or statements. Any tattoo suggestive of the same shall be covered.

Skirts and dresses are to be no shorter than slightly above knee level.

The following is a list of acceptable dress items:

Dress pants, slacks, khakis, capris

Collared shirts

Shirts and ties for men

Sweat shirts with Township Logo only

Sundresses with wide (not spaghetti) straps

Sleeveless tops

Undergarments must be concealed

Field Personnel

Jeans

Pullover shirts

In general, clothing should be loose and not revealing. It should be professional and appropriate for the task at hand. Shirts should not be cropped above the waist (midriff should not be exposed) and staff should not wear hats inside of the building unless it is for religious reasons.

If an employee fails to comply with the dress code set forth above, his/her supervisor will notify him/her of the reasons for non-compliance. Continued dress code infractions will result in discipline. Upon the first instance of violation an employee may be sent home and given the opportunity to change their attire. Upon the second instance, an employee may be excluded from the workplace without pay. These standards apply to all employees during work time.

If any employee has any questions or desires further interpretation of the dress code, the employee should consult with his or her supervisor.

Dress Down Fridays

Where permitted by the Department Head, the definition of dress down allows the employee's general level of appropriate business attire to be dropped down.

The following is a list of acceptable dress down items (Subject to Department Head approval):

Walking Shorts (No higher than two inches above the knee, wide legs)

Jeans

Tee Shirts (no inappropriate logos)

Tennis shoes, sneakers, shoes

VOLUNTEER FIRE, FIRST AID AND OEM RESPONSE POLICY AND PROCEDURES

The Township of Howell recognizes the important role volunteers play in our community and encourages staff to become members of volunteer fire departments, first aid squads, or Emergency Management members.

The following are the policy and procedures for volunteers working for the Township:

1. Volunteers must advise their immediate supervisor or department head that they are leaving their work assignment to respond to a call. Cell phone and other contact numbers must be pre-filed with the department.
2. Volunteers responding to emergency calls in their own vehicles must secure all work-related items, including vehicles, before they depart for the call.
3. Volunteers responding to emergency calls may respond in Township vehicles only with prior consent of the Department Head or designee in advance.
4. Volunteers responding to emergency calls must do so in a safe manner. All local and State traffic regulations must be observed.
5. A Department Head may deny a volunteer's request to respond to an emergency call.

Supervisory Procedures

Supervisors releasing employees in Township vehicles will be ultimately responsible for any and all issues, which may arise relating to their usage. When calls arise in proximate relation to the end of a shift, clear instructions must be provided to employees with respect to equipment/vehicle return policies.

GAS CARD PROCEDURES

The Township Manager, along with the Director of Public Works, has initiated tighter and stricter controls on the use of gas cards.

Gas Card records are utilized for maintenance scheduling of vehicles and equipment and to maintain control over usage. It has also been determined that there is an immediate need for stricter inventory control. Therefore, it is imperative that the gas cards are used properly.

The following Gas Card Policy and Procedures shall be implemented immediately:

1. Vehicle cards are to remain in all vehicles/equipment. If cards are lost or damaged, you are to notify your supervisor immediately. Under no circumstances are these cards to be taken home or taken out of the vehicles.
2. The vehicle cards are to be used solely for the vehicles/equipment for which they are intended. Under no circumstances is there to be any sharing of vehicle cards. The vehicle card is to be used only for the vehicle to which it is assigned.
3. Under no circumstances is there to be any sharing of your employee gas pin number. Your pin is for your use only.
4. In the event that your gas card or your pin is not working or you do not have one, please see your immediate supervisor.
5. New employees shall be assigned (if warranted) a gas pin number. All requests must come from a Supervisor via email to the Department of Public Works.
6. When operating any equipment that is recorded by hours, it will be up to the individual who is operating that piece of equipment to record the number of hours the machine was used that day. The hours should be recorded on the daily work sheet that is handed in at the end of each workday.

CUSTOMER SERVICE POLICY

Customer Service Statement of Purpose

Customer service is every employee's responsibility, not just those who staff the front counters. Every time we interact with an individual, answer the phone, send an email, write a letter, attend a meeting, we are making an impression on our customers whether they are average citizens, visitors, people who work in the Township of Howell or even citizens employees. The following customer service standards have been created for all employees to follow to ensure that the quality of service to all our customers meets or exceeds their expectations.

All new employees will be introduced to these standards as part of their orientation, and the Township will continue to provide customer service training opportunities for employees so that all staff understand the value of customer service, as well as the importance of following the Township's approved standards.

Mission Statement

We are a dedicated organization committed to enhancing the quality of life in the Township of Howell by providing premium services in response to the needs of everyone who visits, works and lives in our Community.

Preamble to the Policy

This preamble is intended to articulate the importance of recognizing and respecting standards of customer service. Customer service is the reason for our existence as a Township government. Our Customers/Taxpayers have the right to safety, respect, courtesy, appropriate assistance, honesty and competency in their Municipal Government at all times.

COMMON COURTESY DOCTRINE/CUSTOMER SERVICE POLICY

Our customers/taxpayers have eight basic needs:

- ❑ To be understood
- ❑ To feel welcome
- ❑ To be treated with courtesy and a smile, the same as any of us would like to be treated
- ❑ To receive helpful, knowledgeable and accurate information
- ❑ To not be needlessly inconvenienced or suffer discomfort through the delivery of services
- ❑ To be given a response
- ❑ To have complaints about alleged poor treatment investigated
- ❑ To receive equitable treatment

The following guidelines are set forth as policy to govern the daily interaction of the Township's employees and our customers:

- ❑ Township employees shall not argue or exhibit rude behavior with customers.
- ❑ Township employees will listen to the concerns of the customers.
- ❑ Township employees will practice patience when dealing with customers who are upset.
- ❑ Township employees will respond to questions and service requests from customers with a timely and courteous acknowledgement, such as eye contact or a positive indication that the staff member knows they are there, especially if the staff member is on the phone or with another customer.
- ❑ Township employees shall consider requests for service within the policy and guidelines set forth herein.
- ❑ Township employees are to direct customers, who are not pleased with a particular response or treatment, to the next level of supervision for resolution.
- ❑ Respect the confidentiality of the customer's situation to the extent practicable.

TELEPHONE/VOICEMAIL POLICY

“Customers have a right to expect that ...”

- ❑ The phone will be answered promptly (within three rings).
- ❑ Their calls will be answered in a courteous manner (with a smile).
- ❑ A person, not voicemail, will answer their calls at each answering station (the number to a division or a department).
- ❑ The staff member answering the phone will listen and understand the nature of requests before transferring the calls, inform the callers where they are being transferred to, and provide them with the phone number of the person to who they are being transferred.
- ❑ The person at the answering station will, before transferring the call, provide an option to go to voicemail or take a message.
- ❑ The person answering the call will make a reasonable effort to provide information about the Township and, as appropriate and reasonable, other outside agencies relating to their division’s function.
- ❑ They will receive acknowledgements of their voicemail messages within 24 hours.
- ❑ The outgoing voicemail message will be kept current, and the voicemail message answering stations will be changed on days the Township is closed.
- ❑ The voicemail message gives an optional phone number to call.
- ❑ When multiple calls are received, calls will be answered in order; callers will be asked if their call may be put on hold; the first caller will be returned to first; then the employee will continue to answer the lines in order of the calls received.
- ❑ If there is a person at a counter and the phone rings, the employee will acknowledge the customer at the counter, answer the telephone, tell the caller that a customer is waiting, and give the caller the option of being put on hold or having their call returned.
- ❑ When customers call and ask for a specific department, they will be transferred to the appropriate answering station and will be given the telephone number in the event they are disconnected.
- ❑ There will always be telephone coverage at each answering station during business hours.
- ❑ All incoming phone calls coming from external sources will be answered with a consistent greeting such as “Township of Howell, [division], [Name of Person Speaking] may I help you?”

INTERNET AND E-MAIL USAGE POLICY

The Township of Howell provides its employees with access to the Internet and with e-mail capabilities to improve efficiency and productivity in the workplace. Employees shall use computer equipment and on-line access for business purposes only. Equipment provided by the Township of Howell and all information gathered via on-line resources belongs to the Township of Howell. Additionally, all information stored on Township computers belongs to the Township of Howell. Personal material and electronic mail should not be created or stored on Township computers or held with the Internet service provider. The Township of Howell may inspect all computers and electronic information at any time as necessary for the conduct of its business.

The Township of Howell retains the right to monitor all on-line communications to ensure that employees pursue only appropriate business purposes. Monitoring may include, but is not limited to, review of e-mail content and attachments, e-mail addresses, tracking Internet sites visited by each user, the frequency and time spent on the Internet by each user, blocking access to certain types of sites, and ensuring compliance with this Policy.

General Principles

1. On-line communications may not be private and may be subject to interception, which may not be detectable. As a result, confidential information should not be sent on-line by any means without using protection such as encryption. Encryption software must be provided or approved by the Township Manager, and the Township Manager and MIS Officer must be given a copy of all encryption and decryption "keys."
2. Township supplied e-mail accounts and Internet IDs should not be used for anything other than Township-sanctioned communications.
3. Use of Internet and e-mail will be monitored for security and/or management reasons. Users are subject to limitations on their use of such resources.
4. The distribution of any information through the Internet, computer-based services, e-mail, and messaging systems is subject to all policies and procedures applicable to dissemination of information by non-electronic means. The Township of Howell reserves the right to determine the suitability of this information.
5. Use of any Internet related capabilities for personal use is prohibited.

Usage Rules

The Township of Howell prohibits any employee using Township Internet and/or e-mail resources from:

1. Visiting Internet sites that contain obscene, hateful or other objectionable materials; displaying, downloading or sending any material that is obscene or defamatory or which is intended to annoy, harass or intimidate another person; displaying, downloading or transmitting sexually-explicit images, messages, ethnic slurs, racial epithets or any thing which could be construed as harassment or as disparaging of others.
2. Sending or receiving e-mails that are unrelated to business activities;
3. At any time, soliciting non-company business or personal gain or profit;
4. Using the Internet for e-mail for any illegal purpose;
5. Representing personal opinions as those of the Township of Howell;
6. Making or posting indecent remarks, proposals, or materials;
7. Uploading, downloading, or otherwise transmitting commercial software or any copyrighted materials belonging to parties outside of Howell Township, or licensed to the Township of Howell;
8. Downloading any software or electronic files without implementing virus protection measures that have been approved by the Township of Howell;
9. Intentionally interfering with the normal operation of the Township's computers and/or network, including the propagation of computer viruses and sustained high volume network traffic which substantially hinders others in their use of the network;
10. Revealing or publicizing confidential or proprietary information which includes, but is not limited to: financial information, new business and product ideas, marketing strategies and plans, databases and the information contained therein, customer lists, technical product information, computer software source codes, computer/network access codes, and business relationships, related to the Township of Howell;
11. Examining, changing or using another person's files, output, or user name without explicit authorization;
12. Performing any other inappropriate uses;

13. Use of the computer or Internet access for non-company business, including “surfing” the Web for fun on Township time.

Employees learning of any misuse of the Township’s Internet access or e-mail resources shall notify the Township Manager.

Users who violate this policy may be subject to disciplinary action up to and including termination of employment. The Township of Howell also retains the right to report any illegal violations to the appropriate authorities.

REMOTE ACCESS POLICY

Purpose

The purpose of this policy is to define standards, procedures and restrictions for connecting to Howell Township's internal network(s) from external hosts via remote access technology, and/or for utilizing the Internet for business purposes via third-party wireless Internet providers (a.k.a. "hotspots"). Howell Township's resources (i.e. corporate data, computer systems, networks, databases, etc.) must be protected from unauthorized use and/or malicious attack that could result in loss of information, damage to critical applications, loss of revenue, and damage to our public image. Therefore, all remote access and mobile privileges for Howell Township employees to enterprise resources – and for wireless Internet access via hotspots – must employ only company approved methods.

Scope

This policy applies to all Howell Township employees, including full-time staff, part-time staff, contractors, freelancers, and other agencies who utilize company or personally owned computers to remotely access the organization's data and networks. Employment at Howell Township does not automatically guarantee the granting of remote access privileges.

Any and all work performed for Howell Township on said computer by any and all employees, through a remote access connection of any kind, is covered by this policy. Work can include (but is not limited to) e-mail correspondence, web browsing, utilizing intranet resources, and any other company application used over the internet. Remote access is defined as any connection to Howell Township's network and/or other applications from off-site locations, such as employee's home, a hotel room, airports, cafes, satellite office, wireless devices, etc.

Prior to accessing Howell Township's network remotely, implement the following multi-layer security strategy to defend against malicious attacks and unauthorized access that can compromise your computer and The Townships Network.

1. Implement credible and reputable anti-virus software (e.g., Symantec Antivirus, Kaspersky or MacAfee), perform continuous and/or scheduled scanning, and keep it up-to-date. An anti-virus program will protect your computer from malicious programs. The software must be operating at all time in real time scan mode, the virus definition list shall be updated at least once a day, and schedule a weekly full system scan. The only free versions of Antivirus that are acceptable are Microsoft Security Essentials, MacAfee and Symantec/Nortons. This policy is applicable to Windows, Linux and Macintosh Operating Systems.. Sophos Antivirus is an acceptable free Antivirus for Macintosh Operating Systems.

2. Implement anti-spyware to protect your private information. Spyware is a class of programs designed to steal personal information. The software must be operating at all time and the definition list shall be maintained up-to-date.
3. Enable the built-in firewall that is included in major operating systems (i.e., Windows and Macs). A firewall is an application to restrict others from connecting to your computer. The firewall application should be set to restrict access unless required by specification applications.
4. Check for vendor security updates and apply them. Periodically, security weaknesses in the operating system and/or application are discovered and the vendor will then provide security updates to remediate such security exposures. Enable the automated feature in major operating systems (i.e., Windows and Macs) that checks for security updates. When notified of the security updates availability, review the updates and then apply updates as appropriate.
5. Establish strong password syntax (i.e., at least 8 alpha & numeric characters) and protect your password. A password is used to provide authentication to an application and/or system. Never share your password with anyone even family members. Passwords and Logon credentials must not be "Autosaved" on any device that is used to access the network.
6. Limit your computer usage to yourself and restrict others from using it especially for internet access because they may unintentionally download malicious software (e.g., Remote access Trojan, key logging program).
7. No user shall access the network through remote software if the operating system they are using is deemed outdated by the Manufacturer. (e.g. Microsoft Windows XP). All operating systems must be getting the latest security updates by the manufacturer.

Supported Remote Access Programs

The only supported access to the Howell Township network will be through a Township owned and managed LogMeIn account. All other programs will have to be approved by Management and the IT department

Eligible Users

All employees requiring the use of remote access for business purposes must go through an application process that clearly outlines why the access is required and what level of service the employee needs should his/her application be accepted. Application forms must be approved and signed by the employee's unit manager, supervisor, or department head before submission to the Township Manager.

Policy and Appropriate Use

It is the responsibility of any employee of Howell Township with remote access privileges to ensure that their remote access connection remains as secure as his or her network access within the office. It is imperative that any remote access connection used to conduct Howell Township business be utilized appropriately, responsibly, and ethically. Therefore, the following rules must be observed.

1. General access to the internet by residential remote users through Howell Township's network is permitted. However, the employee using the internet through company networks are not to violate any of Howell Township's internet acceptable use policies.
2. Employees will use secure remote access procedures. This will be enforced through public/private key encrypted strong passwords in accordance with Howell Township's password policy. Employees agree to never disclose their passwords to anyone, particularly to family members if business work is conducted from home.
3. All remote computer equipment and devices used for business interests, whether personal or company owned, must display reasonable physical security measures. Computers will have installed whatever antivirus software deemed necessary by Howell Township's MIS department.
4. Remote users using public hotspots for wireless internet access must employ for their devices a company approved personal firewall, VPN, and any other security measure deemed necessary by the IT department. VPN's supplied by the wireless service provider should also be used, but only in conjunction with Howell Township's additional security measures.
 - Hotspot and remote users must disconnect wireless cards when not in use to mitigate attacks by hackers, wardrivers, and eavesdroppers.
5. Any remote connection (i.e. hotspot, ISDN, frame relay, etc.) that is configured to access Howell Township resources must adhere to the authentication requirements of Howell Township's MIS department. In addition, all hardware security configurations (personal or company owned) must be approved by Howell Township's MIS department.
6. Employees, contractors, and temporary staff will make no modifications of any kind to the remote access connection without the express approval of Howell Township's MIS department. This includes, but is not limited to, split tunneling, dual homing, non-standard hardware or security configurations, etc.
7. Employees, contractors, and temporary staff with remote access privileges must ensure that their computers are not connected to any other network while connected to Howell Township's network via remote access, with the obvious exception of internet connectivity.
8. In order to avoid confusing official company business with personal communications, employees, contractors, and temporary staff with remote access privileges must never use non-company e-mail accounts (e.g. Hotmail, Yahoo, etc.) to conduct Howell Township business.

9. No employee is to use internet access through company networks via remote connection for the purpose of illegal transactions, harassment, competitor interests, or obscene behavior, in accordance with other existing employee policies and Federal, State and Local laws.
10. All remote access connections must include a “time-out” system. In accordance with Howell Township’s security policies, remote access sessions will time out after (5) five minutes of inactivity. The time-out will require the user to reconnect and re-authenticate in order to re-enter company networks.
11. If a personally or company owned computer or related equipment used for remote access is damaged, lost, or stolen, the authorized user will be responsible for notifying their manager and Howell Township’s MIS department immediately.
12. The remote access user also agrees to immediately report to their manager and Howell Township’s MIS department any incident or suspected incidents of unauthorized access and/or disclosure of company resources, databases, networks, etc.
13. The remote access user also agrees to and accepts that his or her access and/or connection to Howell Township’s networks may be monitored to record dates, times, duration of access, etc. in order to identify unusual usage patterns or other suspicious activity. As with in-house computers, this is done in order to identify accounts/computers that may have been compromised by external parties.
14. Any device that is used to access the Township’s Network through remote access (webmail, VPN etc.) should have all security and software updates applied before connecting to Howell Township’s network.

Policy Noncompliance

Failure to comply with the Remote Access Policy and Agreement may result in suspension of remote access privileges, disciplinary action, and possibly termination of employment, contract or voluntary position.

HOWELL TOWNSHIP CELLULAR TELEPHONE USE POLICY

Purpose

- To provide a uniform standard and clarification for cell phone use by Township employees
- To ensure safe work practiced when considering the need to use a cell phone while driving or performing other duties
- For employees using cell phones to make cost effective decisions regarding cell phone use and plan.

Scope

This policy applies to all Township employees who use Township-issued cell phones and personal cell phone while on Township property or while driving any Township vehicles

Terms and Conditions

Department Heads must supply sufficient justification for all cell phones issues to their respective employees. If the employee is approved to receive a Township-issued cell phone, the employee must agree to abide by the cell phone policy. If the policies are not followed, the employee will be required to return the cell phone. Access privileges may be revoked at any time and for any reason. Abuse of the cell phone policy may result in disciplinary action.

Public Documents

Cell phone statements are considered government records in accordance with the Open Public Records Act.

Internal Audit

The Manager's Office will perform reviews of compliance with cell phone policies and procedures. Cell phone statements will be monitored on a routine basis. Employees will be asked to review their bills and designate those calls that are not business related.

Prohibited Use

Employees shall not use Township-issued cell phones for any of the following reasons:

- Illegal activities
- Disruptive activities
- Unethical or unprofessional activities

- Personal gain
- Purposes that could jeopardize the interest of the Township

Policy

The use of hand-held cell phones while driving Township vehicles or while driving on Township business or performing a safety sensitive function is prohibited.

- A. Howell Township-supplied phones: Business Use/Personal Use: Employees with a demonstrated business need for a cell phone will be assigned a Township-owned phone at the discretion of the Township Manager. In the event total usage minutes exceeds the maximum allowed by the cellular plan in any given month then in effect, the employee shall review such monthly bill in its entirety, identify all personal calls and shall reimburse the Township for all such charges attributable to personal calls. The same restrictions shall apply to the use of Township provided cell phones for text messaging, downloading data, and/or digital photography services. The above emergency calls do not require reimbursement to the Township.
- B. Howell Township-supplied phones: Non-represented positions: The Township recognizes that due to the nature of some non-represented positions, both elected and appointed, certain employees should have a cellular phone provided. The Township Manager may designate those non-represented employees who will be provided with cell phones. In the event total usage minutes exceeds the maximum allowed by the cellular plan in any given month then in effect, the employee shall review such monthly bill in its entirety, identify all personal calls and shall reimburse the Township for all such charges attributable to personal calls. The same restrictions shall apply to the use of Township provided cell phones for text messaging, downloading data, and/or digital photography services.
- C. Cell phone use in vehicles, at work site, or while operating equipment: State law prohibits using a cell phone without a hand-free device while driving. You could also be charged with reckless or careless driving. As more Township drivers are using cell phones, it is important both for safety and for the image of the Township drivers that common sense and courtesy be followed in using cell phones. Supervisors will have the authority to restrict or prohibit use of cell phones at any time on the job when they consider such situations and use may present a safety hazard to the employee, co-worker, contractors, and/or to the general public and private property.

1. Cell Phone use while driving a Township vehicle or personal vehicle on Township business:
 - a. Employees who have voice mail service and hands-free equipment for the phone must use both to avoid distractions
 - b. It is strongly recommended to use your cell phone when parked. Conversations should be kept to a minimum.
 - c. If your phone rings when you are driving, let your cellular voice mail service take the call and listen to the message later when you are parked, or pull over before answering, if traffic conditions permit.
 - d. Do not take notes or look up phone numbers while driving. As a driver, your first responsibility is to pay attention to the road.
 - e. Dial and place all calls only when you are not moving
 - f. EMERGENCIES – Please do use your cell phone to call for help or to help others in emergencies. Your cellular phone lets you be a “Good Samaritan” in the community. If you see an emergency where lives are in danger call 9-1-1 and give the exact location and information to the operator
 2. Work Sites: DO NOT engage in the use of a cell phone while at any work site during which the operation of a cell phone will be a distraction to the user and/or may create an unsafe work environment. Such work sites include but are not limited to: Road repair, tree trimming, maintenance and construction, operating or repairing energized equipment such as electrical panels, motors, or energized circuits. The cell phone should only be used by an employee while out of harm’s way of such work environments.
 3. Off-Road Equipment: DO NOT engage in the use of a cellular phone while operating a moving motorized off-road (maintenance/construction type) equipment. Even hands-free cellular phones will not be authorized while operating this type of equipment, unless the equipment has been properly stopped and taken out of gear or turned off.
- D. Personal Cell Phone Use: While at work employees are expected to exercise the same discretion in using personal cell phones as is expected for the use of Township phones. Personal calls during work hours, regardless of the phone used, can interfere with the employee’s productivity and be distracting to others. Employees are therefore asked to make calls during breaks and lunch period and to ensure that family and friends are aware of the Township’s policy. In addition,

employees are not permitted to use a personal cell phone while operating any Township vehicle or equipment. The Township will not be liable for the loss of personal cell phones brought into the work place.

- E. Special Responsibilities for Managerial Staff: As with any policy, managerial staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.
 - Please note that “cell phone use” includes text messaging and all functions (i.e. email, etc.) included on the phone.

Violation of this policy may result in disciplinary action up to and including termination.

WORKPLACE VIOLENCE POLICY

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

Prohibited conduct includes:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on Township property or while on Township business except with the authority of the Chief of Police; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Any potentially dangerous situations must be immediately reported. The Township will actively intervene in any potentially hostile or violent situations. Please note that an employee need not be the actual target of violent conduct to bring any matter to the attention of a Supervisor or Management.

Employees may voluntarily disclose the existence of a protective or restraining order. However in cases where a co-worker, or any other person who has a relationship with the Township, including but not limited to a vendor or resident, is subject to such an order, or where a protective or restraining order lists the workplace as a protected area, employees are required to provide the Township with a copy of such order.

In determining whether this policy has been violated the totality of circumstances, including the nature of conduct and context within which the conduct occurred will be considered. However, this policy is not designed or intended to limit the Township's authority or discretion to make any and all employment decisions about discipline, discharge or other corrective action concerning employee conduct the Township deems unacceptable, regardless of whether the conduct was violent.

RESPECT AND PROFESSIONALISM IN THE WORKPLACE

Every employee should be treated with dignity and respect and employees are expected to conduct themselves professionally at all times. If at any time, an employee believes that they are being threatened, badgered, intimidated or bullied in any way, he or she should report it immediately to a Supervisor or Management.

The Township will follow procedures it deem proper under any circumstances and will exercise its discretion to maintain fairness to all parties. The Township may exercise its discretion to take whatever action it deems necessary, including but not limited to reassignment, suspension, demotion or termination or any other action. The Township also reserves the right to require counseling, training and/or monitoring as a condition of continued employment. The Township

will not tolerate retaliation against any person for reporting a violation of this policy or for providing information in connection with any inquiry made under this policy.

Please note, while this policy declares the Township's goal to maintain a respectful and dignified working environment, it is not designed or intended to limit the Township's authority or discretion to make any and all employment decisions, including decisions about discipline, discharge or other corrective action, concerning employee conduct that the Township deems unprofessional.

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. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

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

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

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

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

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave act. If so, the 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."

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

CASH HANDLING POLICY

Strong internal controls for cash collection are necessary to prevent mishandling of Township funds and are designed to safeguard and protect employees from inappropriate charges of mishandling funds by defining their responsibilities in the cash handling process. The Township cash handling policy requires that areas receiving cash be approved by the Finance Office as a cash collection point unless they are established by statute. A cash collection point is defined as a department that handles cash on a regular basis. Although departments with casual cash collections are not recognized as cash collection points, they must follow the same cash handling policies and procedures that apply to the cash collection points.

“Cash” is defined as coin, currency, checks, money orders, and credit card transactions. Required procedures for cash collection points include the following”

- Accounting for cash as it is received.
- Adequate separation of duties and checks and balances, which includes cash collecting, depositing, reconciling and reporting.
- Proper pre-numbered receipts given for all cash received.
- Approval of any voided cash receipts by the Finance Office or its designee.
- Deposit of cash promptly at the Township’s Finance Office or into an authorized Township account.
- Reconciliation of validated deposit forms to supporting documentation and to the account statement.
- Approval by the Finance Office of any changes in cash handling procedures.
- Proper safeguarding of cash.

The use of checking or other bank accounts by Township personnel for depositing Township cash is prohibited unless the checking or other bank account has been set up by the Finance Office. The Finance Office will conduct periodic reviews of cash handling procedures. The audits will be provided by the Township Manager.

Who should know about this policy

Anyone with responsibilities for managing Township cash receipts and those employees who are entrusted with the receipt, deposit and reconciliation of cash for Township related activities. This policy should be included as part of their departmental policies and procedures.

Procedure

Establishing Cash Collection Points

The Finance Office must authorize all cash collection points. Before collection begins, departments requesting status as a cash collection point must submit a request to the Finance Office that includes:

- Reason(s) why cash collection point is needed.
- A list of those positions involved with the cash collection point, a description of their duties and how segregation of duties will be maintained.
- Whether there is a need for a change drawer.
- A description of the reconciliation process, including frequency of reconciliation.
- A description of the process for safeguarding cash until it is deposited.
- A schedule of how often cash deposits will be made.

The request will be reviewed by the Finance Office, and if appropriate, submitted to the Township Manager for consideration.

Procedures for Cash Collection Points

The following list of procedures is required for the operation of cash collection points:

- All cash received must be recorded through a receipt system. The customer must be presented an official Township receipt form with a duplicate record being retained by the receiving department. If manual receipts are authorized all numbered receipts must be accounted for, including the original of voided receipts. Approved pre-numbered receipts are available at the Clerk's Office. No other types of temporary receipts are acceptable.
- The cash collection point must maintain a clear separation of duties. An individual should not have responsibility for more than one of the cash handling components: collecting, depositing, disbursement and reconciling.
- The funds received must be reconciled at the end of the day or at the end of each shift. Cash must be reconciled separately from checks, credit cards, and money orders by comparing actual cash received to the cash total from the cash report or to the sum of the cash sales from the manual receipts.
- All cash must be protected immediately by using a cash drawer, safe or other secure place until they are deposited. A secure area for processing and safeguarding funds received is to be provided and restricted to authorized personnel.
- Checks must be made payable to Howell Township
- Checks or credit card transactions will not be cashed or written for more than the amount of purchase.
- Collections must be deposited to the Finance office within 24 hours.
- All cash must be deposited intact, and not intermingled or substituted with other cash.
- Refunds or expenditures must be paid through the appropriate Township bank account on a Township generated check.

- Each Department will use only depository issued deposit slips for reconciliation of the supporting documentation to the deposit and to the monthly statement of account.

Instructions

Cash Received in Person

- A receipt must be issued for each payment received. At a minimum, manual pre-numbered receipts must include the date, mode of payment (cash, check or credit card), and the identification of the department and the person issuing the receipt. Machine generated receipts must contain all information required by the accounting system to properly credit and track the payment.
- All voided transactions are to be approved and initialed by the Finance Office or its designee.
- Only one cashier is allowed access to a specific cash drawer during a single shift.
- Cash must be kept in safe or a secure place if a safe is not available until it is deposited. Alternatives to a safe must have prior approval of the Finance Office.

Cash Received Through the Mail

- All cash must be listed on a "Daily Mail Collection Report"
- If the cash is not credited directly into the appropriate Township account or receipted through a computerized accounting system. The list should include the customer's name, amount received, check number and any other information available that may assist in proper allocation of the funds. The envelope should also be retained as part of the records. An official Township receipt should be prepared, the original going to the customer, and a copy left intact in the receipt book and the amounts are to be included in the daily transmittal to the Finance Office.
- Cash must be stored in a safe or other secure place approved by the Finance Office until it is deposited.
- Unidentified receipts must be turned over to the Chief Financial Officer to be deposited to a depository account approved for such within the 24 hour requirement. All reasonable attempts should be made to identify the correct account and transfer the funds.

Balancing of Cash Receipts

- All funds collected must be balanced daily, by mode of payment, by comparing the total of the cash, checks and credit cards to the computerized accounting (where applicable), to the pre-numbered receipt totals, and to the totals of the money received by mail.
- Over/short amounts must be separately recorded, and investigated and resolved to the extent possible as set out in the over/short portion of this policy.

Preparation of Deposits

- Checks must be payable to Howell Township. A double calculator type of the checks should be included with the checks bundled together.
- Cash must be recorded on the deposit slip in the appropriate space.
- Attach a copy of the Transmittal Batch showing transaction totals for credit card receipts and record the total on the deposit slip.
- Only Depository issued deposit slips including appropriate account number(s) and sub-code(s) are to be used.
- Someone not involved with collecting the cash, opening the mail or reconciling the deposit must prepare the deposit.
- The deposit must be delivered to the Finance Office.
- Locking deposit bags are available at the Finance Office.

Reconciliation of Cash Collected

- Balance all cash receipts daily to the accounting system and supporting documentation (daily deposit slip, system receipts, and system reports) and resolve all discrepancies.
- Balance the total monthly receipts to the monthly bank account statements and accounting system monthly reports and resolve all discrepancies.

Pre-Numbered Receipts

Official Township pre-numbered receipt books are issued by the Clerk's Office and a log is maintained that includes the number series, the date issued, name of the person receiving the receipts and the date returned. The issuing unit should include all copies of all voided receipts and retain the books for audit and inspection upon the use of all receipts and completion of the cash reconciliation of all the receipts within that book. State retention period for these books is six (6) years.

Exceptions

The Finance Office must approve any exception to these procedures. For example, in cases where there is not enough staff available to maintain complete separation of duties, and alternate process to safeguard Township funds must be established and approved by the Finance Office. Requests for exceptions to these procedures must be submitted to the Finance Office in writing.

Record Retention

All cash receipts and related documents must be maintained in accordance with Record Retention schedules. Accounting reports, deposit slips, credit cards receipts, copies of

manual cash receipts, etc. should be kept for six years, or whatever the current retention schedule is for such items.

Cash Over/Short

All cash overages and shortages must be documented by individual cash drawer on a daily basis and documented with that day's activities. Shortages may not be covered by overages. Any single shortage of any amount must be reported to the Finance Office immediately. Any shortage considered substantial by the Chief Finance Officer must be reported immediately to the Manager, Township Council, Auditor and in writing to the District Attorney.

- If the shortage is a result of a suspected or documented theft, the shortage must be reported immediately and in writing to the Chief Financial Officer, who shall notify the Township Manager, Township Council, Auditor and District Attorney's Office for investigation, regardless of amount.
- Failure to follow internal controls, and checks and balances as approved by the Finance Office is considered to be at least negligence and could be considered misconduct. In either circumstance the coverage of any shortage must be investigated and the results submitted to the Township Manager for determination of violation of Township Policy or State Law.

Cash Over and Short Policy

Employees who handle cash are expected to be careful and accurate and to settle their funds each day without overages or shortages. We recognize the possibility that differences may occur from time to time, and we have developed the following policy:

Verbal Warning

A verbal warning is given if an employee has a cumulative cash over or short of \$25 or more in one month

Written Warning

After an employee has received three verbal warnings, the fourth warning will be a written warning. A written warning will be issued if an employee exceeds an accumulative total of \$100 or more cash over or short in any month.

Termination

Termination will result upon the third written warning. Any single shortages of \$100 or more may be grounds for immediate dismissal. The Department Head must address each such occurrence in writing under the advisement of Human Resources.

Exceptions

Any exceptions to the above actions **must** be approved in writing by the Department Head.

***Warnings or exceptions involving cash overages or shortages shall be retained in the employee's personnel file, separate from other disciplinary actions.

SOCIAL MEDIA POLICY

Policy

This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that may reasonably be construed as constituting “social media”.

This policy applies, as set forth below, to the use of social media both during an employee’s work hours as well as while not being compensated by the employer.

Nothing herein shall be construed to infringe upon Section 7 of the Transport Union Worker’s Labor Contract, the National Labor Relations Act or the rules promulgated by New Jersey Public Employee Relations Commission.

Procedures

Employees must be familiar with, and adhere to Howell Township’s Employee Handbook/Personnel Manual.

Employees must be aware of the effect their actions may have on their image, as well as on Howell Township’s image. Employees must also be aware that Howell Township may observe content and information made available by employees through social media.

Social networking media should have clear disclaimers that the views expressed by the author are the author’s alone and do not represent the views of the Township. Be clear and write in first person that you are speaking for yourself and not the Township.

Employees shall not post information that is harassing, libelous, and defamatory or that can create a hostile work environment.

Employees are not to publish post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees must check with Township Manager, Human Resources Administrator, Township Attorney or other delegate prior to posting or releasing such information.

In addition, social media networks, blogs and other types of online content sometimes generate press and media attention and/or or legal considerations. Employees should refer any such comment or inquiry to Township Manager, Human Resources Administrator, Township Attorney or other delegate immediately upon receipt of such inquiry. This shall not preclude any union employees from speaking about union business, regardless of the forum.

Social media use must not interfere with an employee’s responsibilities at Howell Township’s computer systems are to be used for business purposes only. Personal use of social media networks during actual time worked is discouraged and could result in disciplinary action.

Subject to applicable law, online activity that violates the Howell Township Employee Handbook/Personnel Manual may subject an employee to disciplinary action.

CONFLICT OF INTEREST POLICY

Employees including Howell 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 nature and unrelated to Township business. 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 Clerk a state mandated disclosure form. The Township Clerk 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-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household. Employees are required to disclose possible conflicts so that the 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 Manager or the Township Attorney to obtain clarification.

POLITICAL ACTIVITY POLICY

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using Township time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, Township Manager, Human Resources Administrator or Township Attorney.

EVALUATION POLICY

Personnel Performance Evaluations

Purpose To establish an employee appraisal system for the evaluation of employee performance. The evaluations shall be designed to set, communicate and document performance goals, monitor the goals through the evaluation period, measure progress and to encourage self-improvement

Policy Performance evaluations are a tool used by an organization to meet organizational and community expectations as well as provide for employee growth, development and job satisfaction. All employees who are responsible for the evaluation of personnel shall adhere to the established criteria and procedures contained herein.

Procedure

I. The objectives of personnel evaluations include:

- A. Provide assistance for fair and impartial employee decisions
- B. Improve performance
- C. Provide a medium for employee counseling and contact
- D. Facilitate proper decisions regarding probationary employees
- E. Provide an objective and fair means for measurement and recognition of employee performance
- F. Identify training needs
- G. Ensure optimum job satisfaction on the part of the employee
- H. Establish and communicate goals

II. Measurement/Rating Definitions – It is imperative for each supervisor to choose the rating that is most representative of the employee's performance, behavior and conduct as they relate to individual criteria during the evaluation period.

Outstanding (5): An employee far exceeds job standards. The performance stands out from fellow employees and is considered to have or displays expertise in the rating area being measured, and represents the Township in a notable fashion.

Exceeds Requirements (4): An employee frequently exceeds job standards. The performance frequently meets expectations and demonstrates effort in exceeding goals, maintaining a high performance level.

Meets Requirements (3): The employee meets performance standards. The performance meets expectations and demonstrates effort in achieving goals, maintaining satisfactory performance levels.

Needs Improvement (2): The employee meets performance standards on an intermittent basis. Some improvement is needed. The overall performance occasionally or periodically falls short of normal standards. The supervisor believes that the employee can and will make the necessary improvements.

Unsatisfactory (1): The employee consistently and seriously fails to meet performance standards.

III. Procedures for Use of the “Personnel Evaluation Form”:

- A. The “Personnel Evaluation Form” shall be used when completing the performance evaluation process for all full-time and probationary employees. The report utilized is specifically designed to be specific enough to apply to the general duties of individual employees, while being broad enough to be applicable to all employees.
- B. Sections 1 through 5 require the supervisor to apply a score for the specific work quality being assessed. The scores previously described must be applied in the most objective manner as possible.
- C. All ratings other than “Meets Requirements (3)” shall have comments within the narrative section substantiating the rating noted.
- D. Supervisors (raters) shall use the form as set forth in the performance evaluation policy, and provide a copy of the completed evaluation form to the employee.
- E. Supervisors must be prepared to recommend action(s) to correct deficiencies.
- F. Employees being evaluated are permitted to record comments that can be attached to the original evaluation form and maintained within their file for future reference and purposes.

IV. Supervisor (Rater) Responsibilities: