



Township of North Brunswick

Employee Handbook

Policies and Procedures Manual

Table of Contents

Table of Contents.....	2
Section One: Introduction.....	5
The History of North Brunswick	5
Organizational Structure	5
At-Will Statement and Disclaimer	5
Employee Acknowledgement Form.....	7
Knowledge of and Compliance of Employee Handbook Policies and Procedures Manual	8
Definitions	9
Section Two: Employment Compliance.....	11
Code of Ethics.....	11
Cause Disruption in Workplace	12
Civil Service Employment.....	12
Equal Employment Opportunity and Affirmative Action	12
Americans with Disabilities and Pregnant Workers Fairness.....	13
Section Three: Employment Status & Records.....	16
Employment Applications and Background Checks	16
Workplace Postings.....	17
Medical Examinations.....	17
Outside Employment.....	17
Conflicts of Interest	18
Employment References.....	19
Access to Personnel Files	19
Performance Reviews.....	20
Timekeeping.....	20
Wage and Salary Administration	20
Pay Days.....	21
Overtime	21
Resignation	22
Return of Property	22
Section Four: General Employment.....	23

Code of Conduct	23
Customer Relations	23
Personal Appearance	24
Open-Door Policy/Suggestion Policy	25
Attendance and Punctuality.....	25
Progressive Discipline Policy.....	26
Non-Solicitation.....	27
Anti-Nepotism Policy.....	28
Domestic Violence	29
Protection and Safe Treatment of Minors.....	29
Political Activity	29
Computer and E-mail Usage	30
Internet Usage	31
Social Media Usage	31
Use of Equipment and Vehicles.....	32
Phone Use	34
Remote Work.....	34
Emergency Closings	35
Section Five: Workplace Conditions	36
Workplace Reporting.....	36
Discrimination, Sexual Harassment, and Other Unlawful Harassment.....	36
Workplace Violence Prevention	43
Whistleblower	45
Security Inspections	46
Township Right to Search.....	47
Drug and Alcohol Use	47
Smoking / Vaping	50
Workplace Injury and Safety.....	50
Contagious/Life Threatening Illness Policy.....	51
Section Six: Employee Benefits	52
Holidays.....	52

Family and Medical Leave.....52

Sick Leave60

Personal Leave.....61

Vacation Leave61

Bereavement Leave62

Military Leave.....62

Jury Duty Leave.....63

New Jersey Security and Financial Empowerment Act ("NJ SAFE Act")64

Emergency Responder Leave65

Health & Prescription Insurance66

Workers' Compensation Insurance67

Employee Assistance Program.....68

Pension Plan69

457(h) Savings Plan69

Continuing Education & Conferences69

Section One: Introduction

The History of North Brunswick

Incorporated on February 21, 1798, North Brunswick Township is situated at the crossroads of U.S. Route 1 and State Highway Route 130. Present-day New Brunswick was within the Township until February 28, 1860, when it was separated by act of the Assembly. The Township is 12.3 square miles in size and has a residential population of 41,848 (2020 U.S. Census).

Organizational Structure

The Township adopted the Mayor-Council-Administrator form of government as a result of a Charter Study in 1982 in accordance with N.J.S.A. 40:69A-149.1. The Mayor and six (6) Councilmembers are elected in partisan elections for terms of four (4) and three (3) years, respectively. Council terms are staggered such that two Councilmembers are elected each year. The Mayor is the chief executive of the Township and the Council serves as a legislative body. The Township is organized under a Business Administrator with different departments:

- Office of the Administrator;
- Department of Community Development;
- Department of Finance;
- Municipal Clerk;
- Department of Parks, Recreation & Community Services
- Department of Public Safety;
- Department of Public Works;
- Municipal Court; and
- Office of Tax Assessor

At-Will Statement and Disclaimer

The purpose of this Employee Handbook is to acquaint employees with their employment with the Township of North Brunswick (the "Township"). The policies and practices contained in this Employee Handbook are only guidelines and may be cancelled or changed by the Township at any time with or without notice. This Employee Handbook is not intended to, nor does it create an employment contract between the Township and any of its employees. **THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT.**

The Township retains all rights to discharge or discipline employees. As an employee of the Township, you agree to conform to all applicable policies, procedures, rules, regulations, statutes and collective negotiations agreements. The employer reserves the right to change, delete, suspend, or discontinue any part or parts of this Employee Handbook at any time, without prior notice, and any such action shall apply to existing as well as future employees. Be aware that these benefits and guidelines may be changed at any time, and that depending upon the circumstances of a given situation, the employer's actions may vary from the provisions of this Employee Handbook.

It should be noted that nothing contained in this Employee Handbook should be construed as a guarantee of continued employment; but rather, **EMPLOYMENT WITH THE EMPLOYER IS ON AN AT-WILL BASIS.** This means that either the employee or the Employer, with or without cause, may terminate the employment relationship at any time with or without notice, for any reason not expressly prohibited

by law. Any exception must be expressly authorized and signed by the Employer.

This Employee Handbook is not meant to affect, or to be a comprehensive description of local, State or federal statutes, rules or regulations, 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 Employee Handbook provides legal rights in addition to those, if any, provided to employees under local, State, or federal statutes, rules, regulations, collective negotiations agreement or established past practice, the part of the Handbook which conflicts with a local, 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 local, State or federal statutes, rules, regulations, executive orders or collective negotiations agreement should be amended, this Employee Handbook will be deemed to have been likewise amended, even though actual changes to the Employee Handbook have not been made.

The Township recognizes that many of its employees' terms and conditions of employment are governed by collective negotiations agreement. This Employee Handbook does not supersede or affect any term or condition of employment that may exist in any collective negotiation agreement. If any part of this Employee Handbook conflicts with any term or condition of employment expressly set forth in a collective negotiations agreement, that part of the Employee Handbook will be null and void as it applies to the affected group of employees.

In the event of a declared State of Emergency or otherwise, if any local, State or federal statute, rule, regulation or Executive Order temporarily amends, alters, suspends, or discharges any of the terms set forth in this Employee Handbook, the terms and provisions herein shall be similarly temporarily amended, altered, suspended and or discharged, without the need for formal written amendment of this Employee Handbook.

This Handbook has been written so as not to conflict with the collective bargaining agreements between the Township and its unionized employees. If there is a conflict between this Employee Handbook and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented employees. This Employee Handbook has been written so as not to conflict with the provisions and mandates of the laws and regulations governing employment in the State of New Jersey. If there is a conflict between this Employee Handbook and any such mandate pursuant to law, such law will prevail for covered employees.

This Employee Handbook shall apply to all employees of the Township, including part-time, seasonal, and/or temporary employees.

Employee Acknowledgement Form

The Employee Handbook Policies and Procedures Manual describes important information about the Township of North Brunswick, and I understand that I should consult my department head or the Business Administrator regarding any questions not answered in the Employee Handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Employee Handbook Policies and Procedures Manual may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Mayor and Business Administrator have the ability to adopt any revisions to the policies in this Employee Handbook.

Furthermore, I acknowledge that this Employee Handbook Policies and Procedures Manual is neither a contract of employment nor a legal document. I understand that my employment is on an at-will basis. I have received the Employee Handbook Policies and Procedures Manual, and I understand that it is my responsibility to read and comply with the policies contained in this Employee Handbook Policies and Procedures Manual and any revisions made to it.

EMPLOYEE'S NAME (printed)

EMPLOYEE'S SIGNATURE

DATE

Knowledge of and Compliance of Employee Handbook Policies and Procedures Manual

These policies and rules govern the operation of the Township of North Brunswick and are applicable to and must be obeyed by all employees.

One copy of these policies and rules will be provided to every employee of the Township, for which a receipt will be required. Additional copies may be supplied as necessary.

In the event of a conflict between these policies and rules and department instructions, the policies rules in this Employee Handbook shall govern.

Employees who violate any of these policies and rules may be disciplined in accordance with their collective bargaining agreement or Township policy as applicable. Disobedience of these rules or of instructions or any neglect of duty, or any disorder, or any act or omission prejudicial to efficiency or discipline, or any interference with the normal operation or maintenance of the Township operation, shall be reason for charges of misconduct and incompetence and such misconduct or incompetence will be subject to penalty of dismissal, demotion, suspension, or such other penalty as the Township shall impose.

All employees must be conversant with the policies and rules and obey the policies and rules that govern their particular duties and special instructions issued by their superiors. If in doubt as to the meaning of any policy or rule, employees must obtain an explanation from their superiors.

I HAVE READ THE ABOVE STATEMENT AND ACKNOWLEDGE RECEIPT OF THE TOWNSHIP OF NORTH BRUNSWICK EMPLOYEE HANDBOOK POLICIES AND PROCEDURES MANUAL.

EMPLOYEE'S NAME (printed)

EMPLOYEE'S SIGNATURE

DATE

Definitions

Announcement: A listing of positions in which there are employment vacancies or a provisional serving which are subject to Civil Service testing procedures.

Appointment: The offer, acceptance and commencement of employment.

Base Salary: An employee's rate of pay exclusive of any additional payments or allowances.

Career Service: Positions and job titles subject to the tenure provisions of Title 11A, New Jersey Statutes.

Certification: A list of names presented to an appointing authority for regular appointment.

Demotion: A reduction in title or scale of compensation, and in State service, a reduction in class code.

Department: The largest type of organizational unit established by ordinance or resolution, as appropriate, that is not a sub-unit of any other organizational unit for the purpose of administering the political subdivision.

Desk Audit: An analysis of the duties and responsibilities of a position to determine the appropriate title or duty assignment.

Eligible List: A roster compiled or approved by the Civil Service Commission of persons who are qualified for employment or reemployment.

Exempt Employee: An employee who is exempt from the overtime provisions of the Fair Labor Standards Act.

Layoff: The separation of a permanent employee from employment for reasons of economy or efficiency or other related reasons and not for disciplinary reasons.

List/Eligibility Roster: A list of candidates resulting from an examination.

Non-Exempt Employee: Any employee who is entitled to the wage-and-hour protections of the Fair Labor Standards Act.

Promotional Examination: A test open to permanent employees who meet the prescribed requirements for admission.

Provisional Employee (Full-Time): An employee in the competitive division of the career service pending the appointment from an eligible list after the completion of either an open competitive or promotional examination.

Permanent Employee (Full-Time): An employee in the career service who has received a regular appointment and has successfully completed a Working Test Period.

Part-Time Employee: An employee whose regular hours of work are less than the regular and normal work week for that job title or agency. Employees may be career service, permanent or provisional, or unclassified.

Seasonal/Temporary Employee: An employee whose position is for a period of no more than six months, may be full-time or part-time.

Unclassified Service: Positions and job titles outside of the senior executive service, not subject to the tenure provisions of Title 11A, New Jersey Statutes or these rules unless otherwise specified.

Working Test Period: A part of the examination process after regular appointment, during which time the work performance and conduct of the employee is evaluated to determine if permanent status is merited.

Section Two: Employment Compliance

Code of Ethics

The Township has adopted a Code of Ethics pursuant to the Local Government Ethics Law, P.L. 1991, c.29, and has established an Ethical Standards Board whose duties include the power to initiate, hear, and review complaints, to enforce the provisions of the Code, and to render advisory opinions to officers and employees. The following is the Code of Ethics for the Township:

§ 29-5. Ethical Standards.

Officers and employees of the Township of North Brunswick shall comply with the following provisions:

- A. No officer or employee of the Township of North Brunswick or member of his/her immediate family shall have an interest in a business organization or engage in any business, transaction or professional activity which is in substantial conflict with the proper discharge of the employee's duties in the public interest.
- B. No officer or employee shall use or attempt to use his/her official position to secure unwarranted privileges or advantages for himself or others.
- C. No officer or employee shall act in their official capacity in any matter where he or she, a member of their immediate family or any business organization in which he or she has an interest has a direct or indirect financial or personal involvement that might reasonably be expected to impair their objectivity or independence or judgment.
- D. No officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties.
- E. No officer or employee, member of their immediate family or any business organization in which he/she has an interest shall solicit or accept any gift, favor, political contribution, service, promise of future employment or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his/her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the officer in the discharge of their official duties.
- F. No officer or employee shall use or allow to be used their public office or employment or any information not generally available to the members of the public which he/she receives or acquires in the course of and by reason of their office or employment for the purpose of securing financial gain for himself, any member of their immediate family or any business organization with which he/she is associated.
- G. No officer or employee or any business organization in which he/she has an interest shall represent any person or party other than the township in connection with any cause, proceeding, application or other matter pending before any agency of the Township of North Brunswick. This provision shall not be deemed to prohibit an employee from representing another employee where the representation is within the context of official labor union or similar representational responsibilities.
- H. No officer shall be deemed in conflict with these provisions if, by reason of their participation in the enactment of any ordinance, resolution or other matter required to be voted upon or

which is subject to executive approval or veto, no material or monetary gain accrues to him or her as a member of any business, profession, occupation or group to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.

- I. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of their immediate family, whether directly or indirectly, in return therefor.
- J. Nothing shall prohibit any officer or employee of the Township of North Brunswick or members of their immediate family from representing himself, herself or themselves in negotiations or proceedings concerning their or their own interests.

Cause Disruption in Workplace

Compliance with this Policy of ethics and conduct is the responsibility of every Township employee. Disregarding or failing to comply with the Code of Ethics could lead to disciplinary action, up to and including, termination of employment.

Civil Service Employment

Employees of the Township of North Brunswick are covered by the N.J. Civil Service Commission. Positions are classified and filled based on competitive examinations, as well other selection methods, such as job interviews and performance evaluations. Employees in civil service positions are protected by civil service rules and regulations, which govern various aspects of employment, disciplinary actions, and layoffs. The system aims to provide fair and equal opportunities for individuals seeking public sector employment and to maintain a professional, nonpartisan public workforce.

Equal Employment Opportunity and Affirmative Action

The Township provides equal employment and advancement opportunities to all individuals. The Employer is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination ("NJ LAD") and all other applicable state or federal laws. Under no circumstances will the Township discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy, breastfeeding, childbirth, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by state or federal law. Accordingly, decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer, their Department Head, Personnel Officer, the Business Administrator, or any other supervisor with whom they feel comfortable, using the complaint procedure set forth in the Policy Against Harassment set forth in this Employee Handbook Policies and Procedures Manual.

Furthermore, the Township expressly prohibits any form of discrimination or harassment based on the aforementioned protected classes. These forms of discrimination or harassment are strictly

prohibited in the workplace and in any location that could be regarded as an extension of the workplace.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Business Administrator. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including, termination of employment.

Americans with Disabilities and Pregnant Workers Fairness

The Employer complies with the New Jersey Law Against Discrimination, the Americans with Disabilities Act and the federal Pregnant Workers Fairness Act ("PWFA"). The Employer will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability, pregnancy, pregnancy-related medical condition, breast-feeding or childbirth. The Employer also will make reasonable accommodations wherever necessary for all employees or applicants with disabilities or with known limitations related to pregnancy, childbirth or related medical conditions, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that accommodations do not require significant difficulty or expense. The Employer's non-discrimination policy applies to all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall and termination.

Definitions

The Americans with Disabilities Act defines an individual with a disability as any person who:

- Has a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, walking, seeing, hearing, or speaking;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

An individual must satisfy at least one (1) of the three (3) prongs of the above definition to be considered an individual with a disability under the ADA. Temporary conditions, such as a broken leg, are not disabilities, nor are minor impairments, such as vision problems that are correctable with glasses.

The NJLAD defines disability as a physical disability or sensory disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.

A qualified individual is an individual with a disability who, with or without a reasonable

accommodation, can perform the essential functions of the employment position held or sought. An individual who poses a threat to the health and safety of oneself or to others is not considered qualified.

A “reasonable accommodation” means any change or adjustment to a job or work environment that does not impose an undue hardship on the Employer, or that permits a qualified applicant or employee with a disability to participate in the job application process, perform the essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

The Pregnancy Workers Fairness Act (“PWFA”) defines pregnancy and childbirth” as meaning the pregnancy or childbirth of the specific employee in question and includes, but is not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth.

Requesting an Accommodation

Qualified employees or prospective employees with disabilities may request accommodations due to pregnancy, childbirth, or related medical conditions, may request accommodations to perform the essential functions of their job or gain access to the hiring process. Employees or prospective employees should direct their written request to the Business Administrator or their designee. Although not required, we strongly urge employees to put their request in writing. In the written request, the employee or prospective employee should identify themselves as a person with a disability, eligible for protection, or include an explanation of the pregnancy-related limitation and identify the nature of the accommodation or consideration desired.

The Employer may require the employee to provide adequate medical or other appropriate documentation of the disability or pregnancy or childbirth-related condition and the need for the desired accommodation. The Employer will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or employee with a disability or employee affected by pregnancy or childbirth unless the accommodation would impose an undue hardship on the Employer’s business operation.

To further the Employer’s non-discrimination policy, the Employer will:

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

Reasonable accommodations that the Employer may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include the following:

- Making existing facilities accessible and useable;
- Job restructuring;
- Part-time or modified work schedules;
- Acquiring or modifying equipment or devices;
- Appropriate adjustment or modifications of testing materials, training materials, and/or policies;
- Reassignment to a vacant position.

In the case of an employee needing accommodation for pregnancy or childbirth, a reasonable accommodation may include the temporary suspension of essential functions and/or modifications or adjustments that permit the temporary suspension of essential functions.

The Employer is also committed to not discriminating against any qualified employee or applicant because he or she is related to or associated with a person with a disability. If any applicant or employee has questions concerning the Employer's equal employment policy, he or she should contact the Employer.

Lactation Breaks

Employees who are nursing mothers are eligible to take reasonable breaks under this policy to express breast milk after the birth of the employee's child. The Township encourages all eligible employees who intend to take breaks under this policy to notify Human Resources of their intent, for example, when they are discussing their return to work following leave related to childbirth.

Eligible employees may take a reasonable amount of break time to accommodate the employee's need to express breast milk for the employee's nursing child. Eligible employees should notify their direct supervisor of the frequency, timing, and duration of breaks they need to take. The employee shall have access to a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area for the employee to express breast milk for the child. Lactation breaks under this policy are paid. Employees who are required to report time must accurately record the start and end of lactation breaks on their time records in accordance with the Townships time keeping policy. Uninterrupted lactation breaks do not count as hours worked for the purposes of calculating overtime pay.

Human Resources is responsible for the administration this policy. If you have any questions regarding this policy or if you have questions about lactation breaks that are not addressed to this policy, please contact Human Resources. Please contact Human Resources for information about the designated location for lactation breaks.

If you are subjected to any conduct that you believe violates this policy, you should contact Human Resources, who will ensure that a prompt investigation is conducted and take prompt corrective action, if appropriate.

The Township expressly prohibits any form of discipline, reprisal, intimidation, retaliation, or discrimination against any individual for requesting or taking lactation breaks, or for filing a complaint for violations of this policy, applicable state or local law.

Section Three: Employment Status & Records

Employment Applications and Background Checks

The Township relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

The Township reserves the discretion to conduct background checks on applicants as a precondition for employment. Refusal to submit to a background check may prevent the Township from providing the applicant with an employment offer.

Policy on Background Checks for Individuals Working with Children

The Township is committed to complying with applicable state laws regarding the safety of minors. In accordance with the New Jersey Child Protection Laws, the Township is legally required to obtain certain background check clearances for any employees, volunteers, or contractors who will have direct contact with children during their duties for the Township.

An individual has direct contact with children (persons under 18 years of age) if he or she:

1. is responsible for the care, supervision, guidance or control of children; or
2. has routine interaction with children, i.e., regular and repeated contact that is integral to the individual's employment responsibilities.

All employees, volunteers, or contractors who will have direct contact with children must undergo the necessary background checks, which may include but are not limited to criminal history checks, child abuse history checks, and any other clearances mandated by New Jersey law.

Employees, volunteers, or contractors whose responsibilities require them to have direct contact with minors must generally submit to the following background checks:

1. A report of criminal history from the New Jersey State Police;
2. Child Abuse History Clearance from the N.J. Department of Human Services; and
3. Fingerprint based federal criminal history through the Federal Bureau of Investigation ("FBI").

Additionally, individuals in these roles are required to report any relevant arrests or offenses to the Township. Failure to disclose such information may result in disciplinary action, up to and including termination of employment or volunteer status.

An employee, volunteer, or contractor in direct contact with children must submit written notification to the Township within seventy-two (72) hours of:

1. his or her arrest or conviction for an offense that would constitute grounds for denying employment or participation in a program, activity or service pursuant to the New Jersey Child Protective Services Law
2. receiving notification that he or she has been named as a perpetrator of child abuse in the New Jersey Child Abuse database.

Workplace Postings

Job openings will be emailed to all email users and remain open for at least five (5) business days. Each job posting notice will include the dates of the posting period, job title, salary range, department, location, job description, and qualifications (required skills and abilities).

To apply for an open position, employees should submit an employment application and resume to the hiring Department Director and/or direct Supervisor via Primepoint.

Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies, and qualifications. To be eligible to apply for certain promotional positions, employees are usually required by the New Jersey Civil Service Commission to have served the Township for a specific time period in a permanent title. Inquiries regarding eligibility should be directed to the Business Administrator's Office or the New Jersey Civil Service Commission.

Medical Examinations

Pre-Employment Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required. Pre-employment inquiries are made only regarding the applicant's ability to perform the duties of the position.

After an offer has been made to an applicant, a medical examination may be performed at the Township's expense by a health professional of the Township's choice. Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. The offer of employment and assignment to a job title is contingent upon satisfactory completion of the medical exam.

Fitness for Duty

Current employees may be required to take medical examinations to determine fitness for duty at any time it deems necessary. Such examinations will be scheduled at reasonable times and intervals and performed at the Township's expense. If at any time an employee is out for a period of time due to their own medical condition, a medical note shall be provided. Upon return, a medical note must be provided in which the employee can resume their job-related duties.

Any information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to information will be limited to those who have a legitimate need to know.

Outside Employment

Union Employees

All employees are expected to devote their full attention, effort, and energy to their employment with the Township, and therefore, discourages employees from performing work for other employees or to engage in self-employment.

Directors and other Non-Union Employees

Employees may engage in other employment during off duty hours providing such occupation is not in violation of Federal, State or local laws and providing such employment is not a conflict of

interest with his/her primary employment with North Brunswick Township. However, the municipal resources of the Township, including vehicles, equipment, computers and any other township owned property, supplies or assets shall not be used to support other employment.

Directors/Non-Union employees must submit notice of outside employment (including self-employment) to the Business Administrator or designee on a "Notice of Outside Employment" form. Permission will be granted or denied, at the Township's discretion, depending on such factors as the nature of the work, work hours, the potential adverse effects on the employee's performance, and the presence of conflicts perceived conflicts of interest. Under no circumstances will an employee be allowed to work where there might be a conflict of interest, or the appearance of a conflict, or where such work might cause harm to the Township's image or reputation, or impair resident or employee relations, as determined by the Township in its sole discretion. See below for additional clarification on Conflicts of Interest. If it is determined that a conflict exists the Director/non-union employee will be notified in writing of a denial of their outside employment, and the reason for the denial. If no conflict exists then the Personnel Officer will forward an approval letter and document the outside employment in the employee's personnel file.

Directors/non-union employees are to report any changes to outside employment in writing to the Business Administrator.

Exceptions to this Policy may be made in certain circumstances if an employee requests permission to perform outside work, in writing to the Business Administrator or designee.

Activities Outside of Work

While employees are free to engage in conduct or pursuits outside of work, there may be times where such conduct or pursuits might conflict with the Township's mission or Code of Ethics, disparage the Township or cause harm to its reputation, or impair resident or employee relations, or be otherwise offensive, as determined by the Township in its sole discretion. Such conduct or pursuit may be brought to the employee's attention and the employee may be given a reasonable opportunity to cease his/ her outside conduct or pursuits to the Township's satisfaction.

Regardless of anything in this Employee Handbook Policies and Procedures Manual, the Township retains the sole right to terminate employment at any time, with or without cause, and with or without notice.

Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Employees are expected to devote their best efforts to the interest of the Township.

The Township recognizes the right of employees to engage in outside activities, including outside employment, that are private in nature and unrelated to Township business. However, business dealings that appear to create a conflict between the employee and the Township's interests are unlawful under the [New Jersey Local Government Ethics Law](#). Under the Law, certain employees and officials are required to annually file a state mandated disclosure form with the Municipal Clerk. The Municipal Clerk will notify employees and the Township officials subject to the filing requirements of the Law.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Township's official business. For the purposes of this Policy, a relative includes: spouse, child, parent, stepchild, sibling, grandparent, grandchild, daughter/son-in law, niece/nephew, aunt/uncle, or any person whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Employees may not accept donations, gratuities, contributions, or gifts that could be interpreted to affect their Township duties. Under no circumstances may employees accept donations, gratuities, contributions, or gifts from a vendor doing business with or seeking to do business with the Township or any person or firm seeking to influence Township decisions. Employees are required to report to the Business Administrator any offer of a donation, gratuity, contribution, or gift including meals and entertainment that is in violation of this Policy.

Requests for outside employment should be filed with the Business Administrator or their designee and reviewed for conflicts or perceived conflicts of interest. If a request for outside employment is not approved and the employee moves forward with their secondary employment, it may result in discipline up to and including termination.

Employment References

To ensure that individuals who work for the Township are well-qualified and have a strong potential to be productive and successful, it is the policy of the Township to check the employment references of all applicants at the Township's discretion.

Employees should not, under any circumstances, provide another individual with information regarding a current or former employee. Any employee, including Department Heads, who receives a request for reference information should forward the request to the Personnel Officer. Generally, unless otherwise required by law, the Township will only confirm employees' name, title, salary, compensation, dates of service, reason for separation, if applicable, and specific educational or medical qualifications required for employment. The Township's response to a request for reference information shall be communicated in writing only. The Township does not honor oral requests for employment references.

A current or former employee may also authorize the Township to release additional information. Unless otherwise required by law, the Township will only release additional information if the current or former employee provides authorization, in writing.

Access to Personnel Files

The Township maintains a personnel file on each employee. The personnel file may include, but is not limited to, such information as the employee's job application, resume, records of training, NJ Civil Service Commission forms, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Township. Access to the information that personnel files contain is restricted and will be disclosed only when the information is requested as a matter of inquiry by a law enforcement agency, a representative of the Armed Forces, or as required by court order or any other law.

Employees who wish to review their own personnel file should contact the Business Administrator's Office and/or the Personnel Officer. With reasonable advance notice, employees may review their own personnel files in the Township's offices and in the presence of an individual appointed by the Township to maintain the files.

Each employee has a responsibility to promptly notify the Township of any changes in personnel data. Personal home address, mailing address, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, driver's license or change in license status, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, you are expected to promptly notify the Office of the Business Administrator, in writing.

Employees shall have the right to insert a written rebuttal to any document in the file.

Performance Reviews

Directors/Supervisors and employees are strongly encouraged to discuss job performance and goals with employees regularly. Feedback is essential to developing a fulfilled, committed workforce.

Employees will be formally evaluated annually by their immediate supervisor in consultation with the department head. Upon completion of the evaluation, each employee shall be notified and given an opportunity to review the results, and provide a written reply to their review. Performance Reviews shall be conducted prior to salary adjustments or title advancements. Performance Reviews also may be used to address and correct behavior prior to further disciplinary action.

The Business Administrator's Office and Personnel Officer will provide Directors/Supervisors with training on conducting effective Performance Reviews and will be available throughout the year to assist managers with questions regarding employee performance.

Timekeeping

The Township currently utilizes Primepoint for timekeeping. Employees can access this software via a time clock, a desktop computer or an app that can be downloaded on a smart phone, whichever applies. Each non-exempt employee is responsible to accurately 'clock in' and 'clock out' of the system on a daily basis, according to the employee's designated work schedule. Time worked is all of the time actually spent on the job performing the assigned duties. Overtime work must always be approved by a supervisor in writing, when possible, before it is performed.

The employee, through Primepoint, can request time off for sick, vacation, or personal time, bereavement, jury duty, conference/training, or remote work. These requests are sent to the immediate Director/Supervisor for approval.

Altering, falsifying, tampering with time records, or recording time on another employee's time record is prohibited and may result in disciplinary action, up to and including, termination of employment.

Wage and Salary Administration

The Township will pay its employees in accordance with the provisions of applicable collective

bargaining agreements, ordinances, and in compliance with the Fair Labor Standards Act ("FLSA") and the New Jersey Wage and Hour Law.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, salary survey data on pay practices of other employers, and collective bargaining provisions.

Requests for information about job titles, job classifications or categories, pay, benefits or other compensation can be made to the Business Administrator or their designee. Such requests will be considered based on all of the circumstances, and the Township will not tolerate retaliation against any person making the request.

Pay Days

Employees are paid via direct deposit bi-monthly. Employees are paid the 15th (or prior business day) and the last day of the month (or prior business day). Payroll periods run from the 1st of the month through the 15th day and the 16th through the last day of the month.

To the extent possible, each paycheck will include earnings for regular work performed through the end of the previous payroll period. Overtime pay records may not always be submitted with adequate time to maintain this same timeframe, but will be processed in an expeditious manner.

Employees shall be enrolled in direct deposit, via online onboarding or written authorization. If given adequate notice, Payroll in the Finance Department can have monies deposited into several different accounts. Employees are able to view their paystubs via their Primepoint Employee Experience account.

Overtime

The Employer complies with all applicable federal and state laws with regard to payment of overtime work, including the New Jersey Wage and Hour Law and the federal Fair Labor Standards Act. Under the Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds the FLSA designated threshold depending upon their job duties. The Chief Financial Officer shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the prior approval and at the sole discretion of the Business Administrator.

Depending on work needs, employees may be required to work overtime. Employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Business Administrator. Employees working overtime without prior approval will be subject to disciplinary action. Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over forty (40) in a workweek. Employees may choose overtime compensation in the form of overtime pay or compensatory time off.

Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the Township. Although advance notice is not required, the Township requests at least fourteen (14) days written resignation notice from all employees. The Township may waive this request and consent to a shorter notice. If an employee resigns without giving the requested notice, such employee will be considered to have resigned not in good standing.

Prior to an employee's departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

Under Civil Service guidelines, permanent employees who resign in good standing may, within three (3) years of such action, request consideration for reemployment by indicating availability to the Township.

Return of Property

Employees must return all Township property immediately upon request or termination of employment. Where permitted by applicable laws, the Township may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Township reserves the right to take all legal action available to recover or protect its property.

Section Four: General Employment

Code of Conduct

The Township strives to maintain a positive work environment where employees treat each other with respect and courtesy. The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment:

- Replace paper in the copy machine and printer paper trays when they are empty.
- Keep the area around the copy machine and printers orderly and picked up.
- Be careful not to take or discard others' print jobs or faxes when collecting your own.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not distract others.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- Clean up after yourself and do not leave behind waste or discarded papers.
- Refrain from personal cell phone use that could serve as a distraction to you and others around you.

Customer Relations

Every employee is a representative of the Township to our residents and the general public. Therefore, one of our constant priorities is to assist any resident or potential resident. Employees are expected to be courteous, friendly, helpful, and prompt in the attention they provide to the public.

Communication

The Township is committed to communicating with residents in a manner clear, timely, and professional manner. The Township employee(s) will respond to all residents' inquiries and complaints within 24 hours, and employee(s) will keep customers informed about the status of their inquiries and complaints throughout the resolution process.

Responsiveness

Employees will make every effort to address residents' inquiries and complaints promptly and effectively. Employees will listen carefully to residents' concerns, and employees will take appropriate action to resolve any issues that arise. All residents will always treat residents with respect and courtesy, and employees will strive to exceed their expectations whenever possible.

Personal Appearance

Employees of the Township are required to project a professional personal appearance while at work, when employees are engaging in official business or are otherwise representing North Brunswick. All employees are expected to maintain high personal and professional standards. Personal appearance should:

- Present a professional or identifiable appearance for external and internal stakeholders as well as the public.
- Promote a positive working environment.
- Limit distractions caused by tattoos or body piercings.
- Ensure and promote safety while at work.

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Township presents to residents and visitors. During business hours or when representing the Township, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with residents or visitors in-person.

Business Casual

The Township's dress code is Business Casual. In some instances, your supervisor or department head may establish a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Employees should wear clothes that fit and make you look professional such as tailored pants, blazers or jackets, and dresses. Employees should refrain from wearing athletic wear, leggings, sweatshirts, jerseys, t-shirts, short skirts, shorts, cargo pants, flip flops, and tennis shoes. Jeans may be worn on Fridays with department head approval.

Employees are strictly prohibited from prominently displaying visible brand names on clothing or accessories while at work.

Tattoos/Body Piercings

Tattoos or decals affixed to the skin may not be visible to the public under the employee's typical working conditions. Hand, neck, facial or head tattoos, brands or decals or tattoos that are offensive, prejudicial, obscene or promotes unlawful discrimination are strictly prohibited. Employees may be asked to cover tattoos at management or HR discretion.

Body piercings must be worn in a way that is not distracting to members of the public or fellow employees. Small nose jewelry studs or clear studs are permitted. Nose rings, eye brow rings, tongue rings, lip rings, or rings attached to other visible body parts (except ears) by piercing are strongly discouraged.

If an employee has a question about how the tattoo and body piercing policy is applicable to them, the matter should be immediately raised with their supervisor for consideration and determination. Exceptions or exemptions to this policy require the prior approval of the department head and the Business Administrator. Employees who were employed prior to the adoption of this policy may request an exemption from his/her department head and the Business

Administrator for existing tattoos and/or piercings. Such exemptions shall be granted as long as the employee had the tattoo(s) and/or piercing(s) prior to the adoption date of this policy and they do not interfere with personal or public safety or the distraction of work-related occurrences.

Open-Door Policy/Suggestion Policy

As employees of the Township, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

A suggestion is an idea that will benefit the Township by solving a problem, reducing costs, improving operations or procedures, enhancing service to our residents, eliminating waste or spoilage, or making North Brunswick a better or safer place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate suggestions. All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help.

Submit suggestions to the Business Administrator and, after review, if and when appropriate, they will be forwarded to the Mayor and Council. As soon as possible, you will be notified of the adoption or rejection of your suggestion. Special recognition will be given to employees who submit a suggestion that is implemented.

Attendance and Punctuality

To maintain a safe and productive work environment, the Township expects employees to be reliable and punctual in reporting for scheduled work. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor, as soon as possible, in advance of the anticipated tardiness or absence.

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

Attendance and punctuality will be considered, among other factors, in the employee's performance review. If an employee needs to leave work early, the employee must receive permission from his or her supervisor to leave prior to the regularly scheduled departure time. An employee who is absent from duty for five (5) or more consecutive working days without approval or notification or fails to return to work for five (5) or more consecutive working days following an approved leave of absence shall be deemed to have voluntarily resigned from their employment.

To minimize the negative impact on both employees and residents, the Employer will regularly review employee time records to identify chronic absenteeism and/or tardiness problems. Employees who exhibit attendance and/or tardiness problems will be subject to established progressive disciplinary procedures.

Progressive Discipline Policy

The goal of the Progressive Discipline Policy is to help employees understand what is expected of them, to provide them with feedback on their performance, and to give them the opportunity to improve their behavior or work performance before resorting to more severe disciplinary measures. It is the responsibility of the immediate supervisor to enforce and maintain proper discipline.

Corrective disciplinary action, as appropriate, will be taken against any employee found to be in violation of established procedures. All disciplinary action shall be based upon total concern for the employee, the employee's relationship with his/her fellow workers, the employee's relationship with his/her supervisor, and the best interest of the Employer. Such disciplinary action shall be of a positive, educational and corrective nature, and shall not be used in an abusive or vindictive manner.

Progressive discipline means that, with respect to most disciplinary actions, the following disciplinary action steps shall be followed:

1. Verbal warning, where the employee is informed of the issue and provided with guidance on how to correct it;
2. Written warning, that outlines the problem, specifies a timeframe for improvement, and explains the consequences if the employee fails to improve;
3. Suspension, with or without pay; or
4. Termination of employment.

There may be circumstances where one or more steps are bypassed due to the severity of the conduct and the number of occurrences. Employment remains at-will, and at the discretion of the Township.

Discipline is considered to be major or minor. Major discipline shall include:

- Removal
- Disciplinary demotion
- Suspension of greater than five (5) days

Minor discipline is a formal written reprimand or a suspension or fine of five (5) or less days.

This policy covers non-union employees. It also covers union employees to the extent that their collective bargaining agreements do not cover this subject matter.

Procedure in Major Disciplinary Actions: Generally, an employee will be served with a "Preliminary Notice of Disciplinary Action" ("PNDA") setting forth the charges against the employee and affording a hearing opportunity at a specified date, time and location. The employee must respond with a request for a hearing within five (5) days of the receipt of PNDA; otherwise, the hearing is waived. After the hearing (or a waiver of a hearing), a decision is made and within twenty (20) days, unless additional time is agreed to by the parties. Written notification to the employee shall be made by issuing a "Final Notice of Disciplinary Action" form.

An immediate suspension may be imposed prior to a hearing when:

1. The employee is unfit for duty or presents a hazard to any person if permitted to remain on the job or the suspension is necessary to maintain safety, health, order or effective

direction of public services. However, a PNDA with opportunity for a hearing must be served in person or by certified mail within five (5) days following the immediate suspension; or

2. The employee is suspected/charged with an act of misdemeanor, felony or any form of malicious mischief which leads to arrest and/or incarceration and fails to notify his Department/Division Head or Designated Superior immediately. This failure could result in disciplinary action, up to and including termination; or
3. The employee has been formally charged with a crime of the First, Second or Third Degree or a crime of the Fourth Degree directly related to the employee's job.

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 Employer. The response may be oral or in writing.

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

- Incompetency, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Chronic or excessive absenteeism or lateness;
- Conviction of a crime;
- Conduct unbecoming a public employee;
- Neglect of duty;
- Misuse of public property, including motor vehicles;
- Discrimination that affects equal employment opportunity, including sexual harassment;
- Violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder; and,
- Other sufficient cause.

Non-Solicitation

Distribution or circulation of any written or printed material on behalf of any organization, group, individual or cause is prohibited in work areas or during working time. Solicitation by an employee of another employee is prohibited while either person is on working time. This rule applies to distribution and solicitation by any means, including the use of e-mail, voicemail and other electronic equipment.

"Solicitation" means the collection of signatures, contributions, money or gifts by or on behalf of any organization, group, individual or cause. Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

In addition, the posting of written solicitations on Township bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Affirmative Action statement;
- Employee announcements;
- Internal memoranda;

- Job openings;
- Organization announcements; and
- Workers' compensation insurance information.

If employees have a message of interest to the workplace, they may submit it to their department head or the Business Administrator for approval. All approved messages will be posted by the department head or Business Administrator.

Anti-Nepotism Policy

Relatives

The Township's Anti-Nepotism Policy, that is codified in Article XIX of the Township Code, shall be applicable to all Township employees and states the following:

§ 3-66 Restriction in hiring and promoting employees.

The following restrictions shall apply in the hiring and promotion of employees to employment positions for the Township of North Brunswick:

- A. Supervision. No relative (as defined herein) shall be considered for employment by the Township of North Brunswick or hired to a position of employment with the Township where that person will be the supervisor of or be supervised by another relative who is an existing employee within the same department.
- B. Applications. Applications for employment submitted by relatives of Township employees holding current supervisory positions (hereinafter "supervisor") will not be accepted for positions in the same department of the Township in which the supervisor works or where, through promotion, such a situation or relationship could exist.
- C. Relatives of elected officials. No person who is a relative of any elected official of the Township of North Brunswick (i.e., Mayor or Township Council) shall be considered for employment as an employee of the Township. This shall not restrict nor prohibit the continued employment of individuals to a position or positions with the Township where a relative of an employee is elected as a Mayor or Township Council after the date of the employee's start of employment with the Township.
- D. Promotion of existing employees. Notwithstanding the prospective application as to the remainder of this article as applied above, no elected official (Mayor or Township Council) or supervisor in a department may participate in the promotion process or hiring process in that department of any existing employee who is a relative of such elected official or supervisor, as the case may be. Such elected official or supervisor shall abstain from participation in such personnel action as it applies to such relative.
- E. Relative shall include spouses, parents/children, siblings, grandparents or grandchildren, in-laws to the extent of parents or children, brothers-and sisters-in-law, first cousins and aunts or uncles/nieces or nephews.
- F. Except as may be otherwise expressly provided for herein, this article shall not affect the employment of any present Township employees and/or any existing contractual obligations with employees by the Township of North Brunswick.

Dating/Romantic Relationship

For the purposes of this Policy, a dating or romantic relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual or sexual relationship.

Individuals involved in a dating relationship with a current employee may not occupy a position

that will be working directly for or supervising the employee with whom they are involved in a dating relationship.

The Township reserves the right to take prompt action if an actual or potential conflict of interest arises involving individuals in a dating relationship who occupy any positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a dating/romantic relationship is established after employment between the employees, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to be a part of the discussion about who will be transferred to another available position. If that decision is not made within thirty (30) calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

Employees engaged in a dating/romantic relationship should refrain from public workplace displays of affection or excessive personal conversation.

Domestic Violence

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers is to set forth a uniform domestic violence policy for all employers to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resource officers to follow when responding to employees.

Information on Domestic Violence Policy can be explained in detailed in the separate policy.

Protection and Safe Treatment of Minors

Protecting children is a major priority, and it is up to all of us to do everything possible to prevent and report child abuse. Child abuse is a major challenge facing many community institutions including churches, sports programs, and organizations providing a broad range of services to youth. To address this challenge, the Township has developed a policy that ensures that programs include the safeguards and protections needed when providing services for children.

Information on the Protection and Safe Treatment of Minors can be explained in detailed in the separate policy.

Political Activity

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. In accordance with State law, employees are prohibited from engaging in political activities while performing their public duties and from using the Employer's time, supplies or equipment in any political activity. Political activities include, but are not limited to, advocating the election or appointment of any candidate for office, verbally or otherwise, and soliciting funds for campaigns or campaign materials.

Additionally, State law precludes employees from directly or indirectly using their position to control or affect the political action of another person. In accordance with the Hatch Act and

Federal regulations, an employee whose principal employment is with a program financed in whole or in part by Federal funds or loans shall not:

- be a candidate for public office in a partisan election. (This provision does not apply to the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs.)
- use his/her official authority to influence, to interfere with or affect election results or nominations for office.
- directly or indirectly coerce contributions from any employee to support a political party or candidate. See: The Hatch Act, 5 U.S.C. § 1501 et seq.

Violations of either State or Federal laws are serious matters and such violations should not be taken lightly. Any employee engaging in such political activities during working hours will be subject to disciplinary action up to and including termination of employment. Employees who engage in political activities during their non-working hours must not represent themselves as spokespersons for the Employer. Employees should report any violation of this policy to their supervisor or Department Head.

Computer and E-mail Usage

The Employer's e-mail, voicemail, computer systems and Internet service are for official Employer business and use for all other non-business purposes during working time is prohibited. "Working time" shall be defined as any time in which the employee is engaged in or required to be performing work tasks for the Employer. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and meal times. This includes, but is in no way limited to, the use of computers or Employer-issued mobile devices, use of social networking, gaming or TV/video. Employees should not share or use passwords, access files, or retrieve any stored communications without authorization.

Note: All e-mail, voicemail, text and internet messages are official documents subject to the provisions of the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq.

Security and confidentiality of the Township's computers and systems must not be compromised. Every employee is responsible for ensuring the maintenance of the Township's security and confidentiality. Employees should also be mindful of the potential for civil liability inherent to the dissemination of information obtained through the Township's information systems. The Township reserves the right to prosecute, in a civil or criminal manner, as well as discipline, any employee who violates this Policy.

Further, the Township prohibits the use of its computer or e-mail systems in any ways that are disruptive, offensive, harassing, or harmful to others or the morale of the workplace. The Township also prohibits the use of e-mail to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters. Your work e-mail address shall never be used for personal use as it could pose potential risks of viruses, malware, etc.

The Township purchases and licenses the use of various software for business purposes and does not own the copyright to such software. Unless authorized by the software developer, the Township does not have the right to reproduce such software for use on more than one (1) computer. According to the software license agreement, employees may only use software on local area networks or on multiple machines. The Township prohibits the illegal duplication of

software and its related documentation.

Upon learning of violations of this Policy, employees should notify their immediate supervisor, Business Administrator, or another member of management. Employees who violate this Policy will be subject to disciplinary action, up to and including, termination of employment.

Employees have no expectation of privacy when using any Township-owned or Township-provided computers, phones, mobile devices, email systems, internet access, networks, servers, databases, or other electronic resources. All data created, transmitted, received, accessed, or stored on Township systems is considered Township property, and the Township reserves the right, to the fullest extent permitted by law, to monitor, access, search, log, review, retrieve, copy, and disclose any information or activity conducted on its systems at any time, with or without notice to the employee.

Internet Usage

Internet access is provided by the Township to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage.

Internet usage is intended ONLY for Township job-related activities. All internet data that is composed, transmitted or received is considered part of the official records of the Township and, as such, the Township reserves the right to monitor internet traffic, and retrieve and read any data composed, sent or received through our online connections and stored. Such records are subject to disclosure to law enforcement or other third parties, as deemed necessary.

The Township prohibits the use of internet access for obscenities, discriminating, offending, threatening, harassing, intimidating, or disrupting any employee or other person. Further, the Township prohibits the unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the internet. Any "unauthorized use" of e-mail or the Internet is strictly prohibited while at work or while using an Employer computer. "Unauthorized use" includes, but is not limited to: connecting, posting, or downloading obscene, pornographic, violent, sexually suggestive, or discrimination-based material; attempting to disable or compromise the security of information contained on the Employer's computer systems; or sending or receiving obscene, violent, harassing, sexual or discrimination-based messages. If an employee receives a message that is representative of an "unauthorized use" of the Employer's electronic media from someone outside of the Employer, it is the employee's duty to immediately inform the sender of such materials that he or she must refrain from sending such materials.

To ensure a virus-free environment, files may not be downloaded from the internet without prior authorization from the Business Administrator or their designee.

Abuse of internet access in violation of the Township's Policy will result in disciplinary action, up to and including, termination of employment.

Social Media Usage

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 provision.

Specifically, the Employer 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 Employer by other employees or third parties. 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 supervisor, coworkers, or the management team reading your words, you should not write them.

Be advised that employees can be disciplined for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, 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. However, nothing in this social networking policy is designed to interfere with, restrain, or prevent social media communications during non-working hours by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the New Jersey Employer-Employee Relations Act or to prevent communications which are protected by the First Amendment freedom of speech clause, unless such communications are made as part of the employees' official job duties.

Use of Equipment and Vehicles

The Employer owns and maintains a fleet of vehicles ("Employer Vehicles") that are used in furtherance of the business of the Employer. The following policy governs the use of all Employer Vehicles (with the exception of vehicles utilized for law enforcement purposes), and supersedes all other vehicle policies previously in effect. Any employee violating the provisions contained herein will be subject to disciplinary action, up to and including termination, in accordance with applicable laws and regulations. Violations of this policy may also result in the denial of indemnification and/or defense by the Employer to the employee in any civil or criminal matter brought in any Court arising from improper use of an Employer vehicle. The Employer also expressly reserves its right to seek indemnification and/or contribution from employees (including their personal automobile insurance policies) found to have acted in violation of this policy to the maximum extent permitted by law.

Unless otherwise designated by this Employee Handbook, Township-owned vehicles are not to be taken home under any circumstances, without prior written approval from the Mayor, his/her designee, the Township Business Administrator, or the Director overseeing the vehicle use. These temporary approvals may include facilitating responses to after-hours emergency calls. When an employee is granted authorization to take home a Township vehicle, it is to be used only for official Township business; any other use is not permitted. Township vehicles are not permitted outside the geographical limits of the Township either during or after business hours, without prior approval from the Mayor, Township Administrator, or Director overseeing the vehicle use.

When utilizing Township equipment, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive and avoidable traffic/parking violations, can result in disciplinary action, up to and including, termination of employment.

Please notify your supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. An employee shall maintain the security of the Township vehicle, its contents and any equipment under his or her care.

In the event of an incident or accident involving the use of an Employer Vehicle, employees must immediately contact their supervisor and/or Department Head. All required reports and documentation must be submitted to the Office of the Business Administrator within two (2) business days of receipt. An employee may be required to submit to an alcohol or drug screening test following an accident or incident if there is a reasonable suspicion to believe that the employee's use of drugs or alcohol may have contributed to the cause of the accident or as otherwise required by law or other policy of the Employer.

Driver's License Policy

Any employee whose work requires the operation of a Township-assigned vehicle, or the operation of their own vehicle for Township business, must hold a valid New Jersey Driver's License, a copy of which should be provided to the Office of the Business Administrator to be kept in your personnel file. Employees shall inform the Employer within twenty-four (24) hours of any changes in the status of their driving privileges. The Employer reserves the right to obtain a driving abstract record from the New Jersey Motor Vehicle Service Commission or other regulatory and law enforcement agencies. Employees whose work requires driving shall submit to a motor vehicle record check by the Township as a condition of employment. Periodic checks of employees' drivers' licenses will also be made as often and frequently as necessary to ensure the safety of our employees and the general public.

Any employee who does not hold a valid driver's license and/or who has two (2) moving violations in any twelve (12) month period of time may be subject to disciplinary action, up to and including, termination. Depending on the circumstances, the Township reserves the right to (i) suspend an employee without pay pending reinstatement of a license; (ii) suspend an employee without pay pending the successful completion of a driver's education course at the employee's expense; (iii) reassign the employee to a non-driving position; or (iv) terminate the employment relationship. The decision to suspend, reassign or terminate will be based solely on the facts of each case and the Township's needs at the time the evaluation is made.

If you are required to drive for your position, and you lose the ability to drive (e.g. loss or suspension of license, loss of proper insurance coverage, etc.) you may no longer be eligible for the position you currently hold and may be subject to immediate termination.

Commercial Driver's License ("CDL")

Any employee whose work requires the operation of a vehicle which must be operated by a CDL holder, must hold a valid CDL, a copy of which should be provided to the Office of the Business Administrator to be kept in your personnel file. If you are required to drive a vehicle that requires

a CDL for your position, and you lose the ability to drive with a CDL (e.g. loss or suspension of the CDL, loss of proper insurance coverage, etc.) you may no longer be eligible for the position you currently hold and may be subject to immediate termination. Employees whose work requires driving, shall submit to a motor vehicle record check by the Township as a condition of employment. Periodic checks of employees' drivers' licenses will also be made as often and frequently as necessary to ensure the safety of our employees and the general public.

Phone Use

Work-Related Use of a Township Work Phone

To ensure effective telephone communications, employees should always answer telephone calls in a courteous and professional manner, identify your office and your name, and aid the caller. If you are unable to assist the caller yourself, try to ensure that you redirect the caller to the proper office. If you are unsure of the proper office, take the caller's name and telephone number, consult with your supervisor or other officials to learn the correct office, and then return the call with the correct information. If you take a message for another employee, please write the message down, identify the caller's name and telephone number, and confirm that the requested employee receives the message.

Personal use of the Township's telephone system is inappropriate and should be minimized. Long distance and toll call for personal use are not permitted. Any charges resulting from an employee's personal use of the Township's telephone shall be reimbursed by the employee and they shall be subject to disciplinary action.

Cell Phone Use

Use of an employee's personal phone during work is unprofessional and should be kept to a minimum. This includes phone calls, text conversations, personal emails, and social media. It is the Township's expectation that employees use their personal phones sparingly outside of their break times and lunch breaks.

Certain employees have been afforded the right to receive cell phone reimbursement for use of their personal cell phones for work-related use. This includes but not limited to: phone calls, text messages, e-mails, data and mobile business applications within working and non-working hours.

Remote Work

The Township understands that circumstances may arise in which it is necessary for an employee to work remotely. Employees are limited to two (2) days per month, which must be approved in advance by a supervisor. Employees may request remote work time through Primepoint via a "time-off" request.

Employees are expected to perform their duties during remote work in the same manner that they would perform those duties at their typical job site. Employees are also required to clock in and clock out and keep a remote work log with entries of all projects worked on, reports generated by Township software, user activities and e-mail log correspondence. Directors/Supervisors should be consulted regarding the appropriate log format.

In the event of an emergency situation due to unforeseen circumstances (i.e., snowstorm) where the Township allows employees to work remotely due to the event, employees should not request

"Remote Work" in Primepoint, but rather clock in/out as normal. Supervisors who approve timesheets are responsible for noting the remote work allowance on the employee's timesheet.

If you have been approved for remote work on any given day, it is imperative that you as the employee keep accurate logs of work performed which you may need to provide. Directors should work with their various departments to identify the types of acceptable logs based on the work and/or programs used.

Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt operations. In extreme cases, these circumstances may require the closing of a work facility. When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available leave time such as unused vacation benefits.

In the event an emergency closing overlaps with pre-approved vacation time, employees are expected to utilize their vacation time as planned.

Due to the nature of numerous Township services, many employees perform essential operations during emergencies and will be expected to work on a day when other office operations are officially closed. In these circumstances, employees who work will receive regular pay. If you are in doubt about your work status in such event, you are encouraged to confer with your Director/Supervisor before an emergency occurs.

Section Five: Workplace Conditions

Workplace Reporting

The Township is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from North Brunswick supervisors and management.

If a situation occurs wherein an employee or employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to confer with their union representative or, if not represented by a union, make use of the following steps. The employee may discontinue the procedure at any step:

1. Employee presents problem to their immediate supervisor after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present their problem directly to their department head.
2. Supervisor responds to problem during discussion or after consulting with appropriate management, when necessary. Supervisor will document the discussion.
3. Employee presents problem to Director if problem is unresolved.
4. Director counsels and advises employee, assists in putting problem in writing, visits with employee's manager(s), if necessary, and directs employee to Business Administrator for review of problem.
5. Employee presents problem to Business Administrator in writing.
6. Business Administrator reviews and considers problem. Business Administrator informs employee of decision and forwards copy of written response to the department head, employee supervisor, and a copy will be placed in the employee's file. The Business Administrator has full authority to make any adjustment deemed appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure everyone's job security.

Discrimination, Sexual Harassment, and Other Unlawful Harassment

The Township is committed to providing a work environment that is free from all forms of discrimination. The Employer will not tolerate harassment of or by employees towards anyone, including any supervisor, co-worker, or non-employee, including vendors and citizens.

Applicability: this policy applies to all people employed by the Employer, as well as volunteers working on behalf of the Township, and prohibits such conduct by or towards all such employees/volunteers. Independent contractors, vendors and all other parties, engaged in a professional business relationship with the Township are also expected to abide by the policy. In addition, no employee shall be required to withstand behavior from the public which violates this policy.

Purpose: This policy is designed to ensure all employees a work environment free of any type of discrimination based upon a protected status, including freedom from sexual harassment. The

purpose of this policy is to inform employees that harassment based upon a protected status is prohibited, to educate employees about harassment based upon a protected status and to provide employees with a procedure to bring complaints to management's attention.

Provisions: All employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The Employer prohibits any form of harassment or discrimination related to an employee's protected group status, including 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), atypical hereditary cellular or blood trait, pregnancy, breastfeeding, childbirth, 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. Harassment includes, but is not limited to:

- Treating an individual less favorably based on a person's protected group status;
- Using derogatory or demeaning slurs to refer to a person's protected group status;
- Calling another by an unwanted nickname which refers to one or more protected group statuses, or telling ethnic jokes that harass an employee or create a hostile work environment;
- Using derogatory references regarding a protected group status in any job-related communication;
- Engaging in threatening, intimidating, or hostile acts, in the workplace, based on a protected group status; or
- Displaying or distributing material in the workplace that contains language or derogatory or demeaning images, based on any protected group status.

Any form of harassment or discrimination related to an employee's protected group status violates this policy. A hostile work environment can arise not only from conduct at the workplace, but can also arise from conduct occurring in a work-related context outside of the workplace (i.e., virtually or off-site) and conduct occurring in a non-work-related context (i.e., through private phones, computers, or social media accounts) when that conduct impacts the workplace.

This policy applies to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, compensation, fringe benefits, working conditions and career development. Violations of this policy will result in appropriate disciplinary action up to and including termination of employment.

Sexual Harassment

The Employer prohibits sexual harassment of its employees in any form. Such conduct shall result in appropriate disciplinary action up to and including dismissal from employment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct, gestures or communications, expressed or implied, of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or
- That conduct or communication has the purpose or effect of substantially or unreasonably

interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.

Prohibited Conduct: No supervisory employee shall threaten or insinuate either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment, advancement, or any other condition of employment. Similarly, no supervisory employee shall promise or suggest either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment for the employee.

Other sexually harassing conduct in the workplace, whether committed by supervisory or non-supervisory personnel is also prohibited. This includes, but shall not be limited to:

- Sexual flirtations, advances, propositions, subtle pressure for sexual activity, flirtatious whistling, discussing sexual activities;
- Verbal abuse of a sexual nature including sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, and foul or obscene language or gestures;
- The display of sexually graphic pictures or pictures of an offensive nature, or objects in the workplace, including sexually suggestive written material such as letters, notes, facsimiles, text messages and e-mails;
- Any unwelcome sexually motivated touching, including, for example, patting, pinching, hugging, cornering, blocking or impeding movement and repeated brushing against another employee's body.

Sexual harassment also occurs when one person harasses another solely because of the victim's gender. This type of sexual harassment may involve unwelcome sexual demands or overtures, but it may also take the form of other harassing conduct not necessarily sexual in nature. For example, this would include gender stereotyping such as comments about the lesser abilities, capacities, or the "proper role" of females. It also includes subjecting a woman or a man to non-sexual harassment solely because of her or his gender. Sexual harassment is prohibited whether the harasser is male or female, and whether the harassment is opposite sex or same-sex harassment.

Privacy: To the extent possible, all persons involved in a harassment complaint will be given the utmost protection of privacy. Specifically, the Employer will strive, both during and after the investigation, to maintain confidentiality to the fullest extent possible, including confidentiality of the identities of all persons involved or alleged to be involved in the incident, revealing only those particulars of the matter to the extent necessary for a thorough investigation. Any employee who unnecessarily compromises the confidentiality of an investigation will be subject to appropriate discipline.

Legal Effect: This Policy Against Harassment is to be construed as a unilateral expression of the policy of the Employer concerning harassment in the workplace. It is not intended to create any contractual rights or duties and any such intention or effect is hereby disclaimed. This policy may be amended, supplemented, modified and/or revised at any time. Any employee with questions regarding the Employer's Policy Against Harassment should contact the Business Administrator or designee.

Quid Pro Quo Harassment

May include unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct based on the gender of the affected employee when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of employment; or (b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions.

It shall be a violation of this Policy for any person to use their authority to make any sexual advance towards an individual whom the person is authorized to make, recommend or otherwise influence personnel actions; to grant, recommend, or refuse to take personnel action on the basis of an employee's gender or sexual orientation or in exchange for sexual favors; or to take or fail to take a personnel action as reprisal against an employee for rejecting or reporting a sexual advance. Sexual advances or requests for sexual favors can be in the form of either expressed or implied comments, writings or actions.

Hostile Work Environment

May include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Other Harassment

For the purposes of this Policy, other harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, creed, color, national origin, ancestry, age, pregnancy, religion, gender, disability, marital status, affectional or sexual orientation, veteran status, domestic partner status, genetic information, atypical hereditary cellular or blood trait, pregnancy, breastfeeding, childbirth, or any other legally protected classification.

Examples of prohibited behaviors that may constitute discrimination/harassment include, but are not limited to:

- Discriminating against an individual with regard to terms and conditions of employment because of that individual's race, gender, age, pregnancy, religion, disability, affectional or sexual orientation, place or origin, or their ancestor's place of origin. Treating an individual differently because of marriage to or association with persons of a racial, religious or national origin group; or due to membership in or association with an organization identified with the interests of a racial, religious or national origin group; or because an individual's name or spouse's name is associated with a racial, religious or national origin group.
- Using epithets or slurs; mocking; ridiculing or mimicking another's culture, accent, appearance or customs; threatening, intimidating or engaging in hostile or offensive acts that focus on an individual's race, creed, color, national origin, ancestry, age, pregnancy, religion, gender, including gender identity or expression, disability, marital status, affectional or sexual orientation, veteran status, domestic partner status, genetic information, atypical hereditary cellular or blood trait or any other legally protected classification, including jokes and pranks; the displaying on walls, bulletin boards or elsewhere on Township premises, or circulating in the workplace, written or graphic material that denigrates or shows hostility or aversion towards a person or group because of race, creed, color, national origin, ancestry, age, religion, gender, disability, marital status, affectional or sexual orientation, veteran status, domestic

partner status, genetic information, atypical hereditary cellular or blood trait or any other legally protected classification.

- Calling another by an unwanted nickname, which refers to one or more of the above characteristics, or telling ethnic jokes which create a hostile work environment. Using derogatory references regarding any of the above characteristics in any job-related communication. Engaging in threatening, intimidating, or hostile acts, in the workplace, based on the foregoing classifications.

Reporting Procedures

All employees are encouraged to report discrimination and/or harassment if they believe they are being harassed or if they observe the harassment of another. Notifying the appropriate personnel of any harassment problem is essential to the success of the process. All employees have the right to formally or informally report any and all statements, acts or behaviors by co-employees or supervisory personnel which are deemed or perceived by the affected employee to be an improper employment practice or to be a violation of this Policy.

The reporting of such wrongful acts should be to a supervisor, department head, or directly to the Business Administrator who is designated to receive discrimination complaints. Employees who lodge a complaint can be assured that their complaint will be taken seriously and will be promptly and thoroughly investigated.

All Employer employees should notify the alleged harasser that the behavior in question is thought to be offensive and unwelcome. However, failure to inform the alleged harasser that the behavior is unwelcome does not prevent the victim from filing a complaint pursuant to this policy. The harassment or discrimination does not have to occur on the Employer's property during regular work hours for an employee to file a complaint under this policy.

The Employer strongly encourages employees who witness conduct which they believe violates the Employer's Policy Against Harassment to report the violation pursuant to this complaint procedure. The Employer encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within sixty (60) days to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

Responsibility of Department Head(s) or Supervisors

In order to ensure the integrity of the work environment, supervisory personnel are required to ensure adherence to and compliance with this Anti-Harassment Policy. Upon observing or being informed of any form of harassment in violation of this Policy, department head(s) and/or supervisors are required to take appropriate immediate action in response, including investigating, taking appropriate remedial action and informing employees of their rights under this Policy and applicable laws. Failure to report or adequately address such harassment is violative of this Policy and will result in disciplinary action.

Anti-Harassment Officer

The Business Administrator or their designee (Personnel Officer) is hereby designated the Anti-Harassment Officer. Persons who, by reason of circumstances, are uncomfortable directing a complaint to their supervisor or department head may report the same to the Business

Administrator and/or Personnel Officer with whom the employee feels comfortable making the complaint, who will then bring the complaint to the appropriate authorities.

Contents of Complaints

All complaints will be reviewed, and prompt and appropriate remedial action will be taken to address any substantiated claim. All department head(s) or supervisors receiving claims of unlawful discrimination or harassment must immediately advise the Business Administrator or their designee of the complaint. In the event that the supervisor or department head is the subject of a complaint of discrimination/harassment, the complaint should be sent directly to the Business Administrator. All employees are expected to cooperate with investigations undertaken pursuant to this Policy. An initial complaint may be made orally or in writing. If the complaint is made orally, the individual to whom the complaint is made shall reduce the same to a written document which shall, if it is deemed accurate, be signed by the complainant. The complaint file must include the following information:

- The name and department of the complainant;
- The name and department of the charged party;
- The nature and circumstances, in detail, of the alleged harassment, including but not limited to, the injuries or consequences suffered by the complainant, the names of any witnesses to such actions and the duration of the actions in question; and
- Whether such harassment has been previously reported to a department head, supervisor or other person, and if so, when and to whom.

Nothing in this section shall prevent the complainant from providing such other information or documents he/she believes are essential to the fair adjudication of their complaint.

Investigation

All complaints will be investigated by the Business Administrator or their designee. All investigations of discrimination/harassment claims will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of all persons involved. The alleged harasser will be notified once a formal complaint is filed. A finding of no probable cause as a result of an investigation does not necessarily establish that an accusation was made in bad faith. However, this Policy shall not be used to intentionally bring frivolous or malicious charges against an employee. A harassment investigation shall be conducted in a timely manner and shall include, but not be limited to:

- Interviewing the complainant;
 - Interviewing all potential witnesses, including those persons who may have knowledge of similar incidents;
 - Interviewing the charged party;
 - Reviewing Township files for similar incidents involving the complainant and/or the charged party; and
 - Assessing the presence or absence of corroborative evidence for either party.
- The results of the investigation, along with a recommendation, will be forwarded to the Business Administrator to make a final decision as to whether a violation of the Policy has been substantiated.

Where discrimination/harassment is found to have occurred, the Township will take prompt and appropriate remedial action to stop the discrimination/harassment and deter its reoccurrence.

The remedial action taken may include counseling, training, intervention, mediation, and/or the initiation of disciplinary action. Any employee found to have violated this Policy may be subject to appropriate disciplinary action, which may include: reprimand, suspension (with or without pay), reassignment, demotion or termination of employment. Any disciplinary action shall be consistent with applicable collective bargaining agreements, regulations and applicable due process safeguards.

Upon completion of the investigation, the entire file shall be maintained in a secure location with the Employer. In the event that the Employer determines the complaint to be intentionally dishonest, appropriate disciplinary action may be taken against the employee who caused the complaint to be filed.

Confidentiality

To the extent possible, all complaints and investigations will be conducted in a manner to protect the confidentiality of the complainant, the alleged harasser and all witnesses. All parties involved in the proceedings will be advised to maintain strict confidentiality, from the initial meeting to the final decision, to safeguard the privacy and reputation of all involved. However, anonymity and confidentiality cannot always be guaranteed if a proper investigation is to be carried out and, where appropriate, action is to be taken against the alleged wrongdoer.

No Retaliation

It shall be a violation of this Policy for any employee to take reprisals against any person because she/he has filed a complaint, testified or assisted in any proceedings in this Policy. Threats, other forms of intimidation and/or retaliation against the complainant or any other party based on involvement in the complaint process may be cause for disciplinary action. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint pursuant to this Policy, even if the investigation ultimately produces insufficient evidence to support the complaint.

Training

The Employer recognizes the need to reinforce its policies with effective training. Training is to be provided to all supervisory and non-supervisory employees. Ultimately, the goal of effective training is to build a culture in which all employees feel safe. Training may be conducted in person or through electronic means. To the extent economically and operationally feasible, training should be conducted live whenever possible. Training should empower participants to intervene appropriately when they witness harassment or discrimination. This means not only training participants on the requirements of the policy prohibiting harassment and discrimination, but also training participants on tools for response and lodging complaints. Training should emphasize the negative impact of harassment and discrimination on employees, workplace productivity, workplace culture, and encouraging those employees who either experience harassment/discrimination or witness it to report it.

The Employer acknowledges the importance of ensuring that employers' policies and procedures are actually working as intended to prevent sexual harassment and other forms of discrimination from occurring in the workplace. It is the expectation of the Employer that all supervisors shall enforce anti-harassment policies and that setting the proper example is part of their job description and part of the evaluation of their job performance. The Employer will engage in

proactive efforts to monitor and ensure compliance with its policies within their workplaces.

Workplace Violence Prevention

The Employer has adopted this Zero Tolerance Policy for workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect the Employer, its employees or which occur on the Employer's property will not be tolerated. The Township is committed to preventing workplace violence and to maintaining a safe work environment. The purpose of this Policy is to make certain that employees are not subject to violent conduct and to maintain a safe workplace.

Threats or Acts of Violence Defined: "Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions with the Employer, or to create a hostile, abusive, or intimidating work environment for one or more employees.

General examples of prohibited workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on Employer property, regardless of the relationship between the Employer and the parties involved in the incident.
- All threats or acts of violence not occurring on Employer property but involving someone who is acting in the capacity of a representative of the Employer.
- All threats and acts of violence not occurring on Employer property involving an employee of the Employer if the threats or acts of violence affect the legitimate interest of the Employer.
- Any threats or acts resulting in the conviction of an employee or agent of the Employer, or of an individual performing services on the Employer's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the Employer.

Specific examples of conduct which may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to:

- Hitting, fighting, pushing, or shoving an individual or throwing objects;
- Threatening to harm an individual or his/her family, friends, associates, or their property;
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the Employer;
- Making harassing or threatening telephone calls, letters or other forms of written or electronic communications;
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the Employer;
- Harassing surveillance, also known as "stalking," the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety;
- Making a suggestion or otherwise intimating that an act to injure persons or property is "appropriate," without regard to the location where such suggestion or intimation occurs;
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Employer property.
- While employees of the Employer may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as

authorized by law, employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

Application of Prohibition: The Employer's prohibition against threats and acts of violence applies to all persons involved in the Employer's operation, including but not limited to Employer personnel, volunteer, contract and temporary workers, and anyone else on Employer property. Violation of this policy by any individual on Employer property, by any individual acting as a representative of the Employer while not on Employer property, or any individual acting off of the Employer property when his or her actions affect the public interest or the Employer's business interests will be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination.

Procedures for Dealing with Acts of Workplace Violence: If a violent act or altercation constitutes an emergency, call 9-1-1 or the local police department. In instances that are not emergency situations, contact your direct Supervisor, Department Head or the Personnel Officer. If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or if it would be too dangerous for the employee to separate the parties, call 9-1-1 or the local police department, and contact your direct Supervisor, Department Head or the Personnel Officer. The Department Head will contact the Personnel Officer, who will take responsibility for coordinating a response to the incident. In instances that involve criminal situations, the Personnel Officer will contact the appropriate local police department for assessment, and if necessary, a criminal investigation.

Employee Reporting Obligations and Procedure: Each employee and every person on Employer property is encouraged to report incidents or threats or acts of physical violence of which he or she is aware. In cases where the reporting individual is not an employee, the report should be made to the local police department. In cases where the reporting individual is an employee, the report should be made to the employee's Department Head or the Personnel Officer. Each Department Head shall promptly refer any such incident to the Personnel Officer.

The Employer will promptly and thoroughly investigate all reports of threats of (or actual) violence and/or suspicious individuals or activities. Any individual determined to be responsible for conduct in violation of this policy will be subjected to disciplinary action up to and including termination of employment, arrest and prosecution. Nothing in the policy alters any other reporting obligation established in the Employer's policies or in state, federal or other applicable law.

Confidentiality and Retaliation: This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort to the extent practicable will be made to protect the safety and identity of anyone who comes forward with concerns about a threat or act of violence. Employees shall refer any questions regarding his or her rights and obligations under the policy to the designated human resources official.

If an employee believes that this Policy has been violated in any way, you should immediately report such conduct to your supervisor. If you feel uncomfortable bringing the matter to your supervisor, or if your supervisor is thought to be involved in violating this Policy, you may contact the Office of the Business Administrator. The Township will treat the matter confidentially, to the extent possible under the circumstances. Please note that an employee need not be the actual

target of violent conduct to bring any matter to the attention of a supervisor or the Business Administrator.

Further, all suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself or others in peril.

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

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

Whistleblower

As a matter of policy, the Employer abides by all federal, state, and local laws, rules, and regulations applicable to it and has all its employees do the same. Every employee is responsible for assisting the Employer to implement this policy.

In the ordinary course, a violation of this policy should be reported to an employee's Department Head in writing, signed by the employee. If that is not practical or if that action is taken but does not prevent or correct the perceived violations, the employee is to deliver a written statement, signed and dated to the designated human resources official. The written statement should detail the specific information the employee possesses so that the Employer may undertake an investigation.

The Employer or any of its employees will not retaliate against any employee who makes a good faith report pursuant to this policy, even if an investigation reveals that no violation occurred. More specifically, neither the Employer nor any of its employees will take any retaliatory action or tolerate any reprisal against an employee who:

- Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the Employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
- Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the Employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation; hearing or inquiry into quality of patient care;
- Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the

- employer or any government entity;
- Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the Employer or any governmental entity.
- Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes: (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care; (2) is fraudulent or criminal; or (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. See N.J.S.A. 34:19-3.

Disclosure to the Employer first, however, is not required where:

- the employee is reasonably certain that the violation is known to one or more officials;
- the employee reasonably fears physical harm; or
- the situation is emergent in nature.

The employee must give the Employer a reasonable opportunity to correct the activity, policy or practice. It is the Employer's responsibility to correct or prevent such violations. This is a legal obligation and a practical necessity. A violation can taint the credibility of the Employer and cause the Employer and its employees to be subjected to adverse publicity leading to public distrust.

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

Security Inspections

The Township is dedicated to maintaining a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the Township prohibits the possession, transfer, sale, or use of such materials on its premises. The Township requires the cooperation of all employees in administering this Policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the Township. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the Township at any time, either with or without prior notice.

Further, any employee may be asked to consent to such inspections, including, but not limited to, emptying the contents of any item or locked container, or opening the trunk or any compartment of an automobile parked on the Township's premises. Such consent is a condition of continued employment.

The Township likewise wishes to discourage theft or unauthorized possession of the property of employees, the Township, visitors, and residents. To facilitate enforcement of this Policy, the Township or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Township's premises.

Township Right to Search

Workplace monitoring may be conducted by the Township to ensure quality control, employee safety, security, and customer satisfaction.

Computers, vehicles, and equipment furnished to employees are the property of the Township. As such, computer usage and files may be monitored or accessed, as may vehicles and/or any equipment issued or accessible to an employee.

North Brunswick may also conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

If a grievance is filed, or a disciplinary hearing is to be held, employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legal reason to protect confidentiality or an ongoing investigation.

Drug and Alcohol Use

The Township prohibits the consumption, use, possession, distribution, or sale of alcohol, cannabis, or illegal drugs while on the job. Further, no employee may report to work under the influence of alcohol, cannabis, or illegal drugs. Any indication of consumption, intoxication, possession, distribution or sale of alcohol, cannabis or illegal drugs by any employee is a violation of the Township's Policy.

The Township also prohibits the use of prescription drugs if it impairs the employee's ability to perform the essential functions of the job effectively or in a manner that endangers other individuals in the workplace.

Violations of this Policy may lead to disciplinary action, up to and including immediate termination of employment, and/or participation in a substance abuse rehabilitation or treatment program.

Information on an Alcohol and Drug-Free Workplace can be explained in detail in the separate policies in regard to Non-CDL and CDL drivers.

Employees Excluded from this Policy

The United States Department of Transportation ("USDOT") requires the testing of applicants for positions, which require a Commercial Driver's License ("CDL"). For those employees required to hold a CDL, the USDOT requires an employer to identify persons who improperly consume alcohol, cannabis, or use illegal drugs either on or off the job.

Drug Testing

The Township utilizes pre-employment drug testing, reasonable suspicion testing, post-accident testing, and follow-up testing. Drug testing will be conducted through urinalysis, while alcohol testing will be conducted through breath or saliva testing. Testing will be conducted by an independent medical facility chosen by the Township.

If an employee receives a positive drug test result, the employee can request a second drug test at the employee's own cost. If the results of a second test conflict with the first, the Township will

schedule a third and final test at a mutually agreed on independent medical lab. All parties will be bound by the result of the third and final test. Both parties will share the cost of the third and final test.

Applicants and employees subject to the testing must, prior to testing, sign an approved form agreeing to the testing, authorizing the release of test results to the Office of the Business Administrator and authorizing the disclosure of the results to any other person deemed necessary for the safety and welfare of the other employees and residents of the Township.

Each employee will have the opportunity, prior to testing, to list all prescription and non-prescription drugs and controlled substances they have used and explain the circumstances surrounding such use.

Pre-Employment Drug Testing

All job applicants for positions with the Township will undergo testing for the presence of illegal and/or unprescribed drugs as a condition of employment. Any applicant with a confirmed positive test result will be denied employment. The Township will not discriminate against applicants for employment because of a past history or alcohol/drug abuse. The Township will cover the cost of pre-employment testing.

Reasonable Suspicion Testing

It shall be a condition of employment for all employees to submit to alcohol and/or drug testing when there is reasonable suspicion to believe that an employee is under the influence of alcohol or cannabis, using illegal drugs, or abusing prescription medications. The Township will cover the costs of reasonable suspicion testing.

Reasonable Suspicion Testing for Cannabis

"Reasonable suspicion" refers to a belief, based on specific and articulable facts that an employee is under the influence of drugs or alcohol. Signs of reasonable suspicion may include, but are not limited to:

- Odor of alcohol or drugs
- Slurred speech or incoherent communication
- Impaired coordination or inability to perform job functions
- Drowsiness or lethargy
- Unusual behavior, such as aggression or withdrawal
- Frequent absences or tardiness without a reasonable explanation

Procedure:

Observation: Supervisors and managers should document their observations and any specific behaviors that raised suspicion. If possible, the behavior should be observed by two supervisors and or managers.

Reporting: Employees or supervisors may report their concerns to designated HR personnel or a manager. Reports should be made promptly and include as much detail as possible.

Assessment: If reasonable suspicion is established, the employee may be removed from the work area to discuss the situation privately. It is mandatory for two supervisors or a supervisor and an HR representative to be present during the assessment to ensure objectivity and fairness.

Evaluation: The employee may be asked to submit to a drug or alcohol test. Testing will be conducted in accordance with applicable laws and regulations. Employees will be informed of the testing procedures and their rights.

Confidentiality: All information regarding reasonable suspicion investigations will be handled confidentially. Access to such information will be limited to those who need to know to respond to the situation.

An employee using medical marijuana and testing positive for cannabis on a drug test will have the opportunity to present a legitimate medical explanation for the positive test result within three days of receipt of the positive result. As part of the employee's explanation for the positive test result, the employee may present an authorization for medical cannabis issued by a health care practitioner, proof of registration with the Cannabis Regulatory Commission, or both.

In compliance with New Jersey law, an employee will not be subject to any adverse employment action based solely on account of the presence of cannabinoid metabolites detected through a drug test. The Authority will rely upon the drug test combined with evidence-based documentation of physical signs or other evidence of impairment during an employee's scheduled work hours.

Post-Accident Testing

It shall be a condition of employment for all employees to submit to alcohol and/or drug testing when an employee is involved in an on-the-job accident where personal injury or damage to the Township occurs. This shall be set at the discretion of the department head, or their designee. The Township shall cover the cost of post-accident testing.

CDL Drivers

Post-accident drug and alcohol testing for employees with CDLs shall be in accordance with § 382.303, as created by the Federal Motor Carrier Safety Administration.

Non CDL Drivers

Post-accident drug and alcohol testing for employees with non-CDLs shall be in accordance in the same manner as above.

Follow-Up Testing

It shall be a condition of employment for all employees to submit to alcohol and/or drug testing where employment has been conditioned upon remaining alcohol or drug free following treatment. The Township shall cover the cost of follow-up testing.

Refusal to Test

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

Smoking / Vaping

In accordance with State law, it is the Policy of the Township to prohibit smoking in all Township buildings and all Township vehicles. This Policy applies equally to all employees, customers, and visitors. Smoking includes but is not limited to cigarettes, cigars, e-cigarettes, and vapes.

Employees are permitted to smoke only outside Township buildings in such locations as not to allow the re-entry of smoke into building entrances. This Policy shall be strictly enforced. Notice may be given to employees who violate this Policy, and disciplinary action may follow.

Workplace Injury and Safety

The Employer endeavors to provide a safe and healthy work environment for all employees and shall comply with the requirements of the Public Employees Occupational Safety and Health Act ("PEOSHA") The Employer is equally concerned about the safety of the public. Prevention of injury and illness in the workplace requires the cooperation of all employees in all safety and health matters. It is the Policy of the Township to reduce the number of workplace injuries and illnesses to an absolute minimum. Accidents can be prevented through use of reasonable precautions and the practice of safe working habits.

Any occupational or unsafe public condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving the Employer's facilities, equipment, or motor vehicles must also be immediately reported to the supervisor or Department Head and the Chief Administrative Officer. Failure to do so constitutes grounds for disciplinary action. Employees are encouraged to discuss safety concerns with supervisory personnel.

Trainings

The Township provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications. An Employee Safety Committee composed of representatives from various departments throughout the organization has been established to help monitor North Brunswick's safety program and to facilitate effective communication between employees and management about workplace safety and health issues.

Effective February 2024, the Township has also adopted the Central Jersey Joint Insurance Fund's Safety Incentive Program to establish a safe, healthy, and pleasant environment for all employees.

Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Employee Responsibilities

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including, termination of employment.

Injury Reporting

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. The Supervisor shall then notify the Business Administrator's office and provide the correct paperwork and documentation for formal submittals to insurance. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

Contagious/Life Threatening Illness Policy

The Employer is committed to providing and maintaining a healthy and safety work environment which allows all employees to perform their jobs in a safe and productive manner. The Employer respects the dignity and worth of every employee through its Equal Opportunity Employment statement, which explains its policy and practice with respect to prohibiting discrimination in every phase of employment. The Employer provides support for individual employees who may be facing the trauma of a life-threatening or catastrophic illness. The purpose of this policy is to support the physical and emotional health of all employees, minimize disruptions of productivity and morale caused by the presence of a worker with a life-threatening illness, and demonstrate the Employer's continued commitment to its affirmative action goals related to physically disabled employees.

If an employee has learned that he or she has a contagious or life-threatening illness, including but not limited to HIV/AIDS, the employee should take all steps to protect further spread of the disease or illness. When appropriate, the employee's Department Head should be notified of any illnesses that may affect the health, safety, and welfare of any co-employee or member of the general public. Employees with such conditions, who are able to meet appropriate standards and whose continued employment does not pose a threat to their own health and safety or that of others, are assured equal employment opportunities and reasonable accommodations in their employment. If an employee is able to work, he or she is expected to be productive. If the individual cannot work, then he or she may be eligible for disability benefits.

Consistent with the concern for employees with life-threatening illness, the Employer offers the following resources through the human resources official:

- Employee education and information on terminal illnesses and specific life-threatening illnesses.
- Referral to agencies and organizations which offer supportive services for life-threatening illnesses.
- Consultation in assisting employees in efficiently managing health, leave and other benefits. The Employer encourages employees who need these resources to contact the human resources official.

Section Six: Employee Benefits

Eligible employees with the Township are provided various benefits, listed below:

- Holidays
- Family and Medical Leave
- Sick/Vacation/Personal Leave
- Bereavement Leave
- Military leave
- Jury Duty Leave
- Health Insurance
- Prescription Coverage
- Dental Insurance
- Workers Compensation Insurance
- Employee Assistance Program
- 457(h) Savings Plan
- Continuing Education & Conferences

Some benefits may require contributions from employees. Where any collective bargaining agreement contradicts the benefits provided herein, the collective bargaining agreement shall control.

Holidays

The Township will observe the following holidays for all provisional and permanent full-time and part-time employees:

- New Year's Day (January 1st or as observed)
- Martin Luther King, Jr. Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day (July 4th or as observed)
- Labor Day
- Columbus Day / Indigenous Peoples Day
- Election Day
- Veteran's Day (November 11th or as observed)
- Thanksgiving
- Day after Thanksgiving
- Christmas (December 25th or as observed)

The Township reserves the right to change or delete the holidays set forth above.

Weekend Holidays: If a paid holiday falls on a Sunday, it will be observed on the following Monday. If a paid holiday falls on a Saturday, it will be observed of the preceding Friday.

This policy is not intended to conflict with the collective bargaining agreement between the Township and its unionized employees. If there is a conflict between this manual and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented employees.

Family and Medical Leave

The Township shall provide family and medical leave in accordance with the federal Family and Medical Leave Act ("FMLA") and the New Jersey Family Leave Act ("NJFLA"). The Township will comply with requirements of the New Jersey and Federal Family Leave laws. The laws have similar and different provisions that may provide different rights and obligations for the employee and/or the Township. The employee shall be afforded the most favorable rights if there is a conflict in the rights afforded to the employee under the laws.

Permanent full-time employees are eligible to request family leave. FMLA and NJFLA provide only job protection for up to the twelve (12) weeks. It is not a paid leave policy. Employees may use their accrued time while out on FMLA or NJFLA. The Township does not participate in the New Jersey Short Term Disability Program but employees may opt to enroll in a voluntary benefits program that offers similar benefits.

If an employee's leave will surpass twelve (12) weeks, they may request a personal leave extension with the Personnel Officer.

Family Medical Leave Act "FMLA"

In accordance with the federal Family and Medical Leave Act ("FMLA"), the Employer provides eligible employees with up to twelve (12) weeks of unpaid medical and family leave during any twelve (12) month period and up to twenty-six (26) workweeks to care for a Covered Service member. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position. The following outlines employees' rights and obligations under the FMLA and the Employer's policies implementing the FMLA.

Leave Available: Eligible employees may take up to a total of twelve (12) weeks of unpaid leave during any twelve (12) month period for any one or more of the following reasons:

- The birth, adoption or placement for foster care of the son or daughter of an employee, and to care for such child;
- A serious health condition of a spouse, son, daughter or parent of an employee if the employee is needed to care for such family member; or
- A serious health condition of an employee that makes an employee unable to work. Generally, the incapacity must result in the employee's inability to work for more than three (3) consecutive days (although there are certain exceptions to this rule);
- Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is a member of the Regular Armed forces, National Guard or Reserves on active duty status during the deployment to a foreign country, and or has been notified of an impending call to active duty status as such in support of a contingency operation.

In addition, eligible employees who are either spouse, son, daughter, parent or next of kin of a Covered Servicemember shall be entitled to a total of twenty-six (26) workweeks of unpaid leave during a single twelve (12) month period to care for the Covered Servicemember. During this single twelve (12) month period, an eligible employee who qualifies for leave to provide care for the Covered Servicemember shall be entitled to no more than a combined total of twenty-six (26) workweeks of leave.

Definitions:

"Covered Servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, or a recent veteran who has been discharged, other than dishonorably, within the five years preceding the family member's initial request for leave, who has a serious injury or illness who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious

injury or illness.

"Eligible Employee" means an individual who has been employed by the Employer for at least twelve (12) months, has worked at least 1,250 hours during the preceding twelve (12) month period, and is employed at a worksite with at least fifty (50) employees within seventy-five (75) miles of that worksite.

"Next of kin" means the nearest blood relative of the individual.

"Qualifying Exigency" covers a number of broad categories of reasons and activities, including short notice deployment to a foreign country, military events and related activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities agreed to by the employer and the employee.

"Serious Health Condition" means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. It generally includes a period of incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term health condition, or restorative or preventive treatment.

"Serious Injury or Illness" means an injury or illness incurred by a Covered Servicemember in the line of duty or on active duty in the Armed Forces, National Guard of Reserves, incurred in the line of duty on active duty or whose pre-existing condition has been aggravated by his/her active duty service, that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank or rating.

Eligibility: Any employee who has been employed by the Employer for twelve (12) months or more and worked 1,250 hours or more in the twelve (12) month period preceding the first day of the requested leave may be eligible for an unpaid leave of absence of up to twelve (12) weeks during any twelve (12) month period.

Leave to care for a child after birth, adoption, or foster care must conclude within twelve (12) months of the child's birth or placement. If both spouses work for the Employer, they may only take a total of twelve (12) weeks between them during the twelve (12) month period in order to care for a child after birth, adoption, or foster care or to care for a parent with a serious health condition and a combined twenty-six (26) weeks in a single twelve (12) month period for military caregiver leave or a combination of military caregiver leave and other FMLA qualifying reasons. Each spouse may be entitled to additional leave for other qualifying reasons under the FMLA, such as the employee's own illness or for the serious illness of the employee's child.

Notice: When the leave is foreseeable, at least thirty (30) days' advance notice to the Employer, in writing, is required. If thirty (30) days' notice cannot be provided, as much notice as is practical should be provided. Failure to give reasonable notice may delay the availability of the leave.

Certification: Where leave is taken to care for a family member with a serious health condition or because of the employee's own serious health condition, medical certification is required and periodic recertification may be required. In addition, where the leave is taken because of the employee's own serious health condition, a certification of fitness to return to work will be

required.

The Employer, at its expense, may require an examination by a second healthcare provider designated by the Employer. If the second healthcare provider's opinion conflicts with the original medical certification, the Employer, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

For military exigency leave, an employee may be required to provide certification that the covered military member is a member of the regular Armed Forces, National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation, as well as certification from the employee about the nature and details of the specific exigency, the amount of leave needed, and the employee's relationship to the military member. For military caregiver leave, the employee may be required to provide information from the health care provider and employee and/or Covered Servicemember to support such leave.

Failure to provide requested documentation may result in denial of leave: The Employer may attempt to clarify or authenticate the certification or may require additional certifications to support the need for leave. When leave is taken to care for a family member, the Employer may require the employee to provide documentation or a statement of family relationship (e.g., birth certificate or court document) and proof of the need to care for the family member.

Utilization of Paid Leave: Generally, FMLA leave is unpaid. However, depending upon the circumstances, employees may be entitled to receive short-term disability, workers' compensation benefits, paid family leave benefits, or other state-sponsored wage replacement benefits which pay a portion of normal compensation. These benefits will run concurrently with the employee's unpaid leave. An employee who is eligible for these benefits may also choose to use accumulated paid leave during their approved unpaid leave. Employees may not receive more than 100% of salary at any time. An employee will be required to use any available accumulated paid leave concurrently with the employee's FMLA leave.

Coordination with other Leave Policies: The period of time attributable to the employee's absence due to any workers' compensation, disability, or sick leave, will be counted against available leave under this policy to the extent permitted by law. In the event that additional family, medical or sick leave is available pursuant to state laws, this leave will also run concurrently with FMLA leave to the extent permitted by law.

Intermittent Leave When medically necessary, leave taken because of a serious health condition of an employee or family member or to care for a Covered Servicemember may be taken on an intermittent or reduced work schedule basis. The employee and employer shall attempt to work out a schedule for such leave that meets the employee's needs without unduly disrupting the employer's operations, subject to the approval of the employee's health care provider. The Employer may require an employee taking intermittent or reduced work schedule leave to transfer temporarily to an alternative position with equivalent pay and benefits that is better suited to the leave schedule.

Employment and Benefits Protection: During the leave, health benefits will continue for up to

twelve (12) weeks in each rolling twelve (12) month period under the same conditions as if the employee continued to work. Employees must, however, pay the same amount for any benefits continued as they do prior to the leave. Other benefits, if any, will continue during the leave under the same conditions as if the employee continued to work. If paid leave is substituted for unpaid FMLA leave, the Employer will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's FMLA leave is unpaid, the employee must pay his/her portion of the premium in accordance with a payment method that is devised and mutually agreed upon between the employee and the Employer.

Employees should consult with their direct supervisor and/or Department Head and the Personnel Officer prior to taking an approved leave. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums. With regard to the employee's contribution portion of his/her health benefits pursuant to Chapter 78, P.L. 2011 and any voluntary supplemental benefits that the employee may have, the employee is solely responsible for making payment arrangements with the Employer or for any voluntary benefits, to the respective insurance company. Your healthcare coverage may cease if your premium payment is more than thirty (30) days late. With regard to any pension contribution that you may have, you must contact the Personnel Officer to make payment arrangements concerning contributions or credits paid toward your pension benefits. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums.

Before returning to work following a medical leave (except for intermittent or reduced schedule leave) due to the employee's own serious health condition, the employee will be required to present a fitness for duty certification from his/her health care provider that he/she is medically able to resume work. If the date on which the employee is scheduled to return to work from FMLA leave changes, the employee is required to give notice of the change, if foreseeable, to the Employer within two (2) business days of the change.

Subject to some exceptions, most employees will be returned to the position they left or to a position equivalent in pay, benefits and other terms of employment. Individuals identified as "key employees" (the highest paid 10% of salaried employees at the work site or within a seventy-five (75) mile radius of that work site) at the beginning of their leave may not be returned to their former or equivalent position if restoration will cause substantial economic injury to the Employer. Employees will be informed of their key employee status at the beginning of the leave period.

A failure to return from FMLA leave for reasons other than the employee's own serious health condition may result in termination of employment. In the event that an employee cannot return to work at the end of FMLA leave due to a continuation of his/her own serious health condition, they must contact the Employer before the expiration of the leave to discuss their options under state and federal law. State leave laws may provide additional leave similar to that provided under the FMLA. The Employer will comply with these state law provisions to the extent they provide for more generous benefits. State leave law benefits will run concurrently with FMLA benefits to the extent permitted by law.

More information: <https://www.dol.gov/agencies/whd/fmla>

New Jersey Family Leave Act "NJFLA"

The Employer provides eligible employees with up to twelve (12) weeks of unpaid, job-protected leave for specified family reasons under the New Jersey Family Leave Act (NJFLA).

Eligible Employees: To be eligible for NJFLA leave, an employee must have worked at least twelve (12) months for the Employer and have worked at least 1,000 hours for the Employer over the previous twelve (12) months.

Qualifying Reasons for Leave: An employee may take NJFLA leave to care for:

- A newly born or adopted child or a child placed into foster care with the employee, but the leave must start within twelve (12) months of the birth of the child or the placement of the child.
- A family member (sibling, grandparent, grandchild, child, spouse, domestic partner, civil union partner, parent-in-law, or parent of a covered individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) with a serious health condition.
- In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
 - i. requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
 - ii. prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or
 - iii. results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

Leave taken to care for a newly born or adopted child or a child placed into foster care with the employee may be consecutive or intermittent and must begin by the end of the twelve (12) month period after the birth or placement for adoption or foster care.

Leave Benefits: An employee may take up to a maximum of twelve (12) weeks of NJFLA leave in a twenty-four (24) month period, which is measured as a rolling twenty-four (24) month period that commences with the first day of NJFLA leave taken.

You may take NJFLA leave to care for a seriously ill family member:

- As a single block of time.
- By reducing your normal work schedule for no more than twenty-four (24) consecutive weeks in a twenty-four (24) month period.
- Intermittently, when medically necessary.

Employees permitted to take intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Employer's operations. The total time within which an intermittent leave is taken may not exceed a twelve (12) month period, if such leave is taken in connection with a single serious health condition.

Intermittent leaves taken in connection with more than one serious health condition episode must be taken within a consecutive twenty-four (24) month period, or until such time as the employee's twelve (12) week family leave entitlement is exhausted, whichever is shorter. An employee taking a family leave on a reduced leave schedule shall not be entitled to such leave for more than a consecutive twenty-four (24) week period. An eligible employee shall be entitled to only one leave on a reduced leave schedule during any consecutive twenty-four (24) month period. Any remaining family leave to which the employee is entitled subsequent to the expiration of a leave taken on a reduced leave schedule may be taken on a consecutive or intermittent basis.

Depending on the purpose of the employee's leave, the employee may be required to or may choose to use accrued paid leave, concurrently with some or all of his/her NJFLA leave. The employee will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of NJFLA leave. The Employer will notify employees of their options to continue to participate in our group health plans during NJFLA leave.

Required Notice and Certifications: When requesting NJFLA leave, an employee must provide the Employer thirty (30) days' advance written notice. For employees requesting leave on an intermittent basis, at least fifteen (15) days advance written notice must be provided. If advance written notice is not possible because of an emergency, the employee must provide the Employer with reasonable oral notice and then follow up with written notice.

The employee also must give the Employer a medical certification supporting the need for leave. The Employer reserves the right to require second or third medical opinions and periodic re-certifications. The employee must also provide periodic reports during his/her leave regarding the employee's status and intent to return to work as deemed appropriate by the Employer. If an employee fails to provide the required documentation, the Employer may delay the start of the employee's NJFLA leave, withdraw any designation of NJFLA leave or deny the leave, in which case the employee's absences will be treated in accordance with the Employer's standard leave of absence and attendance policies and the employee may be subject to discipline up to and including termination of employment.

If an employee provides false or misleading information or omits material information about an NJFLA leave, the employee will be subject to discipline up to and including immediate termination of employment.

Benefits Protection: During a family leave of absence, the employee's health benefits will be

maintained under the same conditions as if the employee continued to work. If the employee decides to return to work when his/her family leave of absence ends, the employee may be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If the employee decides not to return to work when the family leave of absence ends, the employee may be required to reimburse the Employer for the health insurance premiums paid on his/her behalf during the leave of absence (except if the failure to return to work was caused by the continuation, recurrence, or onset of serious health condition which would entitle the employee to a leave of absence under the law or other circumstances beyond the employee's control). With regard to any pension contributions, the employee must contact the Personnel Officer to make payment arrangements concerning contributions or credits paid toward his/her pension benefits. Employees should consult with the Employer prior to taking an approved leave.

Returning to Work after NJFLA Leave: On returning to work after NJFLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. Any employee who fails to return to work as scheduled after NJFLA leave or exceeds the twelve (12) week NJFLA entitlement will be subject to the Employer's standard leave of absence and attendance policies. This may result in termination if the employee's continued absence is unauthorized (for example, if the employee has no other Employer-provided leave available to him/her).

Retaliation Prohibited: The Employer and the NJFLA prohibit the interference with, restraint of or denial of any right provided under the NJFLA and/or discharge or discrimination against any person for opposing any practice made unlawful by the NJFLA or for involvement in any proceeding under or relating to the NJFLA. The Employer encourages employees to bring any concerns or complaints about retaliation or compliance with the NJFLA to the attention of the human resources official.

New Jersey Family Leave Insurance: During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up to twelve (12) weeks of Family Leave Insurance ("FLI") payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement, and will thus run concurrently with FMLA and/or NJFLA leaves. An employee's job is not protected while receiving FLI benefits - unless the employee is eligible for leave under the FMLA, NJFLA, or is otherwise designated for an approved family leave of absence.

Employees must provide the Employer with advance notice of need for leave, as follows:

- At least thirty (30) days before leave to bond with a newborn or newly adopted child, unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.
- In a reasonable and practicable manner for leave to care for a seriously ill family member on a continuous, non-intermittent basis, unless an emergency or other unforeseen circumstance precludes advance notice.
- At least fifteen (15) days before leave to care for a seriously ill family member or leave to

bond with a newborn or newly adopted child on an intermittent basis unless an emergency or other unforeseen circumstance precludes advance notice.

More information: <https://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/new-jersey-family-leave-act/>

More information: <https://www.nj.gov/labor/myleavebenefits/worker/fli/>

Sick Leave

The Township permits an employee to use sick leave for any of the following instances:

- Diagnosis, care, or treatment of, or recovery from, the employee's own mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- Aid or medical care for a family member during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
- Exposure to a contagious disease;
- Employee or a family member is a victim of domestic or sexual violence, and are obtaining services from a designated domestic violence agency or other victim services organization, medical attention, legal services, counseling, or are relocating due to the domestic or sexual violence;
- Death in the employee's immediate family, for a reasonable period of time;
- Closure of an employee's workplace, or of the school or place of care of an employee's child, due to an epidemic or public health emergency, or because of the issuance by a public health authority of a determination that the presence of the employee or their family member in the community would jeopardize the health of others; or
- Employee needs to attend a school-related conference, meeting, function or other event requested or required by an administrator, teacher, or other professional school staff member responsible for the education of the employee's child, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

All active employees, except those covered by the provisions of a collective bargaining agreement or employment contract, shall receive 15 days of sick leave annually.

Full-time Employees

Up to the first calendar year of employment or portion thereof, all full-time employees shall be granted one day of sick leave for each completed calendar month of service through December 31 of that year. In each succeeding year of employment, an employee shall be allotted 15 days of sick leave per year on January 1 of each year. Refer to the Township's [Chapter 61: Personnel](#) or your respective union's Collective Bargaining Agreement for the most current language.

Annual conversion of sick leave: Employees with more than thirty (30) days of accrued sick leave at the end of any calendar year may convert up to a maximum of five (5) sick days earned during that year into additional vacation days the following calendar year. Usage: Converted days must be utilized as vacation time within the following calendar year. Alternatively, members may elect

to sell back the converted days under the Township's vacation sell-back program, subject to program guidelines. Sell back of the converted days will be at their current rate of pay as of December 31st of the year earned.

Donated sick leave: May donate sick leave only if the employee will have at least 15 days of accrued sick leave remaining after the donation.

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

Part-time Employees

Employees that have been appointed permanently to a part-time position shall accrue one hour of earned sick leave for every 30 hours worked, up to a maximum of 40 hours in a twelve-month period. Unused sick time shall accumulate from year to year but shall be capped at 40 hours. Permanent part-time positions are not eligible to sell back accrued sick time.

Employees that have been appointed to a seasonal position, or have a position that does not extend past a one-year appointment, shall accrue one hour of earned sick leave for every 30 hours worked, up to 40 hours in a twelve-month period. There shall be a 120-calendar-day waiting period before an employee can use accrued sick leave time. Notification of time used must be provided in advance of the workday to the employee's direct supervisor or designee.

Personal Leave

All full-time permanent employees are eligible to receive up to 3 personal days per calendar year. Any employee in need of a personal day must first request the day off to their Director/Supervisor. The decision to approve a particular request will be based upon the Township's business demands and the needs of the Department. Therefore, employees should not assume their request has been granted until the department head notifies the employee that the request has been approved and any unused days are forfeited at the end of each calendar year, with no payout.

There is no payout of personal time upon separation from the Township or retirement unless otherwise stated in a collective bargaining agreement.

All personal days are front-loaded for existing employees. If an employee leaves before the end of the year, repayment to the Township will be prorated. New employees accrue $\frac{1}{4}$ personal day per month during their first calendar year with the Township.

Vacation Leave

All permanent full-time employees shall be entitled to paid vacation days. Vacation leave may be by individual days or in full weeks not to exceed two (2) successive weeks, subject to the approval of the department head and the Business Administrator.

Vacation leave requests must be approved in advance by the employee's department head. Therefore, employees should not make any vacation commitments (i.e. booking travel, hotel, etc.) until your department head notifies you that your vacation request has been approved. Vacation

time that is not taken within the calendar year in which it is earned may be carried into the succeeding year, however any time that is unused prior to December 31st of the following year is considered forfeited, without payout. Vacation leave must be taken in the year that it is earned, except that employees who do not take vacation leave that accrues in a given year because of business demands shall be granted that accrued leave only during the next succeeding year, with written approval of the Business Administrator. However, vacation leave not taken in a given year because of duties directly related to a state of emergency declared by the Governor may accumulate at the discretion of the Employer until, pursuant to a plan established by the Employer and approved by the Commission, the leave is used or the employee or officer is compensated for that leave, which shall not be subject to collective negotiation or collective bargaining.

In case of a conflict in the vacation schedule, length of service in the Department will prevail. Proper staffing of the Department must take precedence over all considerations in scheduling vacations.

Vacations shall accrue on a pro rata basis but shall be available as of January 1st of each year. Any permanent employee who resigns or is terminated for any reason shall be entitled to vacation days based upon length of service and the number of full calendar months of employment subsequent to January 1st of the year in which such resignation or termination becomes effective and shall be responsible to repay the Township for any time used but not earned.

Employees that have been appointed permanently to a part-time position shall accrue one hour of earned vacation time for every 30 hours worked, up to a maximum of 40 hours in a twelve-month period. Time used must be approved in advance by the employee's direct supervisor. At any given time, accrued and unused vacation days shall be capped at 80 hours. When an employee discontinues his/her employment for any reason, the balance of vacation leave time shall be paid at the rate of pay the time was earned.

Seasonal employees are exempt from this section.

Refer to the Township's [Chapter 61: Personnel](#) or your respective union's Collective Bargaining Agreement for the most current language.

Bereavement Leave

Bereavement leave refers to the time an employee takes away from work as a result of the death of a family member or loved one.

Refer to the Township's [Chapter 61: Personnel](#) or your respective union's Collective Bargaining Agreement for the most current language.

Military Leave

The Employer provides military leave in accordance with applicable State and Federal law. In all cases involving military leave, the employee must, as soon as possible, provide his/her Department Head with a certificate verifying the call to military duty prior to beginning the military leave.

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 without pay but without loss of time. 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: New Jersey's organized militia consists of the National Guard (Army and Air), the Naval Militia, and the State Guard. 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 without pay but without loss of time. 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.

Reinstatement: To be reinstated by the Employer without loss of privileges or seniority, the employee must report for duty with the Employer within the time required by law following release from active duty under honorable circumstances.

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

- Provide the Employer with proper notice of the leave;
- Apply for reinstatement within the time required by law;
- Have a creditable military record including completion of all required training and fulltime service and be discharged under honorable conditions.

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").

On return from a military leave of absence, the employee will be reinstated as required by law. See the Uniformed Services Employment and Reemployment Act ("USERRA"). Failure to comply with the requirement enumerated above or as required by law will jeopardize an employee's reemployment rights.

Jury Duty Leave

All permanent full-time employees, except those covered by the provisions of a collective bargaining agreement or employment contract, shall be paid at their regular rate of pay upon presentation of proper evidence of jury service. The employee shall not be required to remit

compensation received from serving jury duty to the Township. Employees are expected to report for work whenever the court schedule permits. The Township will continue to provide health insurance, vacation, sick leave, and holiday benefits for the full term of the jury duty absence. Provisional, seasonal or part-time employees are not entitled to compensation for jury duty.

New Jersey Security and Financial Empowerment Act ("NJ SAFE Act")

This State law entitles eligible Township employees who are victims of domestic violence or sexual assault (as defined by statute), or whose child, parent, spouse, domestic partner, or civil union partner was such a victim, to up to 20 days of unpaid leave in the twelve (12) month period following the act of domestic violence or sexual assault. The leave may be taken intermittently in intervals of no less than one day.

For NJ SAFE Act leave eligibility, an employee must have been employed by the Township for one year and must have worked 1,000 base hours during the year immediately preceding the leave.

NJ SAFE Act leave may be used for:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
2. Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
3. Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
6. Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Eligible employees are required to use accrued paid vacation leave, personal leave, or sick leave during any part of the 20-day period of unpaid leave provided for in this policy.

All such paid leave shall run concurrently with the unpaid leave provided for in this policy.

If an employee requests leave for a reason covered by both this policy and the New Jersey Security and Financial Empowerment Act, and either the New Jersey Family Leave Act or the federal Family and Medical Leave Act, the leave shall count simultaneously against the employee's entitlement under each respective law.

Prior to taking a leave under the NJ SAFE Act, an employee shall, if the necessity for the leave is

foreseeable, provide Human Resources with written notice of the need for the leave. This notice shall be provided to Human Resources as far in advance as is reasonable and practical under the circumstances.

As provided for by the NJ SAFE Act, the Township is not prohibited from requiring that a period of leave provided to the NJ SAFE Act be supported by the employee requesting the leave with documentation of the domestic violence or sexually violent offense which is the basis for the leave. This documentation shall be submitted to Human Resources and the employee requesting the leave shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

- a. A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- b. A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;
- c. Documentation of the conviction of a person for the domestic violence or sexually violent offense;
- d. Medical documentation of the domestic violence or sexually violent offense;
- e. Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or the employee's child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense; or
- f. Other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or the employee's child, parent, spouse, domestic partner, or civil union partner in dealing with the domestic violence or sexually violent offense.

All information provided to the Township pursuant to this policy, and any information regarding a leave taken pursuant to the NJ SAFE Act and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a federal or State law, rule or regulation.

The Township shall not discharge, harass, or otherwise discriminate or retaliate against an employee with respect to compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested a leave to which the employee was entitled pursuant to the NJ SAFE Act or on the basis that the employee refused to authorize release of information deemed confidential by the NJ SAFE Act.

Emergency Responder Leave

The Township will not terminate, dismiss, or suspend any employee who is unable to report to work because the employee is serving as a protected volunteer emergency responder during a state of emergency declared by the President of the United States or by the State of New Jersey, or if the employee is actively engaged in responding to an emergency alarm. The employee is not protected if, by law or contract, the employee is an essential employee.

A protected emergency responder is an employee whose official duties include responding to a

fire or emergency call as a member of a volunteer fire company, a volunteer member of a first aid, rescue, or ambulance squad, or a member of any county or municipal volunteer Office of Emergency Management.

An employee who is an emergency responder must provide the Township with the following:

1. Notice that the employee is providing emergency services at least one hour before that employee is scheduled to report to work;
2. When the employee returns to work, the employee must provide a certification from the incident commander or other official or officer in charge stating that the employee was actively engaged in and necessary for providing emergency services and the date and time the employee was relieved from emergency duty, and a copy of the incident report.

Time not worked under this leave will be unpaid. An employee taking Emergency Responder leave may use accrued vacation or sick time for time missed from work to serve as a volunteer emergency responder.

Health & Prescription Insurance

All active full-time and permanent employees that work a regular schedule of more than 30 hours a week shall be eligible to receive medical, prescription and dental benefits. An employee holding multiple positions with the Township at the same time will be considered "full-time" for benefit eligibility if the employee satisfies the definitions of a full-time employee in any one of the positions held.

Employee Contribution

In accordance with the previous Chapter 78, P.L. 2011, regarding health-care contributions, an employee's premium contribution shall be based on the "Year 4" period contribution schedule, as cited in the legislation, unless otherwise noted with a respective collective bargaining agreement. The Township will pay the employer's obligation cost of said plans, subject to the employee premium contributions.

An employee's contribution used toward their premium expense for health coverage shall not be less than 1.5% of the employee's base salary. The contribution amount shall be made via payroll deductions, divided over a twenty-four-pay cycle.

When an active employee is on an approved unpaid leave of absence; the employee may elect to extend coverage, for a maximum of nine months, by arranging for prepayment of contributions due, including rate changes. Continued contribution shall be based on an employee's pre-leave salary. It shall be the employee's sole responsibility to make continued payments while on leave in accordance with previous P.L. 2011, c. 78, and guidelines under NJDPB Fact Sheet #30.

When an active employee is on an approved unpaid leave of absence for reasons other than illness, continued coverage and eligibility shall be based on guidelines issued by the NJDPB (i.e., FLA, furlough, suspension, NJSAFE, military).

Refer to the Township's [Chapter 61: Personnel](#) or your respective union's collective bargaining

agreement for the most current language.

Health & Prescription Insurance Waiver

The Township offers a conditional opt-out, where employees may elect to waive their health and prescription benefit coverage, but only if they provide documentation of alternative health benefit coverage. If an employee opts out of coverage, due to coverage in a plan that is not associated with the State Health Benefits Plan, they will be eligible to receive a waiver payment.

During the annual renewal period for changes in coverage, an employee must waive benefits for each calendar year. If an employee only completes a portion of the calendar year in the year of a waiver, he or she shall only qualify for a prorated share of the waived benefit.

If an employee experiences any emergent event which discontinues his or her coverage in a plan not associated with the State Health Benefits Plan, he or she may rejoin the Township's plan, if and as provided by the plan.

Health Benefits - Continuation ("COBRA")

The federal Consolidated Omnibus Budget Reconciliation Act ("COBRA") gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Township's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation or termination of employment; death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Township's group rates plus an administration fee. The Township provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Township's health insurance plan. The notice contains important information about employee's rights and obligations.

Workers' Compensation Insurance

Employees who suffer job-related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers' Compensation Act. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a workers' compensation physician appointed by the Employer or workers' compensation carrier. Workers' Compensation is not a leave entitlement but only a wage replacement arrangement. Payment for unauthorized medical treatment may not be covered. No temporary Workers' Compensation benefits other than the payment of medical bills shall be paid until the employee has been disabled for a period of seven (7) calendar days from the work-related injury, unless otherwise required by law. While receiving workers' compensation benefits, the pension portion of an employee's benefits will still be paid by the Employer. If, however, an employee is receiving workers' compensation with pay, (which is defined as one hundred (100%) percent compensation of salary) the employee is responsible for all deductions, including pension. Employees who sustain work-related injuries or illnesses should

inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it must be reported immediately. Supervisors are expected to immediately notify the Business Administrator's Office of any accident and complete the Initial Report and submit the same within 24 hours.

Neither the Township nor the Central Jersey Joint Insurance Fund will be liable for the payment of worker's compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Township.

The Employer will not tolerate retaliation or discrimination against an individual because the individual has filed a claim for workers' compensation benefits. This prohibition includes denying or limiting any request for leave because an individual asserted a claim for workers' compensation benefits.

Workers' Compensation Light Duty Policy: The Employer will endeavor to bring employees with temporary work-related injuries or illnesses back on the job as soon as possible. The Employer may recognize a special obligation arising out of the employment relationship and create a temporary light duty position for an employee when s/he has been injured while performing work for the Employer and, as a consequence, is unable to perform his/her regular job duties.

The Employer will not treat an employee with a disability less favorably than an individual without a disability or screen out an individual on the basis of disability in granting such requests for light duty. The Employer will grant such request, at its sole discretion, and on a case-by case basis in consideration of the medical report submitted by the workers' compensation physician, the recommendation of the insuring entity, and staffing needs and requirements. The Employer reserves the right to grant, refuse or terminate a light duty assignment at any time without cause unless it is in conflict with the mandates of the ADA, FMLA, or NJFLA or other state or federal leave laws, where applicable.

The employee and/or the Third-Party Administrator ("TPA") are obligated to inform the Employer of the employee's medical progress and the Employer shall have the right to review same periodically. Light duty assignments may be in any department and not just the employee's normal department. Employees on light duty will receive their regular salaries. If light duty is approved, the employee or TPA must keep the Business Administrator and/or Personnel Officer informed of the medical progress. If, at the end of light duty period the employee is not able to return to work without restrictions, the employee should contact the Business Administrator and/or Personnel Officer to discuss his or her options under state or federal law.

This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life-Threatening Illnesses Policy, or other Federal or State law.

Employee Assistance Program

The Township cares about the health and well-being of its employees and recognizes that sometimes employees need professional assistance and advice.

The Township provides confidential access to professional counseling services for help in confronting personal problems such as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services. The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by the employee, in writing. Personal information concerning the employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Pension Plan

The Township participates in the following state-administered retirement systems: Public Employees Retirement System (PERS), Police and Fire Retirement System (PFRS), and the Defined Contribution Retirement Plan (DCRP). The Township's participation, and ability to offer an employee continued enrollment, is contingent upon annual state certification of funding of the retirement system. Matters such as an employee's eligibility, enrollment, benefit plan, required contribution, status, loan application, service credit time, transfers, withdrawal and type of retirement are all regulated by the New Jersey Department of Pensions and Benefits (NJDPB). No exceptions can be made by the Township as the employer.

Employees enrolled in a pension plan will be issued a Pension Member ID by the NJDPB, which will be maintained on file in the Municipal Finance Department. An employee can access their pension account online by registering through the State Member Benefits Online System (MBOS). Signing up for the MBOS will require the Pension Member ID and the employee's social security number.

As the employer, the Township is responsible to make both the required employer and employee monthly contributions for active employees receiving compensation via a payroll transaction issued by the Township.

457(h) Savings Plan

The Township offers retirement savings plans to provide employees the potential for future financial security for retirement. These plans are *optional* and *voluntary* and are at the discretion of the employee to manage.

Continuing Education & Conferences

The Township encourages employees to seek out educational opportunities for professional development and advancement. Employees should bring requests for classes or certification courses to their supervisor for further consideration based on applicability to their job and

availability of funds. The New Jersey League of Municipalities and Rutgers University are great resources for professional development.

The Township and the employee may enter into a voluntary exchange for the Township to cover registration costs associated with attending conferences and trainings. Overnight accommodations and meals are not reimbursable. Mileage may be reimbursable if an individual is using their own vehicle to attend a conference or training necessary to maintain licensure and will be reimbursed based on the current federal mileage rate.

If the Township pays for an employee's certification, they are expected to stay with the Township for at least a one-year period after receiving said certification. If an employee leaves before a year's time, they are expected to pay back half of the value of the courses and testing fees for that certification. The voluntary agreement shall not require repayment if the employee is terminated without cause.

The Township reserves the right to request attendance records and final grades, if applicable, from any employee utilizing Township funds for professional development.