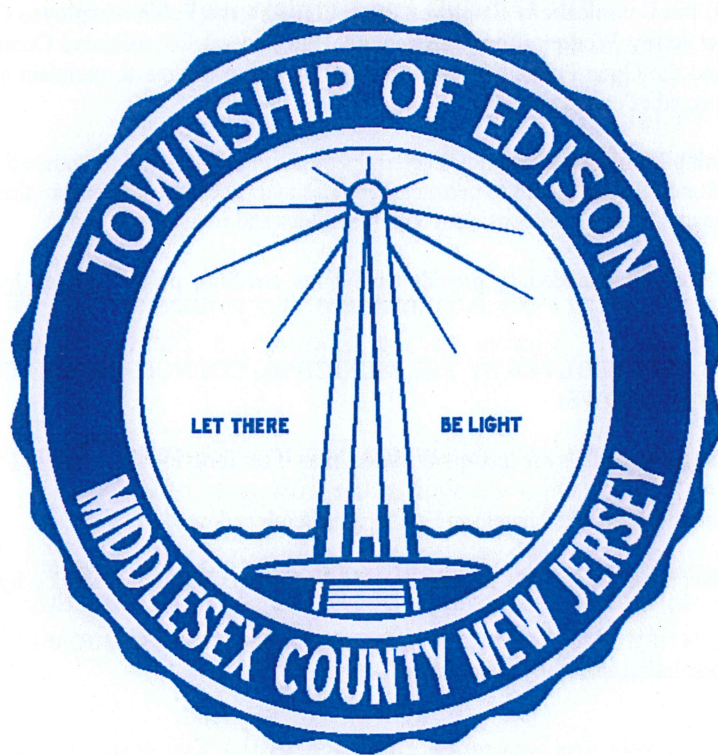


**TOWNSHIP OF EDISON  
EMPLOYEE GUIDE  
AND  
HANDBOOK**



**BY RESOLUTION R.509-072016  
Adopted July 27, 2016  
Effective October 1, 2016**

**EXPLANATION:** A Resolution adopting an updated Township Employee Handbook.

**RESOLUTION R.509-072016**

**WHEREAS**, the Township of Edison ("Township") is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, in order to maintain an appropriate working environment for all Township employees, including treating all employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act, the Township desires to maintain an employee handbook outlining behavior expected of employees; and

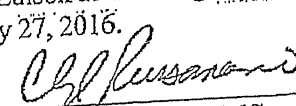
**WHEREAS**, the Township Municipal Council has determined that there is a need to update the Township Employee Handbook (the "Handbook") with regard to personnel policies and procedures, to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations; and

**WHEREAS**, the Handbook is intended to provide guidelines covering public service by Township employees and is not a contract.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:**

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. The Handbook attached hereto as Exhibit A is hereby adopted.
- Section 3. The Handbook is intended to provide guidelines covering public service by Township employees and is not a contract.
- Section 4. This Resolution shall take effect immediately.

**THIS IS TO CERTIFY** that this is a true and compared copy of an Resolution adopted by the Municipal Council of the Township of Edison at their Regular Meeting of July 27, 2016.

  
Cheryl Russomanno, RMC  
Municipal Clerk

## **DISCLAIMER**

The purpose of this Handbook is to acquaint employees with the Township of Edison ("Township") employment. The policies and practices contained in this Handbook are only guidelines and may be canceled or changed by the Township at any time with or without notice. This Handbook is not intended to, nor does it create an employment contract between the Township and any of its employees.

### ***THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT***

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.

Nothing contained in this Handbook constitutes a contractual right, express or implied. No provision contained in this Handbook or any other policy or procedure may be changed by any oral statement but must be in writing signed by an authorized representative of the Township.

The Township retains all rights to discharge or discipline employees. As a Township employee, you agree to conform to all applicable policies, procedures, rules, regulations, statutes and collective negotiations agreements.

This Handbook is not meant to affect, or to be a comprehensive description of Township, county, state or federal statutes, rules or regulations, civil service, disciplinary procedures, employment benefits, workers' compensation, leaves from employment, employee compensation, the policies, practices and procedures of the Township, or collective negotiations. Employees' rights and responsibilities are always governed by existing law and any applicable collective negotiations agreement or established past practice. Nothing in this Handbook provides legal rights in addition to those, if any, provided to employees under Township, county, state or federal statutes, rules, regulations, collective negotiations agreements or established past practice. If any part of this Handbook conflicts with Township, county, state or federal statutes, rules, regulations, a collective negotiations agreement or established past practice, the part of the Handbook which conflicts with a Township, county, state or federal statute, rule, regulation, collective negotiations agreement or established past practice will be null and void as it applies to the affected group of employees. Likewise, if at any time, any Township, County, State or Federal statutes, rules, regulations or collective negotiations agreement should be amended, this Handbook will be deemed to have been likewise amended, even though actual changes to the Handbook have not been made.

The Township recognizes that many of its employees' terms and conditions of employment are governed by collective negotiations agreements and established past practices. This Handbook does not supersede or affect any term or condition of

employment that may exist in any collective negotiations agreement or that may have been established through past practice. If any part of this Handbook conflicts with any term or condition of employment expressly set forth in a collective negotiations agreement or established through past practice, that part of the Handbook will be null and void as it applies to the affected group of employees.

#### EMPLOYEES IN COLLECTIVE BARGAINING UNITS

Many Township employees have job titles where the terms and conditions of employment are governed by a collective negotiations agreement between the Township and the recognized union(s). If an employee's job title is part of a recognized bargaining unit, the employee should always consult his or her collective negotiations agreement and the Civil Service laws and regulations, if applicable.

#### NON-CONTRACTUAL EMPLOYEES

An employee whose job title is not the subject of a collective negotiations agreement should consult the Township of Edison Municipal Code, and any applicable county, state and federal statutes, rules and regulations.

#### DIRECTORS' RESPONSIBILITIES

Directors are required to enforce the policies and procedures outlined in this Employee Handbook, as well as any other policy or procedure established or promulgated by the Township. Failure to do so may result in disciplinary action up to and including termination.

#### EMPLOYEES' RESPONSIBILITIES

All employees are expected to know and follow the policies and procedures outlined in this Employee Handbook. Failure to adhere to these policies and procedures may result in disciplinary action up to and including termination.



## **GENERAL PERSONNEL POLICY**

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

All employees, officers and Department Heads shall be appointed and promoted by the Mayor and his/her designee.

The Mayor and his/her designee and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Mayor and his/her designee have appointed the Human Resources Manager to assist the Business Administrator to implement personnel practices. The Business Administrator and Human Resources Manager shall also have access to the Township Attorney and Labor Attorney appointed by the Mayor for guidance in personnel matters.

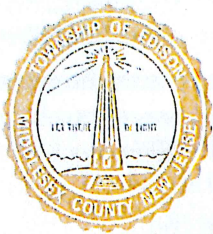
The Township has a "no tolerance" policy towards workplace misconduct. Township officials, employees and independent contractors are encouraged to report anything perceived to be improper. The Township also promotes an "open door" policy and encourages employees to talk with their Directors, Business Administrator or the Human Resources Manager concerning any problems.

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# EDISON

*Office of the Mayor*

**Thomas Lankey, Mayor**

Edison Municipal Complex  
100 Municipal Boulevard  
Edison, New Jersey 08817  
Main Phone: (732) 248-7298  
Main Fax: (732) 287-6679  
Email: [Mayorlankey@edisonnj.org](mailto:Mayorlankey@edisonnj.org)

Dear Employee:

Your employment with the Township of Edison plays a crucial role in providing quality services to our residents. The residents of Edison expect their government services to be delivered in an efficient and professional manner. Public service is an honorable and rewarding career that offers many benefits not often found in the private sector. The Township Council also recognizes and appreciates those dedicated and hard working employees who serve the public on behalf of Edison Township.

As a Township of Edison employee, you have certain rights and obligations. This Employee Handbook sets forth a number of personnel policies established in accordance with various local, state and federal laws and regulations. You are urged to read this Handbook and become acquainted with its contents. This Handbook can also be accessed electronically via the ADP Workforce Now system. This Handbook is not comprehensive and does not address all possible situations. For this reason, if you have any questions concerning any Township personnel policy, contact the Human Resources Office.

We wish you much success and longevity in your position, and we welcome you as part of our workforce.

Sincerely,

**Mayor Thomas Lankey**



## FORM OF GOVERNMENT

The Township of Edison operates within the Faulkner Act under the Mayor-Council form of government. (See N.J.S.A. 40A:63-1 and the Municipal Code of the Township of Edison). The Township Business Administrator is responsible for the supervision, direction, and administration of all Township departments. All contact with Township employees and all actions and communications concerning the administration of the Township's government will be through the Township Business Administrator, except as otherwise provided by law.

A Township employee may appear before his or her duly-elected officials and engage in open communication, speech, inquiry, and discussion on matters of general or public concern. This communication may take place between the Township employee and any member, group of members, or the entire Township Council. It is an employee's constitutional right to speak freely on public issues.

The right to speak freely on matters of public concern, however, does not include the right to engage in public discussion on matters of private concern. That is, the right of open and free communication and discussion with elected officials does not extend to matters that are of concern to an individual employee or to a small group of employees. If an employee is concerned about a particular administrative matter, the employee must proceed through appropriate supervisory channels and ultimately to the attention of Business Administrator if necessary. In this way the necessary and proper balance between the interests of the employee, as a citizen, commenting on matters of public concern and the interests of the Township, as an employer, in promoting the efficiency of the public service it performs through its employees, will be properly maintained. Further, an employee is prohibited from being derogatory or insubordinate in any communication to Township Officials and is prohibited from making derogatory or insubordinate comments about the Township, its Officials, officers and employees to the public.

## **I. EMPLOYEE REPRESENTATION**

### **A. COLLECTIVE BARGAINING ORGANIZATIONS**

The Township is bound by the laws of the United States and the State of New Jersey to recognize the rights of employees to organize and to negotiate with the Township over terms and conditions of employment. Some employees of the Township are covered by such bargaining unit representation. The Human Resources Department can provide the name of the employee's organizational representative upon request. Copies of current collective negotiations agreements are available only through bargaining representatives. Providing such agreements is not a responsibility of the Township.

It is the policy of the Township that employees have the right to join, or refrain from joining, without coercion or interference from management, any organized employee group. The Township will not discriminate against any employee because of affiliation or non-affiliation with an organized employee group.

The Business Administrator and/or designee shall be recognized as the official spokesperson in all proceedings with organized employee groups entering into or holding formal contractual agreements with the Township.

### **B. STRIKES/NO LOCKOUT**

Pursuant to the New Jersey State Constitution, public employees do not have the right to strike or to engage in work stoppages or slowdowns of any kind. The Township will not condone such activities or threats thereof by public employees, or any other such action, which would interfere with service to the public or violate the Constitution and the laws of the State of New Jersey. A Township employee who engages in such activity will be subject to discipline up to and including termination of employment.

## **II – TELEPHONE DIRECTORY FOR PERSONNEL ASSISTANCE**

For Police, Fire or Medical Emergencies, dial 9-1-1

This list is not all-encompassing and it is expected that you will use other sources for a more comprehensive listing, as needed. In areas where four-digit "extension" dialing is not supported, call 732-248-, followed by the Department's number.

Please remember to consult with your Director with regard to specific office procedures that may exist.

### **III – EMPLOYMENT**

#### **A. EMPLOYEE STATUS**

Employees of the Township will be classified as one of the following:

**Permanent Full-Time Employees:** A permanent full-time employee who has a specific title, has completed the probationary period as described herein, has a letter of authorization from the Business Administrator with the Mayor's approval and who regularly works a minimum of seven (7) per day for a work week consisting of a minimum of 35 hours will be eligible for all benefits as provided by the Township.

**Permanent Part-Time Employees:** A permanent part-time employee who has completed the probationary period as described herein and who works a work-week consisting of less than 20 hours. Permanent part-time employees are not eligible for benefits.

Other part-time and/or full-time temporary or seasonal employees assigned to non-administrative departments pursuant to the Municipal Charter which are authorized by appropriation in the Municipal Budget shall be classified and compensated at the discretion of the Administration. Specific levels of compensation shall be authorized in accordance with provisions of the Municipal Charter.

#### **B. PROBATIONARY PERIOD**

All employees shall serve a probationary period of 180 working days from the date of commencement of work. Upon successful completion of the 180 working days, an employee shall have seniority credit retroactive to the commencement of work.

Uniformed members of the Police and Fire Department are subject to a one (1) year probationary period from the time said employee graduates from the academy. The purpose of the probationary period is to evaluate the employee's work performance and conduct and to determine whether the employee merits permanent status.

Probationary employees may be released at any time during or at the end of the probationary period for any reason by the Director with the approval of the Business Administrator.

### **C. CONTRACTUAL AND NON-CONTRACTUAL STATUS**

The terms and conditions of employment for the vast majority of job titles within the Township are covered by an established past practice. The union contract is also known as the collective negotiations agreement. Employees whose job titles are covered by a collective negotiations agreement will be referred to herein as "contractual" employees. Employees whose positions are not so represented will be referred to as "non-contractual" or "exclusionary" employees.

### **D. MANAGEMENT RIGHTS**

The Township hereby retains and reserves onto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it prior to the signing of this Agreement by the laws and Constitution of the State of New Jersey and of the United States, including, but without limiting the generality of the foregoing the following rights:

1. The executive management and administrative control of the Township Government and its properties, facilities, and its employees utilizing personnel methods and means of the most appropriate and efficient manner possible as may from time to time be determined by the Township.
2. To make rules of procedure and conduct, to use improved methods and equipment, to determine work schedules and shifts, as well as duties, to decide the number of employees needed for any particular time and to be in sole charge of the quality and quantity of the work required.
3. The right of management to make such reasonable rules and regulations as it may from time to time deem best for the purpose of maintaining order, safety and/or the effective operation of the Township after advance notice thereof to the employees.
4. To hire all employees, whether permanent, temporary or seasonal, to promote, transfer, assign or retain employees in positions within the Township.
5. To suspend, demote or take any other appropriate disciplinary actions against any employee for just cause according to law.
6. Nothing contained herein shall prohibit the Township from contracting out any work.
7. To lay off employees in the event of lack of funds or under

conditions where continuation of such work would be inefficient and nonproductive.

The exercise of the foregoing powers, rights, authority, duties and responsibilities of the Township, the adoption of policies, rules, regulations, Code of conduct as contained within the rules and regulations of the employees' respective Township Departments and practices in the furtherance therewith, and the use of judgment and discretion in connection therewith, shall be limited only by the specific and express terms of this Agreement and hereby in conformance with the Constitution and Laws of New Jersey and of the United States.

Nothing contained herein shall be construed to deny or restrict the Township of its rights, responsibilities and authority under N.J.S.A. 40A:1-1 et. seq. or any national, state, county or local laws or regulations.

The exercises its managerial rights on behalf of the taxpayers and that the Township cannot bargain away or eliminate any of its managerial rights.

#### **E. MISCELLANEOUS**

|               |                                                                                                                                                                                                                                                                                                                                                   |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reassignment  | A reassignment is the in title movement of an employee to a new job function, shift, or location.                                                                                                                                                                                                                                                 |
| Reinstatement | A permanent employee who has resigned in good standing, has retired, or has been voluntarily demoted, may, within three years of one of the aforementioned actions, request consideration for reemployment as a permanent employee with the previous permanent title.                                                                             |
| Resignation   | Any employee may resign in good standing by giving written notice at least 14 days in advance, unless the Department Head allows a shorter period of notice. If an employee resigns without a 14-day notice or without authorization to provide a shorter period of notice, he or she will be considered as having resigned not in good standing. |
| Terminations  | Termination includes voluntary or employee-initiated, and involuntary or employer-initiated. Voluntary terminations include resignations and retirements. Involuntary terminations are employer-initiated and involve involuntary discharge or separation from employment.                                                                        |
| Transfers     | A transfer results when an employee is moved permanently to another department. The employee must transfer with the same title and salary and with the consent of both Directors.                                                                                                                                                                 |



## IV – CONDUCT OF EMPLOYEES

### A. EMPLOYEE CONDUCT AND WORK RULES

To assure orderly operations and provide the best possible work environment, the Township expects employees to follow rules of conduct that will protect the interests and safety of all employees, Township government and the public. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The consumption of alcohol and/or the use of a controlled dangerous substance without medical authorization during working hours is strictly prohibited.

Personal Cell Phones, Smart Phones, Tablets, PC/Laptops – Employees are reminded that the use of personal cell phones, smart phones, tablets, and pc/laptops usage for personal matters during business hours is limited to reasonable use that does not interfere with operations and job responsibilities, unless an emergency arises. This includes, but is not limited to, receiving or placing calls, text messaging, social media, checking voice messages and receiving or responding to e-mails.

### B. DISCIPLINARY ACTIONS

Disciplinary Action may be imposed upon an employee as the Township deems necessary for the Township's operations.

*Need for Disciplinary Action.* When a Director believe that an employee is not adhering to department rules, established procedures or directives, the Director should first privately discuss the matter with the employee concerned in order to obtain the employee's view point. The Director should, if possible, then obtain assurance that there will not be a repetition of the incident. If the matter is not serious, and the Director is satisfied, the matter may then be dropped. Should the Director consider the offense sufficiently serious to warrant its consideration by the Department Head, the employee should be so advised, and a meeting of those attendees arranged at the earliest possible date. All facts should be presented at this meeting which should, if possible, be conclusive. A written report of the meeting, and of the action taken, should be placed in the employee's personnel folder. In the event that it appears desirable to do so, the matter may be referred to the Business Administrator for review and/or such action as is warranted by the facts.

All forms of disciplinary action, including all discussions related to potential disciplinary action, should be documented by the Director.

*Forms of Disciplinary Action.* Disciplinary actions or measures shall include only the following: oral reprimand, written reprimand, suspension (nature to be given in writing), demotion and termination.

1. Oral Reprimand – oral statement administered by Directors to an employee.
2. Written Reprimand – a formal statement delivered in writing by a Director to an employee.
3. Suspension – the temporary separation of an employee from employment for a defined period of time with or without pay at the discretion of the Business Administrator.
4. Termination – the permanent separation of an employee from employment for cause.
5. Demotion – in lieu of any of the above, discipline may include the temporary or permanent reduction in an employee's rank or job classification.

*Directors Responsibility.* A Director will recommend to the Business Administrator the degree of disciplinary action to be taken against an employee. Some of the infractions may include, but are not limited to:

1. Neglect of duty.
2. Sleeping while on duty.
3. Insubordination or serious breach of discipline.
4. Chronic or excessive absenteeism/tardiness.
5. Neglect of, or willful damage to, public property or waste of public supplies.
6. Charge with offense which could result in forfeiture of office or employment shall be subject to suspension without pay pending a resolution of the charges.
7. The use or attempted use of one's authority or official influence to control or modify the political action of any person in the service or engagement in any form of political activities during working hours.
8. Conduct unbecoming as an employee of the Township.
9. Commission of a crime or offense in violation of State or Federal Law.
10. Violation of the Drug and Alcohol Policy adopted by the Township, in which case disciplinary actions will conform with guidelines set forth in that policy.

*Procedure.* Any disciplinary action taken by management against an employee must be initiated verbally and in writing within 30 days of the alleged violation or when management discovers the violation. The suspension days must be given in

consecutive order. In the case of incidents involving more than one employee, the effective dates of suspension may be staggered. In the event of a serious breach of discipline by one or more employees, such employee(s) may be suspended or discharged immediately.

Notwithstanding the above, certain serious offenses may warrant the immediate dismissal of an employee.

*Termination for Cause.* During or at the time of completion of the Probationary Period, a Director may make a written recommendation to terminate an employee for cause when he/she feels such action is in the best interests of the Township. Such recommendation, including reasons and documentation of progressive discipline actions, shall be submitted to the Business Administrator. The Business Administrator will meet with the Human Resources Manager and the Township Attorney to discuss the recommendation. The Business Administrator will send a copy of his decision to the employee and to the Department Head. The employee will be advised of his/her rights to appeal the dismissal.

An employee may be subject to a major or minor disciplinary action for:

1. Incompetence, inefficiency or failure to perform duties;
2. Insubordination;
3. Inability to perform duties;
4. Chronic or excessive absenteeism or lateness;
5. Conviction of a crime;
6. Conduct unbecoming a public employee;
7. Neglect of duty;
8. Misuse of public property, including motor vehicles;
9. Discrimination that affects equal employment opportunity (as defined in N.J.A.C. 4A:7-1.1), including sexual harassment;
10. Violation of Federal regulations concerning drug and alcohol use by, and testing of, an employee who perform functions related to the operation of commercial motor vehicles, and State and local policies issued there under;
11. Other sufficient cause. This can include, but is not limited to, items such as unhygienic personal habits; falsification of records; unauthorized use of Township equipment, vehicles or facilities; failure to comply with safety requirements; fighting;

loafing; idleness; theft or misappropriation; failure to report loss, theft, damage or injury;

failure to abide by procedural rules and/or policies which have been duly promulgated by the Township; and other serious breaches of discipline which arise during the course of the employer/employee relationship.

An *Immediate Suspension* with or without pay, may be imposed prior to a hearing and may be imposed at the sole discretion of the Township.

Where a suspension is immediate, and is without pay, the employee must first be apprised either orally or in writing regarding the charges, the reason why an immediate suspension is sought, and a general description of the evidence in support of the charges. The employee will be provided an opportunity to respond to the charges before a representative of the Township. The response may be oral or in writing.

### **C. COMPLAINT PROCEDURE**

A "complaint" as used in this section is any dispute arising out of employment and concerning the application or interpretation of the policies outlined in this document, also known as a grievance.

Employees who are members of a Union who have grievances should process them through the appropriate channels as indicated in their Collective Negotiations Agreement. Professional and administrative personnel who are not covered by a Collective Negotiations Agreement but have a concern arising out of their employment with the Township shall utilize this Complaint Procedure. The following constitutes the sole and exclusive method for resolving employment concerns for non-Union employees.

Step One: The aggrieved employee shall institute written action under this procedure, directed to his/her immediate Supervisor within ten (10) working days after the event giving rise to the complaint occurred or within ten (10) working days after the employee knew or should have reasonably known that a complaint should be filed. This written action shall contain the relevant facts, a summary of any oral discussions had and the remedy requested. The immediate Supervisor or his/her designated representative shall answer the complaint, in writing, within ten (10) working days of receipt of the written complaint.

Step Two: If the aggrieved employee wishes to appeal the immediate Supervisor's decision, it shall be presented in writing to the Department Head within ten (10) working days after receipt of the immediate Supervisor's response. The Department Head shall respond in writing within ten (10) working days of receipt of the appeal.

Step Three: If the aggrieved employee wishes to appeal the decision of the Department Head, such appeal shall be presented in writing to the Business

Administrator within ten (10) working days after receipt of the Department Head's response. This presentation shall include copies of all previous correspondence

relating to the matter in dispute. A meeting will be scheduled by the Business Administrator with the aggrieved employee, immediate Supervisor and/or the relevant Department Head to discuss the matter within twenty (20) working days of his/her receipt of the appeal. The Business Administrator will issue a written decision regarding the matter within ten (10) working days of the meeting. The Business Administrator's decision shall be final.

The time limits specified herein shall be adhered to. If any complaint has not been initiated within the time limits prescribed, then the complaint shall be deemed to have been abandoned. If the complaint is not processed to the next succeeding step in the process within the time limits specified herein, then the disposition of the complaint at the last preceding step shall be deemed to be conclusive. If a decision is not rendered within the time limits prescribed at steps one and two herein, then the complaint shall be deemed to have been granted. Nothing herein shall prevent the parties from mutually agreeing in writing to extend or contract the time limits for proceeding with the complaint at any step in the complaint procedure.

#### **D. CONDUCT RELATED TO POLITICAL ACTIVITY**

In accordance with State regulations, an employee shall not:

1. Engage in political activity during working hours or use Township office supplies or equipment or other resources for other than Township business.
2. Directly or indirectly use his/her position to control or affect the political action of another person.

### **V – POLICIES AND PROCEDURES**

Directors are required to enforce the policies and procedures outlined in this Employee Handbook, as well as any other policy or procedure established or promulgated by the Township. Failure to do so may result in disciplinary action up to and including termination.

#### **A. CHANGE OF VITAL INFORMATION**

Township employees shall provide on a yearly basis vital information in order to upgrade benefit and contact information as listed below:

1. Name
2. Address

3. Telephone Number

It is the responsibility of each employee to also schedule an appointment with the Personnel Office within thirty (30) days for any changes to the following:

1. Name
2. Address
3. Marital Status
4. Dependent Children
5. Change in Health Care Program Status
6. Change in Beneficiary for deferred compensation

Employees who are late in reporting changes in the above area of health care programs may lose or may be penalized in their benefit coverage.

*Contact by Mail or Telephone.* All mail sent to an employee's current address by the Township, whether sent by regular or certified mail, return receipt requested, must be promptly accepted. An employee's failure or refusal to accept mail sent to him/her by the Township or to provide the Personnel Office with a telephone number at which s/he can be reached if absent during his/her scheduled work time, or in case of emergencies, or who refuse or fail to accept calls from the Township at such number without good cause, may be subject to disciplinary action up to and including termination.

**B. CONDUCT**

Courtesy and civility are required when interacting with any member of the Public or Township workforce. No employee shall use words that humiliate, disparage, demean, degrade, ridicule or insult a person or persons because of his/her race, creed, color, national origin or ancestry, gender or sexual orientation. Employees are expected to answer questions from residents to the best of their ability and refer callers to the proper Departments whenever possible. All dealings with the Public shall be in accordance with the Township's policies, regulations and generally accepted professional and ethical conduct and employees should remember that, as Public Employees, their actions, salaries and functions are subject to Public review and comment.

If an employee is found to be conducting him/herself in a manner contrary to the provisions stated above, he/she may be subject to disciplinary action, up to and including termination.



### C. DISCRIMINATION PROHIBITED

The Township complies with all Federal and State laws that prohibit discrimination, including but not limited to Title VII of the Civil Rights Act of 1964 ("Title VII"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990 (the "ADA"), the Age Discrimination Act of 1975 (the "Age Discrimination Act"), the Age Discrimination in Employment Act ("ADEA"), the New Jersey Law Against Discrimination ("NJLAD"), the Law Against Discrimination ("LAD"), the New Jersey Family Medical Leave Act ("FMLA"), the Family Leave Act ("FLA") and all other applicable laws and regulations.

*Equal Employment Opportunity.* The Township is an equal employment opportunity employer and does not discriminate against employees or job applicants on the basis of race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities, AIDS or HIV infection), political affiliation (to the extent protected by law), atypical hereditary cellular or blood trait, or because of the liability for service in the Armed Forces of the United States, veteran status, citizenship status, or any other group status protected by law, unless required by a bona fide occupational qualification.

The Township will ensure that personnel decisions are made in accordance with principles of Equal Employment Opportunity by imposing only nondiscriminatory job requirements. The Township will not discriminate with regard to any term, condition or privilege of employment. Township-sponsored training, education, tuition assistance, and social and recreation programs will be administered without discrimination.

The Township has an Affirmative Action Officer, who is assigned overall responsibility of the Affirmative Action Program. Any employee or applicant with a question or grievance should contact the Affirmative Action Officer.

*Individuals with Disabilities.* The Township acknowledges its responsibility under the Americans with Disabilities Act ("ADA"), the New Jersey Law Against Discrimination ("NJLAD") and Section 504 of the Rehabilitation Act of 1973 ("Section 504") to avoid discrimination against individuals with disabilities. Section 504 prohibits discrimination against otherwise qualified individuals with disabilities on the basis of disability in a program or activity receiving federal financial assistance. The ADA prohibits discrimination against otherwise qualified individuals on the basis of disability with respect to employment or the benefits, services, or activities of a public entity.

Under the ADA and Section 504, the definition of an "individual with a disability" is a person who:

1. has a mental or physical impairment which substantially limits one or more major life activities such as seeing, hearing, speaking, breathing, or working; or



2. has a record of such impairment; or
3. is regarded as having such an impairment.

The Township will furnish auxiliary aids and services to employees and members of the public who have disabilities to the extent necessary for communication with other persons, unless it will result in an undue burden on, or a fundamental alteration to, the program or service.

No otherwise qualified employee or candidate for employment will be discriminated against in recruitment, employment, promotion, training, transfer or any other terms and conditions of employment solely because of a disabling condition. No candidate for employment will be required to answer a question as to whether he or she has a disabling condition or the extent of such a disabling condition. The Township may inquire into the applicant's ability to perform job-related tasks. No candidate will be discriminated against on the basis of a disabling condition that is not directly related to the essential function of the position for which the applicant has applied.

Reasonable modifications, which do not pose a danger or undue hardship and which do not fundamentally alter a Township program or activity, will be made to accommodate employment conditions to meet the needs of an otherwise qualified disabled person.

*Grievance Procedure.* The Township has adopted an internal grievance procedure providing for prompt and equitable resolution of allegations of discrimination on the basis of disability. Information concerning the Township's grievance procedure and forms can be obtained from Human Resources.

*Prohibition Against Harassment.* It is the Township's policy to ensure all employees of the Township a work environment free of any type of harassment and discrimination based upon a protected group status, including freedom from sexual harassment. All employees are expected to maintain a productive work environment that is free from harassing and discriminatory activity or behavior. No form of harassment or discrimination will be tolerated.

For more information, consult the Township's *Policy Against Workplace Discrimination and Harassment*. All employees are responsible for understanding and complying with the Township's Policy. Appropriate disciplinary action will be taken against any employee who violates this Policy.

#### **D. DEPARTMENT POLICIES**

Rules and regulations shall be in writing, signed by the respective Directors and approved by the Business Administrator. A copy of such rules and regulations shall be filed in the Business Administrator's office. Rules and regulations shall be binding on all

persons subject to the jurisdiction of the Department. All employees of the Department shall be made aware of such rules and regulations, and a copy of such shall be posted in the Department and in other places convenient to the employees. Copies shall also be made available upon request.

#### **E. DRESS CODE**

An employee's contact with the public is an important part of the job with the Township and reflects the Township's attitude toward the people it serves. Employees are required to present themselves in a neat and orderly manner. Employees are to dress in an appropriate manner consistent with the work performed.

Some departments/divisions have adopted certain dress standards or require uniforms. In general, an employee must present himself or herself professionally at all times.

*Professional Business Attire.* The intent of professional business attire is to ensure that Township personnel are dressed appropriately to meet with the public at a moment's notice. This means dress pants, or a dress shirt worn with jacket for men; or a skirt/dress slacks with a dressy blouse and/or sweater, cardigans or other types of tops with a jacket for women. Also, slacks that are similar to Dockers, and/or cotton, synthetic material, wool pants, corduroys, dressy capris are acceptable.

*Inappropriate/Unacceptable Attire.* Clothing that is inappropriate, distracting, provocative or too revealing such as; denim jeans that are well-worn or torn; sweatpants; exercise pants; Bermuda shorts; short-shorts; bib overalls; leggings; and any spandex or other form-fitting pants that is usually worn when biking should not be worn at the workplace. Inappropriate attire for work includes, but is not limited to: tank tops; midriff tops; shirts with potentially offensive words, terms, logos, pictures, cartoons or slogans; halter tops; tops with bare shoulders; and sweatshirts and t-shirts, unless worn under another appropriate blouse, shirt, jacket or dress. Flashy athletic shoes, tongs, flip-flops, slippers, open toed or strapless sandals, sneakers, or well-worn or torn shoes, is not acceptable attire for Township workers.

The Business Administrator shall have the discretion to relax the dress code for a particular day or due to specific circumstances. Even with a relaxed dress code, clothing should still be appropriate for meeting with the public. For safety reasons, a relaxed dress code will not permit a change in acceptable footwear.

*Employees who Work with Machinery.* Employees who work with machinery must be careful that clothing does not get caught in the machinery; must always wear proper safety clothing, Township-required paraphernalia and remove all jewelry and keep hair neatly tied or pulled back from face and eyes by wearing a hair net or securing it with an elastic band.

An employee is expected to dress in good taste reflective of his or her particular work environment, to come to work looking neat and clean, and to wear clothing that does not

create a safety hazard. Employees who do not follow the standards related to the Township's dress code may be subject to progressive discipline up to and including termination of employment.

*Uniforms.* The Township may supply uniforms to employees in particular job classifications that are required to be worn while on duty. An employee represented by a union or association should consult his or her union representative or the collective negotiations agreement applicable to his or her bargaining unit regarding uniform allowance.

#### **F. DRUG/ALCOHOL USE**

The Township has a vital interest in maintaining a safe, healthy and efficient working environment for its employees, free from the use of illegal and nonprescription drugs, alcohol and the unauthorized use of prescription drugs. Being under the influence of drugs or alcohol, on the job, poses serious safety and health risks, not only to the user, but also to all who come in contact with the user. The use, sale, transfer, or possession of alcohol, drugs, controlled substances, drug paraphernalia, or any combination thereof, on any Township premises or worksite (including in Township vehicles or any private vehicles parked on Township premises or worksites) is grounds for discharge for the first offense.

For more information, please refer to the Township's policy regarding drug and alcohol abuse, **attached hereto as Rider B**. All employees are responsible for understanding and complying with the Township's Drug and Alcohol Abuse policy. Appropriate disciplinary action will be taken against any employee who does not comply with this policy.

#### **G. DRUG/ALCOHOL TESTING RELATED TO LICENSES**

*Employees with Commercial Driving Licenses.* Federal regulations mandate random drug and alcohol testing of employees who are required to have a commercial driver's license ("CDL") for their job. The tests will be unannounced and administered in accordance with Federal regulations and established procedures. A positive alcohol or drug test may result in the termination of employment.

*Employees Without Commercial Driving Licenses.* It shall furthermore be a condition of employment for all employees not subject to testing under Department of Transportation requirements (employees not possessing a CDL) to submit to drug and alcohol testing under the following circumstances:

Where there is reasonable suspicion to believe that an employee is under the influence of alcohol or is using illegal drugs.

When an employee is involved in an on-the-job motor vehicle accident where

personal injury or damage to property occurs.

As part of a follow up program for treatment of drug and/or alcohol abuse.

## **H. EDUCATION/PROFESSIONAL LICENSES**

The Township may, at its sole discretion, establish an educational financial reimbursement program for job-related courses for full-time staff members. All Courses must be for professional certifications or advancement of title.

A written request must be made to both the Director and Business Administrator a minimum of 90 days prior to the start of the course. The request should identify the course to be taken, the institution at which it will be taken and the tuition cost. The Business Administrator will provide a written response as to whether the course has been approved. If approved, a purchase order will be issued.

Reimbursement may be requested for up to two (2) courses per semester.

The course must be relevant to the employee's current position and necessary for career development within his/her functional area.

A grade of "B" or higher must be earned in order to be eligible for reimbursement.

Approved courses are eligible for reimbursement of up to 100% of the tuition cost, limited to the cost per credit at Rutgers University subject to the availability of Township funding. To claim reimbursement, the receipt and transcript must be submitted with the approved purchase order and submitted to the Department Head for payment.

Employees who leave the employ of the Township shall remit tuition reimbursement monies to the Township as follows:

1. Within one (1) year of receipt of the monies, 100% of all monies received;
2. Within two (2) years of receipt of the monies, 66% of all monies received;
3. Within three (3) years of receipt of the monies, 33% of all monies received.

Failure to follow these procedures may result in forfeiture of reimbursement.

The Township may pay for all professional job-related licenses and professional organization memberships related to their functional area with the prior approval of the Business Administrator.

A requisition in the amount of the license or membership shall be completed and approved by the Director and Business Administrator in advance. Whenever possible, the Township shall pay the applicable organization directly.

All proper documentation will be required in order to receive reimbursement.

Failure to follow these procedures may result in forfeiture of reimbursement.

#### **I. EQUIPMENT AND SUPPLIES**

It is the responsibility of the Directors to ensure that employees have the necessary equipment and supplies for accomplishing assigned tasks. Employees are responsible for taking care of any equipment assigned to them and for returning all equipment when finished with it. Employees are further responsible for assuring the proper use of all equipment and supplies assigned to them.

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

Employees of the Township shall not use equipment, supplies, postage or other materials of the Township for personal use.

#### **J. FITNESS FOR DUTY**

The Township has the right to request a fitness for duty examination for reasonable cause. This may be a physical and/or psychological examination based on the Township's concern regarding an employee's physical and/or mental ability to perform the duties of his or her job. Examinations can be required either prior to an employee's return from an authorized sick leave of absence, or during the course of employment.

#### **K. IDENTIFICATION CARDS**

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

Directors are responsible for ensuring that identification cards are provided and worn visibly by employees.

#### **L. LAYOFF AND RECALL**

In accordance with Management's rights, the Business Administrator shall determine the necessity for and the duration of layoffs or reductions in force (RIF). Layoff actions may be instituted for economy, efficiency or other related reasons, with voluntary alternatives being considered first. Seniority, lateral or other re-employment rights for employees will be determined by the Business Administrator.

Any employee who is laid off from the Township shall receive twenty (20) days of severance pay.

#### **M. LEGAL REPRESENTATION**

An employee requiring the services of outside counsel in matters pertaining to litigation arising out of the scope of his or her employment, but not initiated by the employee, should notify the Law Department immediately and request a conference. This notification and request must be made prior to being assigned an attorney, so that the Township may determine whether the employee is entitled to legal representation as a Township employee.

The Township reserves the right to appoint legal counsel for our employees requesting legal representation in the course of their official duties and that said legal counsel shall accept the Township rate of pay for legal representation as established by the Township.

#### **N. MEDICAL EXAMINATIONS**

All job applicants are required to submit to a pre-employment medical examination, including a drug/alcohol test, once an offer of employment has been extended by the Township. This requirement provides protection for the employee, fellow workers, and the Township. All job applicants applying for law enforcement positions will be required to submit to a psychological evaluation in addition to the pre-employment medical examination. The applicable Department or Division will so advise the job candidate whether this evaluation is necessary as well as the rules and regulations pertaining to this requirement.

#### **O. OPEN PUBLIC RECORDS ACT (OPRA)**

The Open Public Records Act (N.J.S.A .47:1A-1 et seq.) attempts to strike a balance between the public's full right of access to government records and the privacy rights and security concerns that public agencies are responsible to maintain. At the Township, all requests for information from the public must be processed through the Township Clerk. The Clerk and/or Law Director will determine whether the requested information is accessible or exempt from public disclosure.

*Confidentiality (Requests by employees/requests by public made to employees)* – All employees are responsible for holding confidential information they obtain while performing their job functions or otherwise obtain during the course of their employment. When a request for information is made, and the employee is uncertain as to whether the information is appropriate for disclosure to others, the employee should refer the person requesting such information to the Township Clerk or Law Director. Also, an employee must follow confidentiality procedures as outlined within the department or division to which they are assigned and not release any information to others without first consulting with their Department/Division Head.

## **P. ORIENTATION - NEW EMPLOYEES**

A newly-appointed employee is required to attend an administrative session conducted by a member of the Human Resources. Township rules and regulations will be explained to new employees. Conditions that affect the employee's work in a government setting will be explained and relevant handbooks and brochures will be distributed to those in attendance. Directors must e-mail Human Resources providing the name, title and department of the participating employee. Directors should also remind the employee of the meeting one day in advance.

## **Q. OUTSIDE EMPLOYMENT**

It should be understood by all Employees that the employee's position with the Township is to be considered their primary job. Nothing contained herein shall prevent an employee from engaging in outside employment on off-duty hours provided such employment does not conflict with the employee's Township duties or interfere with the efficiency or performance of other employees of the Township.

All employees are prohibited from using any Township tools, equipment, supplies, personnel, or facilities in the production or manufacture of goods or in the provision of a service or services which result in a personal gain for the employee, or his/her private business, monetary or otherwise.

No Township employee acting on his/her own behalf, or on the behalf of a private business interest, personal or otherwise, shall enter into a contract or understanding with the Township for the production or manufacture of goods or the provision of a service or services, if such contract or understanding presents a conflict of interest.

All full-time employees of the Township shall report, in writing, to the Business Administrator prior to April 30<sup>th</sup> of each year any outside employment to which they are proposing to be engaged.

Any full-time employee wishing to accept outside employment shall request permission to do so, in writing, from the Business Administrator. This request shall set forth pertinent information concerning the type of employment to be engaged in, the name and address of the prospective employer, and the hours of such employment.

The Business Administrator if, in his/her judgment there is a reasonable probability that such outside employment will interfere with an employee's performance or compromise an employee's position with the Township through a conflict of interest.

The Business Administrator will notify, in writing, any employee who is engaged in outside employment or private business, or who wishes to engage in outside employment or private business, which is determined to be inconsistent with the



Township's policies or which presents a conflict of interest. Such employees will refrain from such outside employment or private business or be subject to disciplinary action.

## **R. PERFORMANCE EVALUATION**

It is the express policy of the Township to periodically evaluate the performance of its employees. The Business Administrator shall prescribe the method of the keeping of performance evaluation records, the establishment of standards of performance for employees, and a system of performance evaluation based on the standards. Performance evaluations will be used primarily to provide information that can be used to improve employee performance, or to identify and document outstanding employee performance. The results of an employee's performance evaluation may be used in determining eligibility for salary increases, promotions, reclassifications, transfers, removals, layoffs and recalls.

Periodic employee performance evaluations shall be conducted on a schedule set forth by the Business Administrator.

Each employee shall be notified and given a copy of his/her evaluation and shall have the opportunity to review such evaluation with the Directors who prepared the evaluation.

Any employee wishing to appeal a performance evaluation must notify the Department Head and Business Administrator within 10 days of receipt of the performance evaluation.

Employees not covered by a Collective Negotiations Agreement have the right to appeal any unsatisfactory performance evaluation to their Director. If not satisfied with the outcome of this appeal, such employee may request an appointment with the Business Administrator with or without the respective Director to discuss the matter. The employee may have a witness present at such meeting. The decision of the Business Administrator shall be final.

## **S. PERSONNEL RECORDS**

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

In order to comply with ADA regulations, medical information shall be maintained in a manner which allows such information to be removed when the contents of an employee's personnel file are examined by someone other than the employee.

Personnel records are considered to be of a confidential nature and are available only

to the employee, a respective Director, the Mayor or the Business Administrator on a need-to-know basis. Employees are entitled to review the contents of their personnel folder, but not those of other employees.

Employees wishing to review their personnel folder should contact the Human Resources Office and arrange in advance any such review. No employee will be allowed to review his/her personnel folder without prior arrangements with the Personnel Office and at no time more than once in any six (6) month period.

Any review of personnel folders by employees will be done in the presence of the Human Resources Manager or his/her designee. Employees will not be permitted to take personnel folders from the office or to remove documents from the folder. Employees may request copies to be made at the employee's expense.

## **T. PROMOTION**

Promotion is an advancement in title with a higher level of duties and responsibilities and/or with a higher salary range. The promotional policy is based upon the merit principle and shall include a review of past performance, systematic tests and evaluations where applicable. As applicable, promotion and/or promotional criteria may be subject to the Collective Negotiations Agreements within the Township.

All promotions shall be approved, in writing, by the Business Administrator, in consultation with the Director and confirmed in writing by the Mayor.

An employee who fills a job vacancy by promotion will be considered probationary for the first 180 working days of service in the new position. If, at the end of the probationary period, such employee's performance is rated unsatisfactory, every effort will be made to reinstate such employee at his/her old position and his/her old salary level, or in an equivalent position at his/her former salary without the loss of benefits.

## **U. RE-EMPLOYMENT**

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

Any employee who leaves or who has left Township employment to enter the active service of the Armed Services of the United States and serves a regular tour of duty for a period of three (3) years, and is subsequently reinstated to a position previously held by him/her shall be entitled to receive compensation at the rate he/she would have been entitled had the service with the Township not been interrupted by service in the Armed Forces.

## V. RETIREMENT

Employees who retire in good standing are eligible for the retirement benefits outlined in this section.

*Pension.* All permanent full-time and part-time employees must belong to the New Jersey Public Employees' Retirement System (PERS), with the exception of the uniformed services. The uniformed services (Police and Fire) must belong to the New Jersey Police and Firemen's Retirement System (PFRS). Refer to the State of New Jersey PERS and PFRS Member Handbooks at [www.nj.gov/treasury/pensions](http://www.nj.gov/treasury/pensions) or contact the Human Resources Manager for further details.

*Accumulated Sick, Vacation & Personal Time.* Employees hired prior to December 24, 1992, upon retirement with 25 years of pensionable service credit or employees who have attained the age of 60 shall be paid lump sum equivalent salary (base and longevity, if applicable) as follows: Employee shall be entitled to payment of sick leave at the daily rate of pay for accumulated unused sick time, accrued but unused vacation and personal days, with said lump sum payment for vacation, personal days and sick time to be capped at a total maximum of fifteen thousand dollars (\$15,000.00).

1.

Effective January 1, 2017 for those Employees hired after December 24, 1992:

A. When an employee leaves the employment of the Township after twenty-five (25) years of continuous service or the age of sixty (60), s/he will receive:

1. 100% pay for accumulated sick time, not to exceed \$15,000.00; and
2. 100% pay for all accrued vacation time, not to exceed two (2) years of accumulated vacation time.
3. Should an employee retire on or after July 1<sup>st</sup> of their final calendar year of service, such employee shall be entitled to the full allotment of sick, vacation and personal days for that given year.
4. These payments will be made within thirty (30) working days from the last day of employment.

B. When an employee leaves the employ of the Township after fifteen (15) years of continuous service, regardless of age, s/he will receive:

1. Twenty (20) days of their accumulated sick time at full pay, not to exceed \$15,000.00; and
2. 100% pay for all accrued vacation time, not to exceed two (2) years of accumulated vacation time.
3. Should an employee retire on or after July 1<sup>st</sup> of their final calendar year of service, such employee shall be entitled to the full allotment of sick, vacation and personal days for that given year.
4. These payments will be made within thirty (30) working days from the last day of employment.

Any employee of the Township who is a member of the PERS and who is subsequently transferred or appointed to a position covered by the PFRS shall not carry over accumulated sick, vacation or personal time, nor will they be compensated for same.

The estate of a deceased employee will be paid for any unused time that would have been paid to the employee had he/she retired.

*Terminal leave.* Any employee having been continuously employed by the Township and leaves in good standing as of December 31, 2016 shall be eligible for terminal leave as follows:

|                                          |         |
|------------------------------------------|---------|
| Completed probation & less than 2 years: | 10 days |
| Completed 2 years of service:            | 20 days |
| Completed 5 years of service:            | 30 days |
| Completed 10 years of service:           | 40 days |

Applicable years of service are those as a non-union/confidential employee. This section shall not apply to those employees discharged from the Township for cause. This benefit shall cease on January 1, 2017.

*Health Benefits.* Employees hired prior to January 1, 1998, upon retirement with 25 years of pensionable service credit with the Township or on disability retirement after 15 years of employment, who were eligible for paid Township medical benefits while employed shall be eligible for continuous coverage as provided to other employees.

Employees hired after January 1, 1998, upon retirement with 25 years of pensionable service credit and 10 completed years with the Township or on a disability retirement after 10 years of employment with the Township, who were eligible for paid Township medical benefits while employed, shall be eligible for employee and dependent coverage at the same coverage as active employees.

Any retiree attaining age 65 and qualified must enroll into Part A and Part B of Medicare. While the Township will continue to pay for a retiree's benefits through its carrier, the Township will not be held liable for a retiree's Medicare premium. The Township's retiree health benefits plan shall become supplemental to Medicare coverage.

To ensure that all employees receive the necessary information to make decisions concerning retirement, employees considering retirement should contact the Human Resources Manager for a pre-retirement interview at least three (3) months prior to the anticipated date of retirement.

When an employee decides to retire, he/she must notify the Business Administrator, Human Resources Manager and the Department Head in writing at least three (3) months before the planned retirement.

## **W. SEPARATION FROM SERVICE**

All employees who intend to resign from the Township, as well as employees about to be terminated, must satisfy their outstanding obligations to the Township prior to their final separation. Any remaining obligations outstanding at the time of separation may be deducted from the employee's final paycheck. This will be accomplished through the exit interview with the Human Resources Manager, which shall be documented. Prior to leaving Township employment, an employee should notify their Director and Human Resources at least two (2) weeks in advance, if possible.

The Human Resources Manager shall:

1. Advise the employee of his/her rights to continue, convert, terminate or, if applicable, vest any benefits.
2. Collect all badges, clothing, keys, beepers, radios, tools, personnel documents, if applicable, or any other Township property. If such property has been collected by the Director, then the Director must notify the Human Resources Manager.
3. Obtain a forwarding address and determine disposition of final paycheck.
4. Conduct a final exit interview to offer the employee an opportunity to:
  - a. Discuss the reason for his/her resignation or termination.
  - b. Offer comments on his/her experiences in working for the Township.
  - c. Make suggestions on improving conditions for present or future employees.

#### **X. SMOKE-FREE WORKPLACE**

Smoking is strictly prohibited in all Township buildings, recreational facilities, parks and vehicles. Appropriate disciplinary action will be taken against any employee who violates this Policy, up to and including termination.

#### **Y. SOCIAL NETWORKING**

For purposes of this policy, a "social network" is defined as a site that uses internet services to allow individuals to construct a profile within that system, define a list of others users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design vary from site to site. Examples of the types of internet-based social networking activities include: blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting comments on the sites. The absence of, or lack of explicit reference to a specific site or activity does not limit the extent of the application of this policy.

*Procedures.* The use of the internet and social networking sites (Facebook, Twitter, Instagram, etc.) in particular is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the Township and its relationship with the community. This policy identifies prohibited activities by employees on the internet where posted information is accessible to members of the general public, including, but not limited to, public postings on social networking sites. The Township reserves the right to investigate postings, private or public, that violate work-place rules, such as the prohibition of sexual harassment and other discriminatory

conduct, where such postings lawfully are made available to the Township by other employees or third parties.

Employees do not have unfettered First Amendment rights in their capacity as a Township employee. Therefore, employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone. If you would not be comfortable with your Directors, coworkers, or the management team reading your words, you should not write them. Recognize that you are legally liable for anything you write or present online. Employees can be disciplined for commentary, content, or images that are defamatory, insubordinate, unprofessional, pornographic, proprietary, harassing, libelous, cast the Township or its officials and staff in a false light, or that can create a hostile work environment. You can also be sued by agency employees or any individual who views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. What you say or post on your site or what is said or posted on your site by others could potentially be grounds for disciplinary action up to and including termination.

## **Z. COMPUTER & EMAIL USE POLICY**

### **INTRODUCTION**

In order to improve efficiency and productivity, the Township provides selected employees with access to electronic data and voice transmission devices which include, but are not limited to, computers with Internet and e-mail capabilities, telephones, mobile phones and cameras. Employees shall use these devices for business purposes only.

In order to provide a viable data and communication system for the Township of Edison that supports the needs of all its departments, security and confidentiality of the information must not be compromised. Security is a major concern throughout every office of the Township of Edison. This policy, procedure and regulation will apply to the day-to-day operations of all Township of Edison information and technology equipment, as well as mobile or portable units.

Although this policy comprehensively addresses current security concerns, impending and future system developments may require additional security considerations. Every employee of the Township of Edison must be cognizant of the potential for civil liability inherent in the dissemination of information obtained through the Township of Edison's information systems.



Policies, procedures and regulations presented in this policy are intended to serve as a standard security requirement and do not preclude the Township of Edison from invoking additional security policy measures.

### **GENERAL PRINCIPLES**

A. Correspondence via e-mail, instant messaging and other forms of on-line communication is not guaranteed to be private. Confidential e-mails, instant messaging and any other forms of on-line communication should not be sent without encryption or password protection of attached information.

B. Township supplied e-mail accounts, as well as network and Internet IDs and passwords, should not be used for anything other than Township-sanctioned activities, and may only be used by the individuals to whom such accounts, ID's and passwords have been assigned.

C. All on-line activity will be monitored for security and/or management reasons. Users are subject to limitations on their use of such resources.

D. 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 reserves the right to determine the suitability of this information.

E. Use of any Internet related capabilities for personal use is discouraged by the Township. Employees should use their discretion on its use, while understanding that the Township will monitor such usage.

### **DEFINITION OF TERMS**

- Township - Township of Edison
- Dissemination - Written or verbal communication of information
- Electronic Information Device - Any device designed for the transmission or storage of electronic data
- Employee - Any employee of the Township of Edison
- Hardware - Any internal or external peripheral device installed or attached to an Electronic Information Device
- IT Staff - Division of Information Technologies staff assigned as system administrators
- Laptop - Computer designed to be a System, Data or Lan Controller
- Software - A computer program or package designed for use on any Electronic Information Device
- Workstation - Desktop Computer Workstation

### **AUTHORITY**

The Township of Edison reserves the right to prosecute in a civil or criminal manner as well as discipline in accordance with Township rules and regulations any employee who violates any section of this policy. The IT Division staff or the Business Administrator or



designee have the express right to access any electronic information device utilizing any administrative or user password for the purpose of troubleshooting, supporting or maintaining the computer network or while investigating an incident or violation of this policy. All Electronic Information Devices, their contents, email or electronic correspondence originating from or arriving on a device owned or authorized on the Township computer network, is the property of the Township of Edison and is subject to entry and inspection without notice. Any data or information created or stored on the Township computer network becomes the sole property of the Township of Edison. Ownership of said data is forfeited and all rights to ownership are surrendered to the Township of Edison. In order to insure that the Township's Electronic Network is being used only for legitimate business purposes, the Township reserves the right to enter or search any computer file, the email system, and/or monitor computer and email use. Accordingly, no employee of the Township of Edison should have any reasonable expectation of privacy regarding their use of a Township computer or when utilizing the Township's computer network, including, but not limited to, electronic mail.

### **USER AUTHORIZATION**

Any authorized user of an Electronic Information Device shall utilize said device for government purposes only. All non-governmental or non-job related use of the internet, email, data storage or network system strictly prohibited. Accepting authorization or accessing any Electronic Information Device on the Township's Computer Network is a waiver of the users right to privacy and a condition of using the network. Users grant access by implied and express consent to all data, records and files, either computer generated, computer stored, human generated or human stored.

### **SECURITY OF USERS**

User Authentication is a security measure designed to verify the identity of the user and establish that person's eligibility to receive information. Each employee will be assigned a unique User ID for the Township Network and any other software as applicable. Each User will be authenticated by a password of the User's choice. The following guidelines will serve to ensure that the network remains secure at all times.

- All User's ID's and Passwords will be kept strictly confidential.
- No employee will divulge any ID or Password to any other employee other than System Administrator or IT Staff.
- Any employee who believes his/her password has become compromised shall immediately notify an IT Staff member for a password change.
- Any employee with knowledge of a compromised password shall immediately report same to the System Administrator.
- No employee shall utilize any ID or Password that is not his/her own to access any Electronic Information Device, Network, or software program.
- All Devices will be logged off at the end of each duty shift or whenever left unattended by an authorized user for an extended period of time.

## **RULES OF USAGE**

A. The Township prohibits any employee using Township issued computers or other electronic data and voice transmission devices and/or the Township's on-line resources from:

- i. Visiting Internet sites that contain obscene, hateful or other objectionable materials; displaying, downloading, uploading, storing or transmitting any material that is obscene or defamatory or which is intended to annoy, harass or intimidate another person; displaying, downloading, uploading, storing or transmitting sexually-explicit images, messages, ethnic slurs, racial epithets or anything which could be construed as harassment or as disparaging of others;
- ii. Engaging in on-line communications unrelated to Township business activities other than occasional personal communications;
- iii. Soliciting non-Township business for personal gain or profit;
- iv. Using the Internet or e-mail for any illegal purpose;
- v. Representing personal opinions as those of the Township;
- vi. Making or posting indecent remarks, proposals, or materials;
- vii. Uploading, downloading, storing or otherwise transmitting commercial software or any copyrighted materials belonging to parties outside of the Township, or not licensed to the Township;
- viii. Displaying, uploading, downloading or otherwise transmitting any software or electronic files without implementing virus protection measures that have been approved in advance by the IT Division;
- ix. Intentionally interfering with the normal operation of the Township's computers;
- x. Revealing or publicizing confidential or proprietary information which includes, but is not limited to, financial information, investigative and enforcement related 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;
- xi. Examining, changing or using another person's files, output, or user name without explicit authorization from the individual involved, the Department Head and the IT Staff;
- xii. Performing any other inappropriate uses;
- xiii. Wasting time on non-Township business, including but not limited to: playing computer games, accessing computer programs which are not directly related to Township operations or "surfing" the Web for fun on Township time.

C. Employees learning of any misuse of the Township's Internet access or e-mail resources shall notify their Department Head, Business Administrator and the IT Division.

D. Users who violate any part of this internet and e-mail policy may be subject to disciplinary action up to and including termination of employment. The

Township also retains the right to report any illegal violations to the appropriate authorities.

### **DISSEMINATION**

All information on the Township of Edison Computer Network is the property of the Township. Dissemination of any information gained from this network will be predicated by a reasonable assurance that the person/agency receiving the information is authorized to receive it.

### **INSTALLATION OF SOFTWARE OR HARDWARE**

The Township of Edison may assign to its Employees Township owned computers or electronic devices for official business purposes. Such computer equipment and its contents are and remain the property of the Township of Edison. Personnel are prohibited from installing unauthorized hardware or software, and from storing personal information in any Electronic Information Devices, regardless of any password protection or encryption. No person shall install or introduce an Electronic Information Device to the network that is not owned or maintained by the Township without prior authorization. Any employee that requires a special software program, package, or peripheral device, which would improve in the effectiveness of his/her job or function, may request installation by the IT Staff. Any intellectual data created, stored locally or virtually outside the network, introduced or transmitted through an Electronic Information Device or network infrastructure, owned or authorized by the Township shall become the property of the Township.

### **PROHIBITED USES**

Prohibited uses include all illegal and/or unauthorized use of the systems. The below list of actions or uses that are prohibited is not meant to be inclusive or exhaustive:

- Changing any setting or configuration in any software package or operating system.
- Installation of unauthorized software or peripheral equipment.
- Violation of copyrighted material, including unauthorized reproduction of software or its related documentation that the Township of Edison may use for governmental business purposes.
- Purposely, knowingly, intentionally or unintentionally causing or aiding the spread of computer viruses.
- Purposely, knowingly, intentionally or unintentionally, accessing equipment or software he/she does not have authorization to access.
- Purposely, knowingly, intentionally or unintentionally, accessing the internet without authorization.
- Purposely, knowingly, intentionally or unintentionally hacking with or into any electronic information device.
- Using the Township Network or any Electronic Information Device for private business, personal gain or profit.

- Using obscene, defamatory, threatening, harassing or offensive language on the systems.
- Downloading, viewing, printing or distributing obscene, pornographic or adult material.
- Representing personal opinions as those of the Township of Edison.
- Intentionally interfering with the normal operations of the Township of Edison's computers or network infrastructure.
- Sending and/or forwarding email Township-wide from outside vendors, solicitations and/or advertisements without written authorization from the Business Administrator.
- Sustaining high volume network traffic, which substantially hinders other the use of the network.

## **AA. TRANSFERS AND REASSIGNMENTS**

Transfer is the movement of an employee to a position in the same title and at the same rate of pay from one department to another. Reassignment is the movement of an employee to a position in the same title and same rate of pay in a department. The services of an employee who is transferred or reassigned will be considered continuous for the purpose of seniority and fringe benefits. Transfers and/or reassignments shall not be made to harass or to discriminate against an employee. An employee must have worked a minimum of six (6) months before he/she is eligible for a transfer.

All transfers and reassignments shall be approved, in writing, by the Business Administrator.

An employee who is transferred or reassigned will be considered probationary for the first 180 working days of service in the new position. If, at the end of the probationary period, such employee's performance is rated unsatisfactory, every effort will be made to reinstate such employee at his/her old salary level, or in an equivalent position at his/her former salary without the loss of benefits.

## **BB. USE OF TOWNSHIP PROPERTY**

*Equipment.* Township equipment including, but not limited to, vehicles, machinery, power tools, hand tools, electrical equipment, electronics, generators, furniture, computers, facsimile machines, copiers, phones and pagers etc., will be used for Township business purposes only. When using Township property, employees shall exercise care, perform required maintenance, and follow all operating instructions, safety standards, guidelines, and laws. Improper, careless, negligent, destructive, or unsafe use or operation of equipment may result in reimbursement of damage costs.

Misuse of any and all Township equipment by any Township employee is subject to discipline, up to and including termination of employment.

*Use of Motor Pool Vehicles.* In the course of employment, a need may arise for an employee to use an automobile to conduct Township business and may be obtained through the Division of Motor Vehicles. Employee use of any Township vehicle requires authorization by their Director/Division Head. All employees utilizing a Motor Pool Vehicle will be provided with Division of Motor Vehicle regulations with which they must comply.

*Accident Reporting Procedures.* All work place accidents must be reported

immediately. Employees who witness an accident also have a duty to report the accident immediately. The employee must complete the appropriate accident forms. For motor vehicle accidents where an injury or significant property damage results, the police are required to be contacted.

*Internet and E-Mail.* Electronic networks, including the Internet and e-mail, are to be used to conduct the business of Township government, to effectively communicate with others in the course of government business, and to gather information relevant to the performance of governmental duties. All information gathered via on-line resources or stored on Township computers belongs solely to the Township. The Township retains the right to monitor all on-line communication to ensure that all employees pursue only appropriate business purposes. Installation of any unauthorized software is prohibited and may result in discipline up to including termination of employment.

Employees have no expectation of privacy in connection with their use of any Township property and equipment.

## **CC. USE OF VEHICLES**

Each employee who uses a privately owned vehicle in the performance of his/her official Township duties and who is being reimbursed for such private vehicle use is responsible for:

1. Submitting a copy of a valid driver's license to the Business Administrator on an annual basis. Employees may not operate a motor vehicle on Township business, nor receive reimbursement for same if a valid driver's license has not been presented. It shall be the responsibility of the employee to notify the Business Administrator of any changes in the status of an employee's driving privileges.
2. Carrying Liability Insurance with a minimum coverage of \$100,000/\$300,000 for personal injury liability and \$25,000 for property damage with a company approved by the New Jersey Department of Insurance.

3. Supplying evidence that such coverage is in full force and effect.
4. Complying with all Motor Vehicle Laws of the State of New Jersey.
5. The reimbursable mileage allowance for employees who use their private vehicle to perform their official duties shall be made at the current IRS Rate. Any such expenses are subject to prior approval and adequate budgetary appropriations. In lieu of mileage reimbursement, the Township may authorize vehicle allowance not to exceed \$75.00 per month.

All employees utilizing Township vehicles must have a valid driver's license. It shall be the responsibility of the employee to notify the Business Administrator of any change in the status of an employee's driving privileges.

#### **DD. VIOLENCE IN THE WORKPLACE**

The Township strives to maintain an atmosphere that, to the greatest degree possible, will discourage workplace violence. Violence or threats of violence towards Township employees by any person will not be tolerated and will result in disciplinary action. Please refer to the Township's policy regarding Violence in the Workplace, which is available from the Human Resources.

#### **EE. PERSONAL TELEPHONE CALLS**

Much of the Township's business is conducted over the telephone and the lines cannot be tied up with personal telephone calls. Personal calls, both incoming and outgoing, are discouraged.

A personal telephone call is one that is not necessitated by an employee's assigned work. Employees are responsible for the following:

1. Restricting personal calls during business hours to emergency calls only.
2. Confining personal calls to lunch and break periods unless an emergency arises.
3. Spending as little time as possible on any personal call made during business hours.
4. Bearing the cost of any personal call made on Township time by using personal cellular phone for personal calls when such phone is available.
5. Conducting personal calls in a manner that does not disrupt co-workers or interfere with the work environment.

Each Director is responsible for minimizing the misuse of telephones through methods that he/she deems practical and appropriate for the situation as it exists. Abuse will not be tolerated and will result in progressive discipline.

## **VI – HOURS OF WORK**

### **A. HOURS OF OPERATION**

Full-time employees are required to work either seven (7) or eight (8) hours per day, plus one (1) hour or one half (1/2) hour lunch period for a work week consisting of 32.5 to 40 hours. The normal municipal hours of operation shall be from 8:00 am to 5:00 pm, Monday through Friday. The Township may institute other schedules or shifts as they are deemed necessary. An employee may be assigned to an alternate schedule or shift with reasonable notice. In the event that a public safety or health emergency is declared, however, the Mayor or his/her designee may institute a mandatory recall of employees and make assignments in the best interest of the public without any notice.

Due to variations within departments, hours of work may differ. Any changes in hours of work must be submitted to and approved first by the Department Head and final approval given by the Business Administrator.

Permanent full-time positions shall be compensated as provided herein based upon their regular work week. The payroll schedule is established by the Township.

### **B. OVERTIME**

Directors, managers, administrators and professionals whose job responsibilities and salaries meet certain criteria and/or guidelines established by the Fair Labor Standards Act (FLSA) are exempt from the overtime requirements of the FLSA and the New Jersey Wage Payment Laws. Such employees are not eligible to receive overtime pay, regardless of the amount of time worked in excess of 40 hours in the course of a week of work.

Non-exempt employees receive overtime pay at the rate of 1 ½ times their regular rate of pay for all hours worked in excess of 40 hours in the course of a week of work. Overtime must be explicitly authorized in advance by the Department Head. Failure to have overtime authorized in advance may result in disciplinary action being taken against the employee. Nothing herein will require the Township to pay a non-exempt employee overtime if the employee has not worked over 40 hours in a single week of work. Entitlement to overtime compensation is based only upon time actually worked.

### **C. ATTENDANCE**

Employees are expected to work their assigned shifts/schedules.



Directors shall warn employees about excessive absences and lateness and explain disciplinary actions that will result if there is no improvement in the offender's attendance record.

#### **D. ABSENTEEISM & TARDINESS**

*Absenteeism.* If an employee is unable to report to work, he/she must notify the Department Head/Directors no later than 15 minutes after the beginning of a shift. If such employee does not notify his/her Department Head/Directors by this time, it will be assumed that the employee is not going to report to work.

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

Unsatisfactory attendance includes abuse of sick leave, absences that precede or follow regularly scheduled days off or holidays, and habitual tardiness.

An employee who is absent from service without a valid leave of absence for three (3) consecutive working days may be deemed to have abandoned his/her position and to have resigned from the service unless in the period of three (3) working days succeeding such three (3) days he/she proves to the satisfaction of the Directors that such absence was excusable.

Specific policies applicable to usage of sick, vacation and personal time are outlined under Section VIII(D) of this Handbook. Employees who have exhausted all of his/her leave time will be docked for each day he/she is absent. Directors should follow the policies for employee discipline in cases of chronic or excessive absenteeism. If an employee resigns or is terminated, and is absent from work due to illness during the last days of employment, a medical certificate shall be required before any terminal pay or benefits are released.

*Tardiness.* Punctuality is of the utmost importance, and any tardiness shall be noted by the Directors. Chronic or recurring tardiness shall be subject to the disciplinary action. A written report by the Department Head should be submitted to the Business Administrator recommending appropriate action, up to and including dismissal.

When it becomes evident to an employee that he/she is going to be late in reporting for work, he/she should call his/her Directors to report the reason for his/her tardiness and the expected time of arrival as soon as it is practical to do so. Time taken off because of lateness and not covered by other payment will be considered leave without pay.

Every employee is expected to report for work on time and to adhere to his or her assigned work hours for the normal working day as set by the department. The Township will not tolerate unnecessary absenteeism or tardiness. Excessive absenteeism and tardiness place a burden on other employees and on the Township. If



beyond one (1) year. A leave of absence without pay may be granted for, but is not limited to, the following:

1. Provisions of the Federal Family Medical Leave Act (FMLA), which allows time to care for a newborn or adopted child, a seriously ill family member or an employee's own serious health condition or the N.J. Family Leave Act (NJFLA), which allows time to care for a newborn or adopted child or for a seriously ill family member.
2. Employee illness/disability that extends beyond accumulated sick, vacation or other paid leaves.
3. Educational opportunities.
4. Military Leaves.

Employees granted leaves of absence without pay must, in writing, either confirm the date of return or request an extension. For leaves of six (6) months or more in duration, written notification of intent must be submitted four (4) weeks before the leave expires. For leaves of less than six (6) months, written notification must be submitted on the date agreed upon at the time the leave was granted.

Since leaves of absence may affect certain employee benefits, employees should discuss the possible continuation of such benefits with the Human Resources Manager.

Any employee who fails to return to work following the expiration of their leave shall be deemed to have abandoned their position and shall be automatically terminated without any notice.

Employees who want to take a leave of absence for a reason not covered by the FMLA or NJFLA, or beyond the leave time provided under the FMLA or NJFLA, may be granted an unpaid personal leave of absence for up to one year at the sole discretion of the Business Administrator or his/her designee, if the leave does not cause undue operational disruption. In exceptional circumstances, leave may be extended beyond one year. The leave of absence must include the use of any accrued sick, personal and vacation time (in that order) regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of accrued time will be without pay.

*To Request a Leave of Absence.* To request a leave of absence without pay, an employee must submit his or her request in writing, relaying all facts bearing on the request, including the reason, the beginning date, and the expected date of return, to the Business Administrator with a copy to his or her Director or Division Head. The Business Administrator will consider each case on its merits and, without establishing a precedent, make such decision as his or her judgment dictates. The Business Administrator will approve or deny the leave within two weeks of receipt of the written request. The approval or denial will be in writing to the employee and the Division Head.

An employee who wishes to take a leave of absence for up to one (1) year without pay must first submit a written request to the Business Administrator with a copy to the Department Head stating the reason for and the inclusive dates of the leave.

The Business Administrator or designee will respond to the request within two (2) weeks in writing to the employee, the employee's Director and Human Resources.

*Notification:* The request for the leave must be submitted 30 days in advance of the desired commencement of the leave. If the request is for an extension of a leave taken under the FMLA and/or NJFLA, where the employee has/will take(n) the maximum amount of leave permitted under the FMLA and/or NJFLA, the request for continuation of the leave must be submitted 30 days in advance of the expiration of the FMLA or NJFLA leave. The Director can waive these notice requirements in their sole discretion and without precedential effect, depending upon the circumstances for the request for the leave.

*Reasons for a Leave of Absence.* Personal leaves of absence may be granted for medical or educational reasons, family circumstances, military service or other good cause. An employee requesting a leave of absence without pay due to personal illness or to care for a family member should refer to the Township's Family and Medical Leave Act Policy.

Personal leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees must use leaves of absence for the purpose it was granted. The failure to use a leave of absence for the purpose for which it was granted may provide grounds for disciplinary action up to and including termination of employment.

*Accrual of Leave Time.* Employees will accrue paid time off (i.e., personal leave, vacation leave, sick leave) while using accrued time toward a personal leave of absence. Employees who have exhausted all of their available time do not accrue leave time during unpaid leave.

An employee on leave of absence without pay status for 15 working days during any month will not accrue any sick, vacation, or other leave time for that month. Health benefits may also be impacted. An employee on a leave of absence without pay should contact their department personnel liaison for information regarding medical benefits during such leave.

*Confirmation of Return to Work.* An employee granted a leave of absence without pay must, in writing either confirm the date of return or request an extension. For leaves of six (6) months or more in duration, written notification of intent must be submitted four (4) weeks before the leave expires. For leaves of less than six (6) months, written notification must be submitted on the date agreed upon at the time the leave was granted.

*Consequences of Failing to Return to Work.* A personal leave is granted with the understanding that the employee intends to return to work for the Township. If the employee fails to return within five (5) business days after the expiration of the leave, the employee shall be considered to have voluntarily resigned.

## **B. HOLIDAYS**

Full-time employees are entitled to the following 14 paid holidays to be designated by the Township no later than November 1<sup>st</sup> of the prior year.

If a holiday falls on a Saturday or Sunday, it may be celebrated and compensated

accordingly on the day preceding or the day following such holiday at the discretion of the Township.

If a paid holiday occurs while an employee is on approved vacation or sick leave, the employee shall not have that holiday charged as sick or vacation time. When it is necessary for an employee to work on a paid holiday to maintain operations, the employee will be compensated in accordance with the provisions of the appropriate Collective Negotiations Agreement. For employees not covered by a Collective Negotiations Agreement, the holiday may be celebrated and compensated on a day following such holiday at the discretion of the Township.

The observance of religious holidays other than those listed as official paid holidays will be granted and charged as vacation or personal days according to the "Vacation" and "Personal Leave" policies herein.

## **C. VACATION**

1. Employees hired prior to January 1, 2017 will maintain the amount of vacation days they receive as of that date, with a maximum of 35 vacation days annually. Any employee hired prior to January 1, 2017 who has not achieved the years of service to receive 22 vacation days annually as of January 1, 2017 will move to the vacation schedule as set forth in paragraph 2 below.

2. Employees hired on or after January 1, 2017 shall receive the number of vacation days set forth below. Employees hired prior to January 1, 2017 who have not yet reached the years of service to receive 22 days annually shall be moved to the vacation schedule below but shall not be reduced in their vacation allotment:

Upon hire: one day per month, not to exceed 10 days

2<sup>nd</sup> to 5<sup>th</sup> year of service 12 days

6<sup>th</sup> to 10<sup>th</sup> year service 15 days

11<sup>th</sup> to 15<sup>th</sup> year f service 18 days

16<sup>th</sup> to 20<sup>th</sup> year service 20 days

21<sup>st</sup> year and over of service 22 days

3. Employees may accumulate no more than two years of vacation time that must be used prior to separation of employment. Employees shall be eligible to buy back one (1) week of vacation each year. Any employee may exercise this vacation pay option by concurrently notifying his/her Director and then the Business Administrator in writing via a form provided by Human Resources, before January 31 of the following year. Payment shall be made to the employee no later than April 1<sup>st</sup> of that year.

4. Any changes in the scheduling of vacations will not be permitted without the prior approval of the Director.

5. If, for any reason management changes or alters an employee's vacation, the vacation may be rescheduled pending approval of the Department Head. If the Department Head does not approve the rescheduling of the vacation time not taken, then the employee shall either be paid for the time or be allowed to reschedule the time over and above the normal one half (1/2) year allowable carryover at the employee's option.

6. Vacation time must be taken in either full or half day increments.

7. Directors and Mayoral Appointees shall receive 25 days of paid vacation leave per calendar year

Requests for vacation shall be submitted to the Director. Requests will be honored if possible; however, proper staffing of department units must take precedence over all other considerations in scheduling vacations. Should conflicts arise because more than one employee desires the same time off, length of service according to date of hire will prevail.

Vacation leave not taken during the calendar year may be carried over for and must be used no later than March 31<sup>st</sup> of the following year with the prior written approval of the Business Administrator.

Any employee who exhausts all of his/her vacation leave in any one (1) year shall not be credited with any additional paid vacation leave until the beginning of the next calendar year.

Vacation time must be taken in either half or full day increments.

*Scheduling.* The Township has the exclusive right to determine when an employee's vacation will be scheduled, giving reasonable consideration to an employee's wishes in this regard. Where conflicts in choice of dates occur, preference will be governed by seniority insofar as effective staffing requirements permit. Vacations must be taken

during the current calendar year unless the Township determines that it cannot be taken due to excessive workload in which case unused vacations may be carried forward into the next succeeding year only. NJ State Statute requires that if such a determination is made, an employee may only carry over one (1) additional year's vacation time. No employee may start a new year with more than two (2) years' worth of vacation time.

*Unused Leave.* An employee who has resigned, has been dismissed, or who has otherwise separated from employment will be paid for any earned, unused vacation days.

An employee who is retiring on pension based on length of service will be entitled to the full vacation for the calendar year in which he or she retires in accordance.

Upon the death of an employee, any annual vacation leave credits will be calculated based on the deceased's present salary rate, and will be paid to his or her estate.

*No Vacation Accrual During Leave Without Pay.* An employee on a leave of absence without pay, except for military leave, furlough extension leave, workers' compensation leave, FMLA/NJFLA or voluntary furlough, does not accrue vacation benefits.

*Vacation Payback.* If an employee leaves the Township's employ for any reason before the end of the calendar year, after having taken a vacation allowance for the year, he or she will be charged with the unearned part of his or her vacation. The amount owed will be deducted from his or her final paycheck.

#### **D. SICK LEAVE**

*Accumulation.* During the initial month of employment, full-time employees will receive one half day of sick leave if they begin work before the 15<sup>th</sup> day of the calendar month. No credit is earned if an employee begins work on the 16<sup>th</sup> day of the month or later. After the first month of employment, sick leave shall be as follows:

- After first month of hire: one day per month not to exceed 10 days
- 1<sup>st</sup> to 5<sup>th</sup> year of service: 10 days
- 6<sup>th</sup> to 10<sup>th</sup> year of service: 12 days
- 11<sup>th</sup> year forward: 15 days

All employees, including Directors, may only accumulate sick time for the purposes of being sick. Sick time may only be taken in ½ day or full day increments. Employees shall be eligible to buy back unused sick time as follows: up to 50% of the employee's annual allotment may be purchased at 100%, with the remainder of the annual allotment at a rate of two for one. Employees who retire/resign in good standing shall receive unused time at their then current rate, not to exceed \$15,000.

The Township reserves the right, in the Township's discretion, to request interim reports on the condition of the patient from the attending physician and/or a Township medical



physician at the Township's cost. This applies to all sick leave described in this section. The Township has the discretion to perform wellness checks, during employees working hours. Employee must be in residence, convalescing or out of the residence for medical reasons during their regular work hours.

*Modified Duty.* The Township reserves the right, in the Township's discretion, to fill modified duty positions with temporarily injured or ill employees until they are reasonable able to transition to their previous position or transfer to a permanent position with the Township that does not exceed their capabilities. Light or modified duty assignments shall not extend more than one (1) year following the date of injury or until such time as the employee has reached their maximum medical improvement (MMI). Employees who have reached MMI as determined by their workers' compensation physician, and have not demonstrated adequate capability to perform the essential functions of the job held prior to the injury or illness, with or without reasonable accommodation, will be terminated unless there are vacant permanent positions the employee is qualified for outside of light or modified duty that do not exceed their physical capabilities.

Modified duty must be requested from the Department Head and Human Resources Manager, and be approved in writing by the Business Administrator or his/her designee.

*Using Sick Time.* All employees are responsible for notifying their Directors if they will be absent due to illness. If an employee is unable to reach his/her Directors, the Human Resources Manager should be contacted.

Failure to follow the procedure for notification of absence due to illness could result in denial of sick leave for that absence and/or other disciplinary action.

The Township reserves the right, in the Township's discretion, to require official proof of illness or inability to work in written form from a physician when:

1. There is a reasonable belief that an employee is abusing sick leave, including, but not limited to, a pattern of absences that precede or follow regularly scheduled days off or holidays; or
2. An employee has been absent on sick leave for three (3) or more consecutive days.

The Director will report the use of all sick leave on the weekly or bi-weekly time sheets. For long-term illnesses, the Directors will advise the Human Resources Manager and the Business Administrator of the same.

If an illness is long-term or of a recurring nature, employees are required to submit proof of illness on a monthly basis to the Director and Human Resources. Such proof must specify the nature of the illness and that it is likely to cause periodic absences.

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

Sick leave must be taken in either half or full day increments.

*Abuse of Sick Time.* Habitual absenteeism or tardiness may be cause for discipline, up to and including termination. Any employee who is found to be deceiving an illness shall be disciplined accordingly, with a penalty up to and including termination.

Sick leave shall not be allowed when the employee under medical care fails to carry out the orders of the attending physician.

Any employee who calls in sick for the purpose of engaging in outside employment or who engages in outside employment while on sick leave without the permission of the

Director shall be subject to immediate disciplinary action, up to and including termination.

*Notice.* When an employee anticipates an absence from work for reasons of illness stated above, the employee must notify his/her Director of the impending absence within a reasonable time prior to the absence and of the reason for the absence. This procedure is required to assist the employee's department in planning for coverage during the employee's leave of absence. Failure to so notify the Director will not be tolerated and may result in disciplinary action. When an employee is in an unpaid status for 15 working days of a month, he or she will not be eligible to earn benefit time such as sick days and vacation days for that month.

*Medical Certification.* Any employee who is absent on sick leave for three (3) or more consecutive working days is required to produce a physician's certificate of illness as evidence substantiating the illness. A Director may also require proof of illness of an employee on sick leave whenever such a requirement appears reasonable or warranted. This certificate will also indicate that upon the employee's return to work he or she is able to resume regularly assigned work duties.

Sick leave will extend from the date at which the employee's physician certifies that the employee is unable to work due to the disabling effects of the injury or illness until that date which the employee's physician certifies that the employee is able to resume work. Requests for sick leave must contain both anticipated commencement and return to work dates. These dates may be adjusted or extended upon application from the employee combined with medical certification of necessity.

The Township reserves all rights to challenge any application for sick leave and to require an employee to be examined by a Township-designated physician prior to the

granting of sick leave or prior to permitting the employee to return to work.

Any employee who accrues fifteen (15) or more absences in any one (1) calendar year consisting of periods of less than five (5) day absences in any one block of time may be required to submit acceptable medical certifications of illness for any additional request for sick leave in that calendar year. If the cause for the absences is an illness of a chronic or recurring nature requiring an employee's absence from duty of one (1) day or less on repeated occasions, then only one medical certification will be required for every six (6) month period. This medical certification must specify that the chronic or recurring nature of the illness is likely to cause recurring and subsequent absences from employment.

*Temporary Reassignment.* The Township may, as a reasonable accommodation, grant an employee's request for temporary reassignment to another position within the employee's department. This provision applies only to an employee who provides medical certification that temporary reassignment is necessary due to medical reasons (including pregnancy) and only if such reassignment does not present an undue burden on the employee's department. In general, however, the Township has the discretion to

preclude an employee from working if the employee cannot perform the essential functions of his or her job.

*Sick Leave Payback.* If an employee leaves the Township's employment for any reason before the end of the calendar year, he or she will be required to pay back any sick leave that was taken but not yet earned.

*Unpaid Sick Leave.* An employee may request an unpaid leave of absence due to disabling injury or illness. To the extent possible, an employee requesting disability leave must apply to his or her Department Head in writing prior to commencing such leave. An employee requesting an unpaid leave of absence should consult the Township's Family and Medical Leave Act Policy.

*Nonaccrual During Leave or Suspension.* Paid sick days will not accrue during a leave of absence without pay or during a suspension.

*Abuse of Sick Leave.* Abuse of sick leave, in the form of excessive or chronic use of sick leave or the use of sick leave to extend weekends or holidays, will be cause for disciplinary action.

## **E. PERSONAL LEAVE**

All permanent full-time employees shall be granted four (4) personal days at the beginning of each calendar year. Personal days shall not be cumulative. Any employee who exhausts all personal leave in any one year shall not be credited with additional leave until the beginning of the next calendar year.

Except for emergencies, all requests for use of personal time must be requested in advance and approved by the Director. In case of emergency, an employee shall notify his/her Director one (1) hour prior to the beginning of a shift if he/she must use personal leave.

An employee may take personal leave for personal, business, or religious reasons.

Part-time employees receive pro-rated personal leave benefits. Temporary and seasonal employees are not eligible for personal leave benefits.

Personal leave must be taken in full or half day increments.

*Notification.* An employee must request personal leave from his or her Director as far in advance as possible but not less than 72 hours. An employee may take personal leave only if the Director or his/her designee approves and grants the leave.

*Separation of Employee.* An employee who has resigned, was dismissed or has otherwise been separated from employment will not be paid for any unused personal time.

#### **F. REQUESTING COMPENSATED TIME OFF**

The Township's "Request for Compensated Time Off" form shall be utilized by employees seeking to utilize paid time off, including personal days, vacation, comp time and sick days. Employees must submit this form at least twenty-four (24) hours in advance of the sick or personal day off sought (or within the timeframe set forth in the applicable collective negotiations agreement). Requests for use of vacation time shall be submitted at least thirty (30) days in advance of the use of time. This form shall also be utilized if an individual is seeking to attend a seminar or other training, whether said seminar/training is at no cost to the employee or Township, paid for by the Township or paid for by the employee. All requests to attend seminars or training must be submitted at least ten (10) days in advance of the seminar/training date and must be approved in advance by a supervisor.

#### **G. BEREAVEMENT LEAVE**

Full-time employees shall be granted four (4) working days off with pay for a death in their immediate family within two (2) weeks from the date of death. For the purpose of this policy, "immediate family" shall include spouse, domestic partner, children, parent, siblings, grandparent, all step relatives of similar degree, grandparents and in-laws

An employee shall be granted one (1) working day off with pay in the case of death of a relative not enumerated above. Employees who request bereavement leave must immediately notify their Director of their intent to take such leave. The leave shall be

indicated on the employee's time sheet. The employee may be required to submit proof of death within three (3) days of returning to duty.

Any extension of absences under this policy may, at the Township's option, and upon approval of the Business Administrator following the request of the employee may be charged against available vacation or personal time.

## **H. MILITARY LEAVE**

Military leave with pay will be granted to an employee in accordance with N.J.A.C. 4A:6-1.11, N.J.S.A. 38:23-1, N.J.S.A. 38a:4-4 and the Uniformed Services Employment and Reemployment Rights Act ("USERRA").

*Organized Militia.* Any permanent or full-time temporary officer or employee, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other affiliated organization, including the National Guard of other states, shall be entitled to a leave of absence without loss of pay or time on all work days on which he or she is engaged in any period of Federal active duty, up to thirty (30) work days in any calendar year. A military leave of absence is in addition to the employees' regular vacation or other accrued leave. Any leave of absence for such duty in excess of thirty (30) work days will be with differential pay and without loss of time for the duration of the mandatory activation.

A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

*New Jersey Organized Militia.* Any permanent or full-time officer or employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which he or she shall be engaged in State or Federal active duty, up to ninety (90) work days in any calendar year. Any leave of absence for such duty in excess of ninety (90) work days will be with differential pay and without loss of time for the duration of the mandatory activation.

A full-time temporary officer or employee who has served under such temporary appointment for less than one (1) year will receive military leave without pay but without loss of time.

*Procedure.* In all cases involving military leave, the employee must, as soon as possible, provide the Department Head with notice of the call to military duty prior to beginning the military leave, unless giving notice is impossible, unreasonable, or precluded by military necessity. The Department Head will forward the request and supporting documentation, if any, to the Human Resources Manager by the end of the

next working day. The Human Resources Manager will respond to the request in writing to the employee and the Department Head.

*Health Insurance and Pension Benefits – Mandatory Activation.* Health benefits for the employee and eligible dependents, if applicable, continue as if the employee were actively on the job for the duration of the mandatory activation.

Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system for the duration of the mandatory activation. Employees are required to pay the employee portion of the pension contributions to receive credit.

*Seniority and Accrual of Paid Leave.* Employees on military leave will continue to accrue seniority, sick and vacation time for the duration of the mandatory activation as if they were on the job. Upon return from leave from active duty only, the employee's Department Head may allow payment of vacation. The maximum allowable payment is one year's accrual for the affected employee based upon the employee's actual rate at the time of return.

*Reinstatement.* To be reinstated by the Township without loss of privileges or seniority, the employee must report for duty with the Township within the time required by law following release from active duty under honorable circumstances. Pursuant to USERRA, any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits:

- for service of less than 31 calendar days, the employee must return to work on the beginning of the first regularly scheduled workday or eight (8) hours after the end of military duty, with reasonable allowances for commuting;
- for service of 31 to 180 calendar days, the employee must submit an application for reinstatement within 14 calendar days after completing military duty;
- for service greater than 180 calendar days, the employee must submit an application for reinstatement within 90 calendar days after completing military duty.

The Township does not provide differential pay and benefits for any transition period following the end of the mandatory activation and the employee's reinstatement by the Township.

In accordance with legal requirements, employees who take military leave are required to:

- provide the Township with notice of the leave as soon as possible by providing the Department Head with notice of the call to military duty prior to beginning the military leave;

- provide the Township with proof of active duty, its duration and the compensation received;
- apply for reinstatement within the time required by law;
- have five years or less of cumulative service in the uniformed services while employed by the Township; and
- have a creditable military record including completion of all required training and full-time service and be discharged under honorable conditions.

Upon return from a military leave of absence, the employee will be reinstated as required by law. Failure to comply with the requirement enumerated above or as required by law will jeopardize an employee's reemployment rights.

*Job Protected Military Leave.* Pursuant to the Family and Medical Leave Act of 1993 (the "FMLA"), Township employees may be eligible for unpaid, job-protected leave:

1. Because of any qualifying exigency arising out of the fact that the 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) in support of a contingency operation;
2. To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

Employees should consult the Township's Military Family Leave Policy for further information.

## **I. FMLA/NJFLA**

### New Jersey Family leave Act

Employees on leave pursuant to the NJFLA will continue to enjoy insurance coverage and job protection for up to twelve (12) weeks within a twenty-four (24) month period.

An eligible employee may receive an unpaid leave of absence under the NJFLA for the purpose of providing care made necessary because of the birth of a child of the employee, the placement of a child with the employee in connection with the adoption of the child, or the serious health condition of an eligible family member.

To be eligible for Family Leave under the NJFLA, an employee must have been employed by the Township at least twelve (12) months and have worked at least 1,000 base hours (excluding overtime) in the preceding twelve (12) month period.

The elements of the N.J. Family Leave Act which determine eligibility must be consistent with these terms:

1. Eligible Family member – a child, whether biological, adoptive, foster, stepchild or legal ward, spouse and parent, including in-laws.
2. Serious Health Condition – an illness, injury or physical or mental impairment requiring either inpatient care or continuing medical treatment or continuing supervision by a health care provider.

An eligible employee is entitled to NJFLA Leave of up to 12 weeks in any 24-month period, unless denied. Leave cannot be taken under the NJFLA for an employee's own serious health condition. Should fewer than 12 weeks of leave be taken for any single circumstance, employees may use the remaining weeks for other allowable NJFLA Leave reasons within the 24-month leave period. In cases of the birth or adoption of a child, the employee may commence the leave at any time within one (1) year of the date of the birth or adoption.

#### Federal Family & Medical Leave Act

Employees on leave pursuant to the FMLA will continue to enjoy insurance coverage and job protection for up to twelve (12) weeks within a twelve (12) month period. Employees on leave pursuant to the FMLA are responsible for submitting any employee contribution required relative to health insurance.

An eligible employee may receive an unpaid leave of absence under the FMLA for the purpose of providing care made necessary because of the birth of a child of the employee, the placement of a child with the employee in connection with the adoption of the child, the serious health condition of an eligible family member or the employee's own serious health condition.

To be eligible for Family Leave under the FMLA, an employee must have been employed by the Township at least twelve (12) months and have worked at least 1,250 base hours (excluding overtime) in the preceding twelve (12) month period.

The elements of the Family & Medical Leave Act which determine eligibility must be consistent with these terms:

1. Eligible Family member – a child, whether biological, adoptive, foster, stepchild or legal ward, parent or spouse.
2. Employee's own serious health condition.
3. Serious Health Condition – an illness, injury or physical or mental condition that leaves the individual unable to perform the essential



functions of his/her job and involves one of the following: one or more nights of inpatient care; a period of incapacity of more than 3 consecutive

An eligible employee is entitled to FMLA Leave of up to 12 weeks in any 12-month period, unless denied. Should fewer than 12 weeks of leave be taken for any single circumstance, employees may use the remaining weeks for other allowable FMLA Leave reasons within the 12-month leave period. In cases of the birth or adoption of a child, the employee's leave must begin and end within one (1) year of the date of the birth or adoption.

#### Rules Applicable to both FMLA and NJFLA leaves

In certain situations, employees may have requests for leave modified, postponed or denied as provided in the FMLA or NJFLA. Family Leave may be denied to an employee whose salary puts the employee among the top five (5) percent of the workforce and if the leave will result in substantial and/or grievous economic injury to the Township's operations.

Any employee who is granted a FMLA or NJFLA Leave shall, upon the expiration of the leave, be entitled to be returned to his/her position or to an equivalent position. If an employee's job has been changed or eliminated while on a FMLA or NJFLA Leave, upon return the employee shall retain those rights he/she would have had if no leave had been taken.

*Requesting Family Leave.* An eligible employee may take FMLA and/or NJFLA Leave provided the request is made to the Department Head and Human Resources Manager in advance and in writing. In the case of a birth or adoption, an employee must provide notice at least 30 days prior to the commencement of the leave, unless emergent circumstances warrant shorter notice. In the case of a serious health condition, an employee must provide notice at least 15 days prior to the commencement of the leave unless emergent circumstances warrant shorter notice. The period of the leave request must be as definite as possible under the circumstances.

The employee must make a reasonable effort to schedule an intermittent or reduced leave so as not to unduly disrupt the Township's operations.

The employee must submit a request for FMLA or NJFLA leave in writing, along with the appropriate physician's certification.

The employee must obtain written approval for the FMLA or NJFLA leave from the Business Administrator or his/her designee. The Township reserves the right to obtain a second opinion at its own expense regarding the severity of the condition. Any questions concerning the validity of a medical certification are to be referred to the Human Resources Manager.

Failure to follow the prescribed procedures may result in a postponement, modification

or denial of the leave,

*Types of Family Leave.* Leave may be taken in the following manner, provided the employee has met the necessary requirements:

1. Continuous Leave – an eligible employee may take a continuous leave of up to 12 weeks.
2. Intermittent Leave – a non-consecutive leave comprised of intervals, each of which is at least 1 but less than 12 work weeks within a consecutive 12-month or 24-month period.
3. Reduced Leave – an eligible employee may take a reduced scheduled leave, for the equivalent of 12 work weeks in connection with a serious health condition of a family member. Only one (1) reduced leave may be taken during any consecutive 24-month period. A reduced schedule leave is a non-consecutive leave of up to the equivalent of 12 work weeks, taken in increments of not less than one (1) work day, but not more than one (1) work week at a time. Leave taken on a reduced leave schedule does not result in a reduction of the total amount of leave entitlement. Any remaining entitlement may be taken on a consecutive or intermittent basis.

An intermittent or reduced leave for the birth or adoption of a child may be

granted in the sole discretion of the Township. All requests for an intermittent or reduced leave for the birth or adoption of a child shall be reviewed with the Business Administrator before being granted or denied.

If the job of an employee on FMLA or NJFLA leave is to be changed or eliminated, or if an employee is to be offered a position other than the position he/she had prior to the leave, the matter must be first discussed with the Business Administrator.

While on FMLA or NJFLA an employee shall be entitled to continue to receive all health benefits under the same terms and conditions as if he/she continued to work. This includes the payment by the employee of all contributions to the cost of health care premiums required by law.

Leaves under the FMLA and/or NJFLA are unpaid pursuant to both laws. However, if an employee wishes to utilize accrued time, s/he may do so in the following order: sick time, personal time and vacation time. Employees shall only receive those paid holidays which occur during a FMLA or NJFLA leave for which the employee is utilizing accumulated time and receiving salary.

Falsification of the reasons given for requiring FMLA or NJFLA shall subject the employee to immediate dismissal.

An employee on FMLA or NJFLA may not work for another employer during any period of the leave, unless he/she performed those services prior to beginning the leave.

This policy shall be the exclusive policy governing all FMLA and NJFLA leaves and any policies providing different terms are hereby superseded. The Human Resources Manager should be contacted with any questions regarding this policy.

The Township provides family and medical leaves in accordance with applicable law, including the Federal Family and Medical Leave Act of 1993; the New Jersey Family Leave Act and New Jersey Family Leave Insurance. Please consult the Township's Family and Medical Leave Act Policy or contact the Human Resources Manager for more information.

*Non-Accrual of Time During Leave.* Employees do not earn/accrue additional sick leave, personal time and vacation time during a FMLA or NJFLA leave.

#### **J. JURY SERVICE**

A permanent full-time employee who is required to be present for jury service in any court of New Jersey, any court in another state, the United States District Court of New Jersey, or any other Federal District Court during his/her scheduled working hours or during his/her scheduled work shift will be excused from work and shall be granted paid leave at the full base rate of pay, up to a maximum of eight (8) hours per day for that period of time which he/she is officially involved with the court in such capacity.

Any payment made to the employee other than for expense reimbursement shall be turned over to the Township Finance Officer.

An employee who is required to serve as a juror must notify his/her Director immediately and provide the Township with an appropriate certification or order from the assignment judge, clerk of the court or such other officer as appropriate setting forth the period of jury duty service and indicate the day or dates of such commitment.

#### **K. ABSENCE WITHOUT PERMISSION**

Any employee who is absent from duty for five (5) or more consecutive business days without the approval of his/her Director will be considered to have abandoned his/her position and will be recorded as having resigned not in good standing. Similarly, an employee who has not returned to duty for five (5) or more consecutive business days following the expiration of an approved leave of absence will be considered to have abandoned his or her position and will be recorded as having resigned not in good standing.

## **L. NON-WORK RELATED DISABILITY**

*Purpose.* The Township extends a Non-Work Related Disability benefit to all full-time employees to assist in offsetting the financial loss associated with a non-work related major illness or disability (formerly known as "major illness leave"). This policy provides both management and the employee direction in determining qualification requirements for this benefit. It is understood that any future claims will be determined in accordance with this policy. Any sections of this policy that conflict with any union contract, that part of the contract will prevail; however, prior practices will not be considered.

*Benefit Use.* Full-time employees, after two (2) years of service, shall, in the case of major surgery or non-work disability which requires lengthy absenteeism, receive full compensation, not to exceed one (1) year for each occurrence. Employees may use non-work related disability leave for a total not to exceed 520 days during said employee's career with the Township. This benefit will become effective after an absence of twenty (20) days during the first two uses of this benefit and then a graduated increase of an additional ten (10) working days for each additional use thereafter. Any employee who has less than the required accrued time shall be without pay during the waiting period. The benefit will become effective after review and approval by the Township or its designee. The Township reserves the right to confirm the employee's illness through examination by the Township physician. If there is a difference of professional opinion between the Township physician and the employee's physician, the employee will submit to examination by a third doctor to be paid by the Township and selected from a list provided to the employee by the Township. Said doctor's opinion will be controlling.

The Township reserves the right to provide disability insurance in lieu of this benefit. Any employee filing false or fraudulent information will be subject to disciplinary action that may result in dismissal. Employees utilizing this benefit, whether paid or unpaid, will not accrue or accumulate additional benefit time off (sick, vacation or personal) during this absence. All time taken under this benefit will run concurrent with FMLA/FLA time off if applicable. The purpose of this policy is not intended to conflict with any State or Federal regulations regarding employee rights. Employees on major illness leave resulting from an on-the-job injury will receive full compensation, for up to one (1) year.

### *Benefit Requirements.*

1. A leave because of serious illness, major surgery, or non-work related disability must be supported by a medical doctor's written certification, which shall be renewed every 30 days. A doctor's certification shall include the following:
  - a. The date on which the serious health condition began;
  - b. The probable duration of the condition;
  - c. The appropriate medical facts regarding the condition; and

- d. An explanation as to why employee cannot perform normal work duty assignments because of stated serious illness.
2. Acceptable serious health conditions are considered to be those that include any one physical or mental impairment that substantially limits one or more of the major life activities of the individual. In order to qualify for the benefits associated with this policy, a record of the impairment and medical documentation demonstrating the impairment are required.

By way of example and not limitation, the following conditions may qualify as conditions that may substantially limit one or more major life activity:

- a. Heart Disease – Chronic Heart Failure (CHF), Chronic Obstructive Pulmonary Disease (COPD), Angioplasty (including necessary rehabilitation), Coronary Artery By-Pass surgery and related rehabilitation., stroke causing paralysis and related rehabilitation.
- b. Cancer – various types of the disease that requires such medical treatments as chemotherapy or radiation, or required long-term hospice or hospital/nursing home care, which directly relates to the employee's ability to physically function.
- c. Surgery – hip, knee and shoulder replacement and rehabilitation, transplant of major organs and rehabilitation, amputation and/or replacement of limbs or portions of said limbs and rehabilitation, removal of major internal organs due to disease or injury.
- d. Serious Mental Illness – requiring long-term institutional care or illness that directly affects employee's ability to function or cause harm to himself or co-workers. Including, but not limited to:
  - i. Bipolar Disorder
  - ii. Schizophrenia
  - iii. Personality Disorders
  - iv. Paranoia
  - v. Acute states of depression
- e. Long-term medical conditions that, in later stages, prevents employee's ability to function. Including, but not limited to:
  - i. HIV/AIDS
  - ii. Kidney dialysis (requiring long-term hospitalization)
  - iii. Alzheimer's/Dementia
  - iv. Late stage Diabetes

- v. Drug or alcohol treatment requiring long-term rehabilitation of 30 days or more and not conflicting with any other Township policy
  - vi. Chronic illness – degenerative disc or bone disease
  - vii. Neuromuscular illness
  - viii. Major fractures of bones (6-week recovery and rehabilitation)
- 3. Examples of health conditions that do not qualify for the serious health benefit:
  - a. Flu or pneumonia
  - b. Minor fractures of bones (less than 6 weeks' recovery)
  - c. Standard colds
  - d. Minor surgery – out patient or not requiring physical rehabilitation
  - e. All cosmetic or elective surgery
  - f. Outpatient drug or alcohol rehabilitation
  - g. Any other illness that does not meet the above categories of acceptable standards or as determined by the Township physician.

#### **M. FURLOUGH (VOLUNTARY LEAVE OF ABSENCE WITHOUT PAY)**

The purpose of a voluntary furlough program is to lessen the need for reductions in force by allowing an employee to take unpaid leave with accrual of leave time, anniversary dates, and seniority as if the employee were in pay status. Any employee wishing to take a voluntary leave of absence without pay may take such a leave for up to three consecutive weeks (fifteen working days) with the approval of his/her Director. Any exception to this policy requires the approval of the Business Administrator. These

leaves of absence will include the maintenance of certain benefits not generally available for unpaid leaves:

- 1. All health, dental and prescription insurance coverage;
- 2. Maintenance of all seniority rights;
- 3. Accrual of all sick, vacation and personnel time; and
- 4. Maintenance of all pension benefits through buy-back of time deductions made in the weeks succeeding the leave period.

#### **N. RETURN TO PAY STATUS FROM LEAVE**

Upon return from leave without pay, the employee should check with appropriate individuals in order to confirm activation of pay and all other related benefits, which may have been affected by the leave. Failure to do so may result in a delay to full pay status and it may cause unnecessary hardship for the employee.

## **VIII – COMPENSATION**

### **A. SALARY**

*Compensation for Bargaining Unit Employees.* For most contractual classifications or job titles, a salary range has been established in conjunction with the collective negotiations process. The established range may provide for annual increments until the employee reaches his or her respective maximum salary. No employee will be paid less than the minimum or more than the maximum for his or her classification. A contractual employee should refer to the collective negotiations agreement for more specific information concerning compensation, including holiday pay, shift differential, and longevity.

*Compensation for Non-Bargaining Unit Employees.* A classification and compensation system has been established for non- bargaining unit employees. The Township reserves the right to adjust the salary grades.

### **B. CREDIT INFORMATION AND WAGE ASSIGNMENTS**

The Township will furnish only information about employees that is of Public Record, such as proof of employment, title and salary to authorized persons. All other information about employees shall be deemed confidential. If employees fall behind on their credit payments, court-ordered garnishment of wages may occur. If this happened, the Township is legally required to deduct a portion of the employee's salary from his/her paycheck and forward it to the creditors.

### **C. DEDUCTIONS**

Payroll deductions include mandatory deductions in addition to electives. Each employee's payroll check stub will indicate the amounts deducted and for what purpose. It is the responsibility of the employee to notify the Department of Finance of any changes that occur in voluntary deductions and in the employee's family situations, which are claimed for income tax purposes, including any change in marital status. A list of each deduction and its respective abbreviation can be obtained from Human Resources.

### **D. PAY CHECKS AND CHECK CASHING/DEPOSITING**

All employees are paid on a weekly or bi-weekly basis. All paychecks will be issued on the day designated by the Township following the close of the pay period. In the case where a holiday may fall on a payday, paychecks will be issued on the last working day prior to that payday. Employees will obtain their paychecks from the person designated in their department to distribute such checks.

Each employee is responsible for cashing or disposing of his/her own paycheck. The Township does not authorize any employee to act as an agent to cash the payroll check of another employee. All employees have the option to participate in the direct deposit of his or her payroll check to a financial institution. The Township reserves the right, with reasonable notice, to mandate all employees receive payroll by direct deposit. For further information, please contact Human Resources.

It will be the responsibility of the Directors to return all unclaimed checks to the Township Payroll Department.

#### **E. RETURN TO PAY STATUS FROM LEAVE**

Upon return from leave without pay, an employee should notify Human Resources in order to reactivate pay and other benefits which may have been affected by the leave. Failure to do so may result in a delay to full pay status and may cause unnecessary hardship for the employee.

### **IX – HEALTH BENEFITS**

#### **A. HEALTH BENEFIT PLANS**

Permanent full-time employees shall be entitled to the following medical coverage benefits, as offered by the Township, as a condition of their employment:

1. Hospitalization and Major Medical benefit coverage
2. Prescription benefit plan
3. Vision Care benefit plan
4. Dental Care benefit plan

Any employee receiving health benefits from the Township through their spouse shall not be eligible for health benefits or a municipal contribution.

The above enumerated coverage benefits shall be provided on a paid basis subject to requirements imposed on other employees of the administrative departments of the Township. Such requirements may include, but are not limited to, minimum working hours for eligibility, enrollment period, deductibles, co-pay or cost sharing through payroll deductions.

Notwithstanding the above provisions, the Township may, upon 90 days' notice, amend the coverage to be provided and may also alter the terms for eligibility, enrollment period, deductibles, co-pay or cost sharing through payroll deductions.

Employees may only change medical coverage during the open enrollment period that is held during the month of October and/or November. The benefit change becomes



effective January 1. Outside of the open enrollment period, any employee adding a spouse or newborn to their benefits must do so within 30 days of the event.

Employees who go on an unpaid leave status, with the exception of FLMA or NJFLA, shall be required to pay the costs of the health benefits received by the employee in advance. Additionally, employees may be eligible to maintain all health benefits plans at the premium rate paid by the employer for a period of up to nine months.

When employees return to full employment, health insurance benefits are reinstated the first month following the return to work.

In accordance with Public Law 99-272, Title X (COBRA) employees and their dependents may be eligible for a temporary extension of health benefits coverage in certain instances where coverage would otherwise end. Employees electing to continue coverage will be responsible for paying the entire premium. Payments should be made payable to "Township of Edison" and deposited with the Human Resources Manager by the 10<sup>th</sup> day of the month for which the premium is being paid. If the deadline of the 10<sup>th</sup> is not met, coverage will be terminated immediately. Employees will not receive a bill and will not be contacted.

At the time of hire, enrollment applications will be filled out by the employee in Human Resources Office. The employee's coverage is effective in the first day of the first month following 60 days of employment.

Claim forms for health benefits can be obtained in the Human Resources Office.

Detailed information regarding medical benefits will be given to each employee by the Human Resources Office at the time of enrollment.

Additionally, each employee should carefully review plan literature and payroll deduction schedule for specific information about each plan.

*Eligibility.* An employee becomes eligible to participate in the Township's Health Benefits Program on the first day of the first month following the completion of 60 days of employment. A plan enrollment form and a payroll deduction sheet must be completed by each employee at the time of hire.

An employee should exercise careful consideration as to his/her family's specific medical needs and thoroughly review plan literature prior to the election of a health benefits plan. Please contact the Human Resources Office for details.

Once a health benefits plan is selected, the employee must remain in that plan until the next scheduled open enrollment. Open enrollments are scheduled yearly for each program offered. Information as to the exact dates of open enrollments can be obtained from the Human Resources Department. When an employee has a change in his or her family status due to marriage, death, divorce, birth/adoption of a child, a child obtaining

the age of 26 years, or any other change in family status that could impact employee and dependent insurance coverage or COBRA benefits, it is necessary to report the event within 30 days of the occurrence on the correct enrollment/change form to the Human Resources Department. Please also refer to plan literature regarding specific reporting requirements. Failure to do so could result in a loss of coverage until the next scheduled open enrollment period. Identification cards and plan information will be forwarded to an employee at the time of eligibility.

*Voluntary Health Benefit Buyout.* Employees with medical coverage from another source may wish to opt-out of the Township's health insurance plan. Employees who opt-out of the health insurance coverage will be compensated in the amount of \$2,400.00 per year for each full year they opt-out of the Township's health insurance plan, or \$200 per month in the case of periods of time that are less than a full year. Employees who opt-out of the Township's health insurance plan retain the right to re-enter the Township's Health Benefit Program on a monthly basis should they lose coverage from another source.

*Health Insurance Contributions.* On June 28, 2011 the State of New Jersey passed Pension and Health Benefit Reform (Chapter 78, P.L. 2011). The law significantly changes how public employees contribute towards their health insurance.

The State-Mandated changes will be phased in over four steps. Employees will pay the greater of either their current health care contribution of 1.5% of salary, or the calculation based on the new law. Under the new calculation employees pay a percentage of their health care premiums, which now include health insurance, prescription, base dental and base vision.

The law took effect on July 1, 2011. However, it permitted local governments additional time to develop systems to administer these changes. Hence, "Year 1" began on

January 1, 2012. Regardless of when the County begins collecting "Year 1" contributions, the law requires "Year 2" contributions to begin on the anniversary date of the law, July 1, 2012.

## **B. MEDICARE**

The Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) requires that an active employee, age 65 and over be given the opportunity to select either the employer's group health coverage or the Medicare program as the primary coverage. The Deficit Reduction Act of 1984 (DEFRA), effective January 1, 1985, modifies TEFRA by expanding the scope of the working aged provision. Under DEFRA, the spouse of an employee, age 65 and over, also has a choice between the group's regular health coverage or the Medicare program as the primary coverage. Unless otherwise specified by the employee, it is the Township's customary practice to designate the employee/spouse as TEFRA/DEFRA eligible, thereby maintaining the Township's group

plans as the primary health benefits provider.

If an employee or eligible dependent elects Medicare as primary before retirement, the Township plan will terminate.

*Medicare and Retirement.* When an employee who is age 65 or over retires, or retires under age 65 and becomes Medicare eligible due to age or a disabling condition, the Medicare program becomes the primary coverage. This also applies to dependents of retirees who qualify for Medicare. Three months before retirement, the employee and/or the eligible spouse must go to his or her Social Security Office and sign up for Medicare, Parts A and B. The employee, and not the Township, is solely responsible for the payment of Parts A and B.

Please note that the health plan will process claims for retirees age 65 or over as if Medicare is in place.

### **C. TEMPORARY DISABILITY PLAN**

The Township does not participate in the temporary disability portion of the New Jersey State Unemployment Insurance Program. Contractual employees should refer to their collective negotiation agreements pertaining to temporary disability plan offerings. However, non-contractual (exclusionary) employees may choose to purchase insurance through the Voluntary Based Plan.

Please and call Human Resources for additional information concerning your health insurance while on leave without pay.

## **X – MANDATORY EMPLOYEE BENEFITS**

### **A. CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)**

The Township complies with COBRA and all applicable amendments. Covered employees and their dependents who lose insurance coverage for any of the following reasons are eligible to continue their coverage through COBRA: termination, reduction in working hours, divorce or legal separation, death of the employee, eligibility for Medicare or loss of dependent child status under the insurance plan. All administrative rules and processes as well as changes in plan benefits and premiums apply to those on continuation coverage.

In the event of divorce or legal separation, or the loss of dependent child status under the plan, a covered employee or dependent must notify Human Resources within 60 days to maintain the right to continue coverage. At that time, Human Resources will provide enrollment materials to the employee or covered dependent within 14 days of such notification.

The covered employee or dependent has 60 days to elect continuation of coverage from either the date that coverage would ordinarily have ended under the plan by reason of a qualifying event or the date of notification, whichever comes later. Election of continuation of coverage is established by completing and returning enrollment materials to Human Resources.

COBRA premiums will be billed by our COBRA Administrator, and the first premium will be due within 45 days of the date of election. Subsequent premiums must be received within the terms set forth by the provider. Failure to make timely payments will result in termination of coverage without notice.

The American Recovery and Reinvestment Act of 2009 reduces the COBRA premium in some cases. The premium reduction is available to certain individuals who experience a qualifying event that is an involuntary termination of employment during the period beginning with September 1, 2008 and ending with May 31, 2010. In some cases, employees who experienced a reduction in hours before their termination may also be eligible for the subsidy. If an employee qualifies for the premium reduction, the employee pays 35 percent of the COBRA premium otherwise due to the plan. This premium reduction is available for up to fifteen months. If an employee's COBRA continuation coverage lasts for more than fifteen months, the employee will be required to pay the full amount to continue COBRA continuation coverage. See Human Resources for more details, restrictions, and obligations as well as the forms necessary to establish eligibility.

The law requires that an employee be afforded the opportunity to maintain continuation coverage for three (3) years unless the employee lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is eighteen (18) months, unless the Social Security Administration determines that the employee was disabled at the time of termination or

reduction of hours and the employee informs Human Resources before the end of the eighteen (18) month period, in which case coverage may be extended up to twenty-nine (29) months. If during the eighteen (18) months another event takes place that also entitles the employee to coverage, coverage may be extended. The total amount of continued coverage is limited to thirty-six (36) months.

COBRA continuation coverage will end for any of the following reasons: The Township discontinues its insurance plan, the premium payment is not made in a timely fashion, and the person who elected continuation of coverage becomes covered under another insurance plan or Medicare.

## **B. HEALTH INSURANCE AND PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)**

HIPAA has important consequences for individuals who move from one job to another or who have pre-existing medical conditions. Essentially, HIPAA limits the exclusion period under a new insurance policy for a pre-existing medical condition to 12 months (or 18 months for late enrollment). Additionally, if the individual can demonstrate that he or she had previous insurance coverage (without a break of 63 days or more), the individual can reduce the period of exclusion by the number of months of previous coverage. Proof of prior coverage is through a Certificate of Creditable Coverage, which is provided to an insured when participation in a health benefits plan terminates. HIPAA also prohibits discrimination in enrollment and premiums against employees and their dependents based on health status, and provides for the strict confidentiality of all medical information. For more information, please contact Human Resources.

### **C. PENSION – PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)**

Mandated by the State Pension System, it is a condition of employment that the employees join the retirement system if:

1. The employee has permanent or unclassified status, or
2. The employee is on the payroll for one year (12 continuous months) with a temporary or provisional status. A temporary or provisional employee who is receiving a salary for one (1) year must enroll, (including prior time if transferred from another Township Department).

The only exceptions to this enrollment policy are:

1. Newly elected officials as of 7/1/07 are ineligible for PERS membership. They must enroll in Defined Contribution Retirement Program (DCRP). Additionally, appointed individuals are to be enrolled in DCRP. To enroll the employee must earn at least \$5,000.
2. Seasonal employees.
3. Provisional or temporary employees covered by Civil Service with less than 12 months of continuous service.
4. Employees who earn less than \$1,500 annually (applies to employees enrolled prior to July 1, 2007 or were eligible to enroll on or after July 1, 2007 and prior to November 2, 2008).
5. Employees who earn less than \$7,700 annually (applies to employees enrolled on or after November 2, 2008 and on or before May 21, 2010). Enrollment in DCRP is mandatory for those earning \$5,000 or more.
6. Employees enrolled after May 21, 2010 work less than the minimum requirement of at least 32 hours per week.
7. A Workforce Investment Act employee.
8. A PFRS eligible employee or an employee in a PBA or FOP bargaining unit.

The enrollment application is filed online by the Township. An employee will receive a Division of Pensions Certification of Payroll Deductions from the Township. The Certification will list both the enrollment date and date that deductions will begin.

Enrollment rules and regulations are described in general terms in this Handbook and may not cover all situations. If you have specific questions please refer to the State of New Jersey Public Employees' Retirement System Plan Handbook, The State of New Jersey Pension's website ([www.state.nj.us/treasury/pensions](http://www.state.nj.us/treasury/pensions)).

If any information described herein conflicts with any official literature from the New Jersey Division of Pensions and Benefits, the State information will control.

#### **D. LIFE INSURANCE – PUBLIC EMPLOYEES RETIREMENT SYSTEM**

Permanent full-time employees hired by the Township are enrolled in the Public Employee's Retirement System (PERS) Group Life Insurance Plan. During the first year of the employee's membership in the PERS, he/she is required by statute to participate in the System's Contributory Group Life Insurance Plan. After one (1) year of employment, the employee has an option to either continue or terminate this coverage.

All new employees of the Township will complete the necessary forms at the time of hire.

Life insurance coverage will terminate 31 days after the last day of employment. Members in the PERS Life Insurance Plan, who terminate their employment with the Township, will have 31 days in which to convert this Life Insurance coverage.

Upon enrollment into the Public Employees System ("PERS"), eligible employees are insured for what is called Non-Contributory Group Life Insurance. Non-Contributory Group Life Insurance is free, and valued at 16 times the annual salary of the member in the event of death while actively employed.

In addition to the Non-Contributory insurance, most PERS members are offered Contributory Life Insurance; which is also valued at 16 times the annual salary. It is compulsory to participate in the Contributory portion of the Group Life Insurance plan for a period of one year from date of pension enrollment. After the first 12 months, the employee may discontinue the Contributory Insurance coverage by completing the appropriate form. The benefits of Non-Contributory Life Insurance and Contributory Life Insurance currently offer a combined death benefit of three times a participant's annual salary.

The calculation for this Contributory Insurance deduction is based on a flat rate of .50% (.0050) of salary, paid for by the employee, through bi-weekly payroll deductions.

This rider for life insurance policy is mailed directly to the member by the New Jersey Division of Pensions at approximately the same time pension deductions begin.

If any information described herein conflicts with any official literature from the New Jersey Division of Pensions and Benefits, the State information will control.

#### **E. UNEMPLOYMENT COMPENSATION**

Employees of the Township are not covered by the Unemployment Compensation Law of the State of New Jersey. The Township provides unemployment compensation consistent with the requirements of State Law pursuant to a self-insurance fund.

The Township does participate in the paid family leave portion pursuant to the New Jersey Paid Family Leave Insurance, for further information or to apply on line, please refer to the state website at [www.nj.gov/labor](http://www.nj.gov/labor) directly.

### **XI – OCCUPATIONAL INJURIES AND ILLNESSES**

#### **A. WORKERS' COMPENSATION**

All employees are covered by workers' compensation provided by the Township, for medical care and temporary disability benefits if an employee is disabled, either through injury or illness, as a result of or arising from employment, or a period of up to one (1) year.

#### **B. ON THE JOB INJURIES**

Any employee who is injured in the performance of his/her duties shall immediately report the accident to the Directors and/or his/her designee, who shall complete an *"Employer's First Report of Accidental Injury or Occupational Illness"* form and submit it to the Insurance Commission.

Employees are required to submit to a post-incident or post-accident drug and alcohol test as described in the Township Drug and Alcohol Free Workplace Policy.

Employees are entitled to receive treatment from the authorized Township Worker's Compensation Unit, or, in the case of an emergency, injured employees requiring immediate medical attention shall be taken to the closest hospital.

*Procedure.* The employee's Directors shall complete the *"Employer's First Report of Accidental Injury or Occupational Illness"* form and submit it to the Insurance

Commission. The employee shall report in person to the authorized Township's Worker's Compensation Unit and advise Worker's Compensation Unit staff that he/she is a Township of Edison employee and has experienced a work-related injury. The employee shall submit to post-incident or post-accident drug and alcohol testing. The employee shall report back to his/her Department Head/Directors in person or via phone.

When an employee suffers an injury or illness arising out of and during the course of his or her employment, the employee is to immediately notify his/her Director that he/she has sustained a workplace injury/illness. The Director should refer the injured employee to one of the Township's approved workers' compensation care providers. An employee who is injured during the course of employment or who suffers an occupationally related disease must receive medical treatment from an approved workers' compensation care provider.

The Director referring the employee should complete a Medical Services Authorization to Treat form and fax it to the medical facility. In addition, the employee should advise the emergency center that he or she is a Township of Edison employee and that the employee is requesting treatment for a work-related injury.

In the event of an emergency or if an approved workers' compensation facility is not conveniently located, and in the best judgment of the Director the employee needs immediate medical care, the employee should be sent to the nearest hospital. Again, the employee should advise the emergency center that he/she is a Township employee and that the employee is requesting treatment for a work-related injury.

The injured employee's Director must complete and sign the State of New Jersey Employer's *First Report of Accidental Injury or Occupational Illness* and forward it to the Human Resources Manager.

***It is essential that this office receive the First Report of Injury Form within twenty-four (24) hours of the occurrence. Occupational injuries that occur on weekends must be received by the following day or next business day.***

The names of witnesses should be included with the First Report of Injury form, and a detailed explanation of all factors related to the incident should be attached. The Supervisor/Director must also complete the First Report of Injury form, prior to its submission. The treating physician will complete an Injury Visit Report Form. This form will indicate information regarding medical treatment provided, follow-up care (if necessary) and any limitations on the employee's work ability. The employee will receive the original copy of this form, which must be sent to Human Resources upon his/her return to work. The Human Resources Office should keep a copy of this form for its records.



The care facility may confer directly with an employee's Director on any return to Modified duty activities. In addition, an employee's Director may contact the care facility directly regarding any concerns with an employee's return to work status. Any questions regarding an on-the-job accident and/or medical treatment provided should be referred to Human Resources.

When an employee is scheduled for treatment by the insurance company's authorized physician or medical center during the employee's regular hours of work, the employee's attendance at the doctor's office or medical center will not be charged to the employee's sick leave accumulation, provided that upon completion of the visit, the employee returns to work if there is still time remaining in the regular hours of work.

### **C. REPORTING ACCIDENTS**

Compliance with accident reporting steps is the responsibility of each employee who operates any vehicle or equipment covered by Township insurance or who operates their own vehicle while engaging in Township business. Any accident of major proportion is to be reported to the Business Administrator and Insurance Commission immediately.

Any hazard or condition which might jeopardize the health or safety of the public or employees is to be reported to the Directors immediately and corrective action is to be taken.

Any employee involved in an accident on Township time shall be subject to the terms and conditions of the Township Drug and Alcohol Free Workplace Policy.

It will be the obligation of each Department Head to ensure that each accident is reported, accident forms are properly executed and distributed, and employees comply with the procedures outlined in the Township Drug and Alcohol Free Workplace Policy.

1. Accidents (General): All accidents involving vehicles or equipment covered by Township insurance or privately-owned vehicles used while engaging in Township business are to be reported immediately to the Township Police Department for on-scene investigation (Police Department Accident Report). In

the event police cannot be contacted, in the case of an automobile accident, drivers will exchange the following information:

- a. Name
- b. Address
- c. Driver's License Number
- d. Insurance Company and Policy Number
- e. Vehicle Registration
- f. Location of Accident

Date and Time  
Roadway and Weather Conditions

Employees should not give any statement of any kind relating to the accident under any circumstances.

If a Township vehicle is disabled, arrangements are to be made to have the vehicle towed to the Municipal garage.

An employee involved in an accident shall immediately report to the Township's authorized unit for a post-incident or post-accident drug and alcohol test as prescribed in the Township Drug and Alcohol Free Workplace Policy.

Employees involved in a vehicle accident shall notify his/her Department Head/Directors as soon as possible and the employee shall complete the *Employer's First Report of Injury* form with the assistance of his/her Department Head/Directors. The completed form, together with a police report, shall be forwarded as quickly as possible to the Insurance Commission. If estimates for the repair work of the vehicle are required, the Insurance Commission shall make all necessary arrangements.

2. Out-of-Town Accident: Out-of-town accidents should be reported to area Police. The driver, however, should also obtain critical information, including the accident description, names of witnesses and insurance information. The information should be given to the Director as soon as possible. Township vehicles should be returned to the Township garage for inspection if able to be driven safely without further damage to the body or undergear. If a vehicle is disabled, however, contact the Department Head/Directors for further instructions. Under no circumstances should the driver commit to any mechanical repairs without authorization.

## **FOLLOW UP VISITS**

After every visit to the doctor or hospital, the employee will receive a medical report. The original copies of all medical reports must be turned in to the employee's Director and promptly forwarded to Human Resources. It is imperative that an employee keep all scheduled appointments. All time lost from work due to occupational injury including consecutive or broken time must be reported to the Director and Human Resources. It is especially important to immediately advise when the status of an injured employee changes (e.g., light duty to full duty). Prompt notification will ensure that workers' compensation payments due the employee will commence without undue delay.

Additionally, when an employee is medically authorized by the treating physician to return to work following occupational injury, his/her Director must notify Human Resources within twenty-four (24) hours of the authorization.

Please note that an employee must have written medical authorization for change in work status and/or return to work. An employee on light duty cannot return to full duty without medical authorization. In addition, an employee cannot be released from treatment and his or her case cannot be "closed" until the employee submits medical discharge papers to his/her Department and Human Resources.

Telephone requests from an employee and/or his/her Director for return to full duty and/or discharge will not be honored by the treating facility. An employee must have written medical authorization for change in work status and/or return to work.

By State statute, an employer is to provide medical treatment to an occupationally injured employee. As such, the employee is treated by the Township's workers' compensation medical providers. This remains unchanged even when treatment has been completed and the employee has returned to work, but subsequently experiences a recurrence of similar injury (weeks or even months later). Further treatment must be requested by contacting Human Resources. Human Resources will make the request of the Township's insurance carrier. The Township will not pay for unauthorized physicians, hospitals, diagnostic centers, physical therapy and similar medical providers and services with the exception of an emergency situation as described in this Policy.

Should any problem arise, or should there be any questions as to procedure, the Director should immediately call Human Resources.

## EMPLOYEE ACKNOWLEDGEMENT

Employee's Name:

This Handbook is the property of the Township of Edison (the "Township"). I, \_\_\_\_\_, acknowledge receipt of this Handbook on \_\_\_\_\_, 20\_\_\_\_. I understand that this Handbook explains the Township's policies, and that it is furnished to me for my information. I also understand that this Handbook 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 Handbook.

I understand that the Township may amend, supplement, or terminate the policies stated in this Handbook 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 contained in this Handbook 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 and procedures, the collective bargaining agreement supersedes and/or modifies these personnel policies and procedures.

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

\_\_\_\_\_  
Employee's signature

Date: \_\_\_\_\_