

TOWNSHIP OF MILLSTONE

EMPLOYEE HANDBOOK

Revised: December 2015

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IMPORTANT INFORMATION ABOUT THIS HANDBOOK AND EMPLOYMENT WITH MILLSTONE TOWNSHIP

It is my pleasure to welcome you as an employee of Millstone Township. Millstone Township plays an important part in the lives of the citizens it serves. The public expects that its business will be conducted to the highest standards. Public service is an honorable and rewarding career that offers many benefits not often found in the private sector.

This Employee Handbook should answer many of your questions and will serve as a valuable reference for information about your employment. It describes employment policies and will provide you with information about working conditions, employee benefits and some of the policies regarding employment with Millstone Township. You should read, understand and comply with all provisions of the Handbook. It describes many employee responsibilities and outlines the expectations of Millstone Township.

You should retain your Employee Handbook for future reference. If you have any questions or would like more information, you should consult your Department Head or the Township Administrator.

This Handbook does not constitute a contract and does not vest in you any rights of employment. Nor does it guarantee any fixed terms and conditions of your employment. The contents of this Handbook are subject to revision, supplementation, or rescission at any time, at the discretion of Millstone Township, with or without prior notice.

To the extent that applicable collective bargaining agreements conflict with any of the subject matter contained within this Employee Handbook, the terms of the collective bargaining agreement will govern.

GENERAL PERSONNEL POLICY

It is the policy of Millstone Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Township shall apply to all employees, volunteers, (elected or) appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

The Township Administrator is authorized and responsible for implementing personnel policies and procedures.

As a general principle, Millstone Township has a "no tolerance" policy towards workplace wrongdoing. Millstone Township officials, employees and independent contractors are to report anything perceived to be improper. The Township believes strongly in an Open Door Policy and encourages employees to talk with their Department Head or the Township Administrator concerning any problem.

The Employee Handbook adopted by Millstone Township is intended to provide guidelines covering public service by Township employees and is not a contract. This Handbook contains many, but not necessarily all of the rules, regulations, and conditions of employment for Township personnel. The provisions of this Handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Township.

SECTION I

GENERAL EMPLOYMENT POLICIES

Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions in Millstone Township are based on merit, qualifications and abilities. Millstone Township does not discriminate in employment opportunities or practices on the basis of race, creed, color, religion, national origin, ancestry, age, gender, marital status, familial status, affectional or sexual orientation, atypical hereditary cellular or blood trait, non-job-related handicap or disability (except for a bona fide occupational qualification), or any other protected classification.

This policy governs all aspects of employment, including hiring, job assignment, compensation, promotion, transfer, discipline, demotion, layoff, recall from layoff, termination, recruitment, access to benefits and training and general treatment during employment. 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 Department Head or the Township Administrator. Employees can raise concerns and make reports without fear of reprisal. Any employees found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Millstone Township will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

Sexual and Other Unlawful Harassment

Harassment is prohibited by State and Federal Law and violates this policy. Millstone Township is proud of its tradition as a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere which promotes equal employment opportunities and prohibits discriminatory practices, including harassment. At Millstone Township, harassment, whether verbal, physical, sexual or environmental is unacceptable and will not be tolerated.

For this reason, any Millstone Township employee found to have harassed another employee will be subject to discipline, ranging from a warning to dismissal, depending on the nature of the harassment.

Definition of Harassment

Harassment can take many forms. It may be, but is not limited to: words, signs, jokes, pranks, intimidation, physical contact, or violence. Harassment is not necessarily sexual in nature, and referring to a gender or sexual orientation, but it can also be directed at a person's age, race, color, national origin, creed, religious persuasion, marital status, disability, or other characteristic protected by law.

Harassment includes display or circulation of degrading written materials or pictures and verbal abuse or insults. Actions, words, jokes or comments based on an individual's gender, race, color, age, national origin, creed, religious persuasion, marital status or disability, or any other legally protected characteristic will not be tolerated.

Harassment also refers to behavior, which is personally offensive, impairs morale, and interferes with the work effectiveness of employees. Any harassment of employees by other employees will not be permitted regardless of their working relationship.

In fulfilling their obligations to maintain a positive and productive work environment, management is expected to immediately stop any harassment of which they become aware by emphasizing the municipal policy and, when necessary, by more direct disciplinary action up to and including immediate termination of employment. Employees are expected to immediately report any harassment of which they become aware.

Definition of Sexual Harassment

Sexual harassment is a form of sex discrimination. It violates Federal and State laws and undermines the integrity of the employment relationship.

All employees, female or male, will be permitted to work in an environment free from all forms of unlawful discrimination and conduct which can be considered harassing, coercive or disruptive, including sexual harassment. This policy will be strictly enforced. Sexual harassment debilitates morale, and interferes with work productivity and, therefore, will not be tolerated.

Sexual harassment is often difficult to define. The following discussion is for your guidance and is not intended as the sole definition of the term. Sexual harassment includes, but is not limited to: unwelcome sexual advances; requests for sexual favors and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating hostile or offensive working environment; displaying or viewing adult materials in the workplace; using the computer network to send, receive or display adult materials and jokes; and using equipment for non-work related business.

It is also any conduct (sexual or non-sexual) directed at a person because of his or her gender that makes the person believe that the conditions of employment are hostile and abusive. Thus, sexual harassment is not limited to intimidating, abusive or hostile behavior of a sexual nature. Verbal abuse and hostility that is not sexual in character, but is directed solely at females because they are female, or males because they are male, is likewise a violation of this policy on the same level as harassment of a sexual nature. Sexual harassment applies to both genders and encompasses conduct directed by men against women, by women against men, by men against men and by women against women.

Responsibilities of Department Heads

In order to ensure the integrity of the work environment, Department Heads are required to ensure adherence to and compliance with this policy. Upon being informed of a possible incident of

harassment, Department Heads are required to take appropriate action in response. Appropriate action includes informing the employees of their right to file a discrimination complaint. A Department Head who is aware that harassment is taking place shall also have the responsibility to promptly report the matter to the Township Administrator.

Responsibilities of Employees

Employees are encouraged, whether directly or through a third party, to notify the alleged harasser that the behavior in question is offensive and unwelcome. However, failure to do so will not prevent filing a complaint.

Any employee who observes or is subject to harassment shall immediately report conduct to management. Under no circumstances do employees need to report the harassment to a Department Head whom they are accusing of harassment.

Within thirty (30) days of completing the investigation, the Township Administrator may cause any of the disciplinary actions, outlined in the Employee Handbook, applicable collective bargaining agreements or ordinances, or any combination thereof as may be appropriate to be taken against the employee. Criminal activity will be reported to the proper law enforcement authorities. An individual who makes an intentional or reckless false complaint also will be subject to the same sanctions.

Millstone Township accepts no liability for harassment of one employee by another employee. The individual who makes unwelcome advances, threatens or in any way harasses another employee is personally liable for such actions and their consequences. Millstone Township will not provide legal, financial or any other assistance to an individual accused of harassment if a legal complaint is filed.

Confidentiality

To the extent possible, the harassment investigation proceedings 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. Appropriate disciplinary action will be taken against any employee who violates the confidentiality requirement.

Retaliation

No adverse employment action will be taken against any employee for making a good faith report of alleged harassment or providing truthful information during an investigation. 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 proceeding under this policy or any proceeding instituted under any State or Federal discrimination or harassment law. Threats or other forms of intimidation and/or retaliation against the complainant or any other party based on involvement in the complaint process under this policy or under any State or Federal discrimination or harassment law will be cause for disciplinary action.

Training

Recognizing the diversity and complexity of harassment issues and the Millstone Township workforce, education and training will be provided to equip all employees and Township professionals to act effectively in the work environment free from harassment.

Those individuals administering the response process to harassment complaints shall receive additional training and education on an ongoing basis.

Distribution

The distribution of this policy shall be made to all current employees and all newly hired employees. Issuance of this policy statement prohibiting harassment shall be distributed at least once per year to all employees.

This policy shall also be permanently placed on all employee bulletin boards in each municipal building. It shall be a violation of this policy to remove a copy of the policy from any bulletin board or deface this policy in any manner.

Americans with Disabilities Act Policy

In accordance with the Americans with Disabilities Act and the New Jersey Law Against Discrimination, the Township does not discriminate based on disability. The Township will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines.

The Township Administrator shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations that do not create a hardship. Accommodations include modifications to facilities, equipment and work procedures, auxiliary aides, services and permanent reassignment to vacant positions. Employees who are reassigned to a different position shall receive the salary of their new position. Accommodations shall not be unduly expensive, extensive and disruptive or fundamentally alter the nature of the operation. The Act does not require the Township to offer permanent hearing aids, wheelchairs, etc. The Township Administrator or Millstone Township shall make all decisions with respect to accommodations as appropriate.

Contagious or Life Threatening Illnesses Policy

The Township encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. As in the case of other disabilities, the Township shall make reasonable accommodations in accordance with legal requirements to allow qualified employees with contagious or life-threatening illnesses to perform the essential functions of their jobs as long as they are able to meet acceptable performance standards.

Medical information shall be treated confidentially. The Township will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

Employees with questions or concerns about contagious or life-threatening illnesses are encouraged to contact the Township Administrator.

Drugs and Alcohol

It is important that Millstone Township safeguards the interest of its employees as well as its residents at all times. An important way to do this is to provide a drug and alcohol free environment. For this reason, use or possession of illegal or unprescribed drugs and/or alcohol, or being under the influence of such, is strictly prohibited on Township premises (including vehicles) and during working hours.

In furtherance of this policy, the Township reserves the right to, and may at its sole discretion, require employees to undergo a drug or alcohol screening when it reasonably suspects employees to be under the influence of illegal or unprescribed drugs while working or otherwise on Township premises. Any employee refusing to provide a sample as required will be terminated.

Employees who test positive for illegal or unprescribed drugs or alcohol during reasonable suspicion testing will, depending on the circumstances and in the sole discretion of the Township, be terminated or given an unpaid leave of absence to undergo rehabilitation, counseling or treatment. At the conclusion of the leave, the employee's status will be reviewed by the Township. If satisfactory evidence of rehabilitation is presented, the employee will be returned to work, subject to periodic monitoring. Employees who have not made a bona fide attempt to undergo rehabilitation or who fail to adhere to the required after-care program will be terminated. Testing information and results will not be disclosed to anyone at the Township who does not have a legitimate bona fide need to know.

Employees using prescription drugs that may affect job performance or safety must notify their Department Head or the Township Administrator, who is required to maintain the confidentiality of any information regarding an employee's medical condition. Township personnel who hold a commercial driver's license (CDL) are subject to the provisions of the Commercial Drivers' License Drug and Alcohol Testing Policy. (A program to assist employees who may have a drug/alcohol problem is provided through the Township's Employee Assistance Program.)

Safety

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

facilities, equipment or motor vehicles must also be immediately reported to your Department Head and the Township Administrator.

Workplace Violence Prevention

Millstone Township is committed to preventing workplace violence and to maintaining a safe working environment. Given that purpose, the Township has adopted the following guidelines to deal with intimidation, harassment or other threats of (or actual) violence that may occur during business hours on Township premises, or at Township events.

All employees should be treated with respect at all times. Employees are expected to refrain from fighting (horseplay), or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, resident or any other member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's race, color, religion, national origin, ancestry, age, gender, marital status, familial status, affectional or sexual orientation, atypical hereditary, cellular or blood trait, non-job- related handicap or disability, or any other protected classification.

Employees should report all threats of (or actual) violence, both direct and indirect, as soon as possible to their Department Head or the Township Administrator. This includes threats by employees, as well as by members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a Department Head or the Township Administrator. Employees should not place themselves in peril. If employees see or hear a commotion or disturbance near their work area, they should not try to intercede or see what is happening, but should report it immediately to their Department Head.

The Township will promptly and thoroughly investigate all reports or threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as it is practical.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment. The Township encourages employees to bring their disputes or differences with other employees to the attention of their Department Heads or the Township Administrator before the situation escalates into potential violence. The Township is eager to assist in the resolution of employee disputes, and will not impose discipline for raising such concerns.

"Whistle Blower" Policy

Employees have the right under the Conscientious Employee Protection Act ("CEPA") to complain about any activity, policy or practice that the employees reasonably believe is in violation of a law, rule, or regulation promulgated pursuant to law without fear of retaliation or reprisal. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written acknowledgement that the employee received, read, and understood this letter will be included in the employee's official personnel file.

The annual notice shall be in English and Spanish and shall contain that the Administrator is designated to receive written notification of policies or practices that might violate CEPA. This right will also be communicated in the Employee Handbook. All complaints will be taken seriously and promptly investigated.

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

a. 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:

- (1) is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any employee, former employee, retiree or pensioner of the employer or any governmental entity;
- (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any employee, former employee, retiree or pensioner of the employer or any governmental entity;

b. 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 promulgated pursuant to law by the employer, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to, any employee, former employee, retiree or pensioner of the employer or any governmental entity;

c. 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 promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any employee, former employee, retiree or pensioner of the employer or any governmental entity;
- (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any employee, former employee, retiree or pensioner of the employer or any governmental entity; or
- (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergent in nature.

Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion, to their Department Head or the Township Administrator. Under the law, the employee must give the Township a reasonable opportunity to

correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy.

The Township Administrator has been designated to answer your questions and provide information regarding your rights and responsibilities under this Act (N.J.S.A. 34:19-4).

Employee Complaint Policy

Employees who wish to complain of harassment or any other workplace wrongdoing are to immediately report the matter to their Department Head or to the Township Administrator. Employees are encouraged to complain in writing, but may make verbal complaints at their discretion. No retaliatory measures shall be taken against any employee who complains of workplace wrongdoing, except if it is found that the complaint was made with malice and/or an intent to deceive. The Township will, to the maximum extent feasible, maintain the confidentiality of such complaints on a need-to-know basis. However, investigation of such complaints may require disclosure to the accused party and other witnesses in order to gather pertinent facts.

Personnel Files

Personnel files for each employee are maintained in the Township Administrator's office. Personnel files are confidential records that are secured and will only be accessible to authorized personnel on a need-to-know basis. Records relating to any medical conditions are maintained in separate files. Employees may review their personnel files in the presence of the Township Administrator upon a request made at least forty-eight (48) hours in advance.

Employees must notify the Township Administrator immediately if there are any changes in the following: (1) name; (2) address or telephone number; (3) person to be notified in an emergency; (4) marital status; (5) number of dependents; (6) death in the immediate family; and (7) birth in the immediate family.

Conflict of Interest

Township officials and employees must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interest of the Township. Violations of this policy will result in appropriate discipline up to and including termination of employment. The Township recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Township business. However, business dealings that actually create or appear to create a conflict between the employee and Millstone's interests are unlawful under the New Jersey Local Government Ethics Act, N.J.S.A. 40A:9-22.1 et seq. Under this Act, certain employees and officials are required to annually file with the Municipal Clerk a state-mandated financial disclosure form. The Municipal Clerk will notify employees and Township officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an officer or employee of the Township is in a position to influence Township business that may result in a personal gain for the officer or employee or an immediate relative including a spouse or significant other, child, parent, stepchild, sibling, grandparent, daughter-in-law, son-in-law, grandchild, niece, nephew, uncle, aunt or any

person related by blood or marriage residing in an employee's household. Employees are required to disclose possible conflict so that the Township may assess and prevent potential conflicts. If there are any questions as to whether an action or proposed course of conduct would create a conflict of interest, they should contact the Township Administrator.

Employees are permitted to hold outside employment as long as it does not interfere with their Township responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using Township time, supplies or equipment on the outside employment activities. The Township Administrator may require employees to restrict outside employment completely if the quality of their Township work diminishes. Any employees who hold an interest in, or are employed by, any entity doing business with the Township must submit a written notice of those outside interests to the Township Administrator.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Township duties. Under no circumstances may officers or employees accept donations, gratuities, contributions or gifts from vendors doing business with or seeking to do business with the Township, residents, or with any person or entity seeking to influence Township decisions. Meals and other entertainment valued in excess of \$25 are also prohibited. Employees are required to report to the Township Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is or may be in violation of this policy.

Political Activity

Employees have the same rights as any other citizens to join political organizations and to participate in political activities. Employees are prohibited from engaging in political activities while performing their public duties and from using Township time, supplies or equipment in any political activity. Any perceived violation of this policy must be reported to your Department Head or to the Township Administrator.

Employee Conduct and Work Rules

Millstone Township has rules of conduct that apply to all officers and employees. All officers and employees have an obligation to conduct themselves appropriately. Depending on position, standards other than those set forth below may also apply. These are necessary to assure a safe, efficient business operation, to assure compliance with applicable laws, and to protect the well-being and rights of all officers and employees, as well as Township residents. Obviously, because it is not possible to list every type of inappropriate conduct, **the following list is not exhaustive, nor a limitation on the Millstone's right to discipline or terminate its officers or employees, with or without prior notice.**

The use of good judgment will guide employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, employees should discuss the situation with their immediate Department Head and, if necessary, with the Township Administrator.

Depending on the circumstances, failure to comply with these standards may, in the Millstone's sole discretion, result in disciplinary action, up to and including termination of employment:

1. Dishonesty, theft (including theft of information or time), unauthorized removal or possession of property, or conviction of a crime;
2. Immoral or indecent conduct;
3. Misrepresentation, either verbal or written, or falsification of Township documents including, but not limited to, employment applications;
4. Insubordination, including, but not limited to, refusal to perform work as assigned as well as disrespectful conduct toward Department Heads, co-Workers', Township residents or other members of the public;
5. Use, possession, distribution, purchase or sale of, or impairment caused by illegal or unprescribed drugs on or in Township facilities or property;
6. Use, possession, distribution, purchase or sale of, or impairment caused by alcohol on Township time or in Township facilities or property;
7. Harassment or impermissible discrimination against others including, but not limited to, co-Workers', subordinates, residents or other members of the public;
8. Performing other than Township work during working hours;
9. Sabotage, loss or damage to Township property;
10. Unauthorized or improper personal use of Township equipment, including, but not limited to, electronics or voice mail, computers (including installing personal software or games), telephones, copy and facsimile machines;
11. Incompetence, inefficient, careless performance of job duties, failure to maintain proper work standards or other poor performance, as determined in the sole discretion of the Township;
12. Excessive or patterned absence or tardiness or failing to promptly contact Department Heads regarding absences and tardiness;
13. Possession, use, or distribution of dangerous weapons, such as knives, guns, explosives, or any other devices that jeopardize the safety or security of individuals and/or property or in Township facilities or property. Intimidating conduct of any kind, including, but not limited to, threats whether expressed, implied or in jest;
14. A violation of any other Township, policy, procedure or rule.

Resignation/Termination

Employees who resign from the Township are asked to give at least two (2) weeks advance notice in writing to their Department Head. After providing notice of resignation, employees are expected to assist their Department Head and co-workers by providing information concerning their current projects and help in the training of a replacement. During the last two weeks of their employment, employees may not use paid time off except holidays. Employees are also to complete an exit interview with the Township Administrator to discuss any outstanding issues. Employees who leave the Township for any reason are required to return all Township property including, but not limited to, such items as employee identification cards, and to return all keys, uniforms (including Township of Millstone T-shirts, polo shirts and jackets), cell phones, passwords, vehicles and equipment. All such employees will receive a letter from the CFO detailing final compensation and a letter from the Health Benefits Coordinator detailing health benefit information, if eligible.

Employees who are terminated must sign the termination letter prepared by the Township Administrator, which will be retained in the employees' official personnel files.

NJ Residency Requirements

Pursuant to NJ State Statue (N.J.S.A. 52:14-7) all employees hired after September 1, 2011 must retain principal residency within the State of NJ. Under the law, an official, appointee or employee of the State, a county or a municipality *must maintain* their principal residence in New Jersey. A principal residence is defined as where a person spends the majority of his/her non-working time, the center of domestic life, and his/her legal address for school registration and/or voting.

The law grandfathers *existing* non-resident employees, provided that they do not have a break in public service of greater than seven days. New hires have one year from the time of taking office or hire to satisfy the residency requirement.

Opportunity to Compete Act

The Township of Millstone shall comply with the Opportunity to Compete Act.

Initial Employment Application Process

The Township may not make any inquiries (oral or written) concerning an applicant's criminal record during the initial employment application process, except in certain circumstances permitted by law. "Initial employment application process" means the period beginning when an applicant for employment first makes an inquiry to the Township about a prospective employment position or job vacancy or when the Township first makes any inquiry to an applicant for employment about a prospective employment position or job vacancy, and ending when the Township has conducted a first interview, whether in person or by any other means of an applicant for employment.

After Initial Employment Application Process

After the initial employment application process has been concluded (after the Township has conducted the first interview), the Township is permitted to require an applicant to complete an

employment application that makes inquiries regarding the applicant's criminal history. Also, after the initial application process has been concluded the Township is permitted to make written or oral inquiries regarding the applicant's criminal history.

Refusal to Hire

The Township is not precluded from refusing to hire the applicant for employment based upon the applicant's criminal record, unless the criminal record or relevant portion thereof has been expunged or erased through executive pardon, provided that such refusal is consistent with applicable laws, rules and regulations.

Advertising

When advertising for positions, the Township is not permitted to explicitly state the Township will not consider applicants who have been arrested or convicted of any crimes or offenses, except for certain positions which require a background check required by law, rule, or regulation.

Exceptions

The Township is permitted to make criminal record inquiries during the initial employment application process if the employment sought or being considered is a position involving (1) the judiciary, (2) emergency management, (3) where a criminal history background check is required by the law, rule or regulation, (4) where an arrest or conviction for any crime or offense would preclude the person from holding such employment (any adverse employment decision based on the criminal history outside the enumerated offenses or time periods of the applicable Federal or State law, regulation or rule are subject to the Act)), or (5) where the employer is part of a program designed to encourage employment of persons who have been arrested or convicted of any crime or offense.

SECTION II

WORKPLACE POLICIES

Employee Status

Full-time Employees:

Full-time employees are those who are regularly scheduled to work at least thirty-two (32) hours per week. Full-time employees are eligible for all employment benefits as provided by this Handbook.

Part-time Employees:

Part-time employees are those who are regularly scheduled to work fewer than thirty-two (32) hours per week. Unless specifically indicated to the contrary, part-time employees are not entitled to health insurance benefits.

Temporary Employment:

You are a temporary employee if you are appointed for a 2 month period with a possible 2 month extension. Temporary employees are not eligible for leave and other benefits.

Seasonal Employees:

If you serve for certain parts of the year, you are considered a seasonal employee, for example, summer camp counselor. Because of the relatively short length of time which seasonal employees work for the Township, they are not granted sick, vacation time and other employee benefits.

Grant Program Employees:

Some positions are funded in whole or in part by federal, state or county grants rather than by the Township.

Physical Examinations:

Before receiving employment in a full-time capacity with the Township of Millstone, you may be required to pass physical, psychological, vision and x-ray examinations. Prospective employees in all seasonal or part-time positions may be required to produce a certificate of health. Random drug testing may be administered at any time.

Probationary Period:

All newly hired employees shall be subject to a twelve (12) month probationary period. The purpose of the probationary period is to enable the Township to evaluate the

employee's work performance and conduct in order to determine whether the employee merits permanent employment status. The Township shall have the absolute right to set the working conditions and job duties for employees on probationary status. The Township shall also have the absolute right to discipline or terminate a probationary employee.

Employees who have questions regarding their employment status should contact the Township Administrator.

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. Absenteeism and tardiness place a burden on other employees and on the Township. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head or the Township Administrator as soon as possible, in advance of anticipated tardiness or absence. The Township may, at any time, require employees to submit a physician's certification to verify the condition causing their absence. The normal working hours for administrative departments are 8:30a.m. to 4:00p.m., Monday through Friday, except for employees in the Construction and Tax Departments who depart early one day per week and remain until 7:00 pm one day per week. The normal working hours for the Department of Public Works employees are from 7:00a.m. to 3:30p.m., Monday through Friday.

Failure to contact the Township as required, failure to submit requested documentation and/or excessive or patterned absence or tardiness may result in disciplinary action up to and including termination of employment.

Early Closing/Delayed Opening

In the event of unsafe conditions, the Mayor or the Township Administrator may decide to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Township Administrator will notify Department Heads of a delayed opening and a new opening time. Each department will have a calling system in place. If an employee chooses not to report to work, a full vacation day will be charged. Sick time will only be charged for legitimate illness. If work is called off earlier than scheduled, no time will be charged for the day. This provision does not apply to the Department of Public Works or any personnel who may be required to assist in the event of an emergency.

Employee Lunch

All employees working a full day receive a one-half (1/2) hour unpaid lunch period that is to be arranged by the Township Administrator so that offices continue to function. In addition, all Public Works employees are eligible for two (2) fifteen (15) minute paid breaks each day.

Personal Appearance

Because Township employees represent the Township of Millstone, it is important that employees project a positive, well-groomed and professional image at all times. Dress, grooming and personal

hygiene must be appropriate for the position. Uniforms are required for certain jobs and are to be worn in accordance with applicable department standards. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with acceptable safety standards. Hair, sideburns, mustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. With the advance approval of the Township Administrator, the Township will make reasonable religious accommodations that do not violate safety standards. Certain positions, such as Public Works employees and Summer Recreation counselors, may be required to remove body jewelry for safety precautions. Employees violating this policy shall be required to take corrective action or be sent home without pay.

Smoking

The New Jersey Legislature has declared that in all governmental buildings, the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Township has adopted a smoke-free policy for all buildings. Township facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Township buildings. 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 and any employee found in violation will be subject to disciplinary action.

Use of Township Vehicles

Township vehicles may only be used on official business and all passengers in the vehicles must be on Township business as well. An exception exists for employees authorized to use such vehicles for commuting to and from work for the purpose of after-hours emergency response; a corresponding fringe benefit value must be added to the gross income reported on the employee's W-2, in accordance with IRS regulations.

If an employee does take a Township vehicle home, the vehicle is to be used only for official Township business, and any other use is not permitted. For example, an employee may not use a Township vehicle for physical therapy or doctor appointments. Any employee found in violation of this policy will be subject to disciplinary action.

The Township Administrator must be notified if any vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration and possible injury to employees.

The improper, careless, negligent, destructive or unsafe use or operation of Township vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment. Employees are required to report all vehicle accidents to the Township Administrator immediately. Traffic and parking violations must be reported also. Failure to report can result in disciplinary action, up to and including termination of employment.

Township Communications Systems

In order to assist employees in performing their jobs, the Township may provide certain equipment,

including, but not limited to, voice mail, telephones, cell phones, personal computers, laptops, printers, and copy, fax and postage machines. Such equipment, services and communications systems are and shall remain the property of the Township at all times, and the Township reserves the right to access, inspect, review, copy, remove, change or disclose the contents of such equipment, services and communications systems as it deems appropriate.

Such equipment, services and communications systems are made available to employees for use only in connection with the Township's business and may not be used for personal or other reasons. Accordingly, employees should not use personal cell phones for Township business, unless authorized in advance; and employees should not expect privacy in their communications through these systems. Employees are responsible for the safekeeping of the equipment, services and communications systems in their possession. Unauthorized use, abuse, loss, destruction or personal use of the Township's communications systems is strictly prohibited.

Internet, E-mail and Software Usage

In addition to guidelines governing use of the Millstone's communications systems, the following standards, which are not all-inclusive, have been established with respect to the use of the Internet, software and the e-mail systems. Improper use of these communications systems will result in disciplinary action up to and including termination of employment.

1. Employees may use any software that is purchased by the Township according to the software license agreement. Employees are prohibited from the illegal duplication of software and related documentation.
2. The unauthorized use, installation, copying or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. Employees are also responsible that the person sending any material over the Internet has the appropriate distribution rights.
3. To ensure a virus-free environment, no files may be downloaded from the Internet without permission.
4. Sending or posting confidential material related to the Township is strictly prohibited.
5. Millstone Township's policy against sexual and other harassment applies fully to the use of the Internet and e-mail. Accordingly, acquisition and/or dissemination of inappropriate materials including, but not limited to, those which contain sexual innuendo, pornographic material, improper jokes, harassing or threatening statements or any statement which could be negatively perceived by others or considered hostile or offensive based on any protected classification (as defined on page 3), is strictly prohibited.
6. No abusive, profane or offensive language is to be transmitted through the Internet. Sending or posting messages that defame or slander other individuals is also prohibited.
7. Employees may not use the Internet or e-mail for non-Township business or personal gain. Nor may employees utilize the Internet or e-mail for political causes or activities, religious activities or any type of gambling.

8. Employees are not to jeopardize the security of the Township's electronic communications systems or otherwise engage in illegal activities.

Employee Evaluations

Department Heads will complete written evaluations and appraisal forms for every employee to measure progress and to encourage self-improvement, usually once a year. Evaluations will also record additional duties performed, educational courses completed, as well as a plan to correct any weak points. After completing the evaluation, the Department Head will review the results with employees and return the forms with the signed acknowledgements to the Township Administrator. After review by the Township Administrator, the evaluation will be placed in employees' permanent personnel files.

Employment References and Other Requests for Information

All requests for employment references must be referred to the Township Administrator or Finance Department. No other employees may give a personal reference. Moreover, all requests or inquiries from outside of the Township (such as from newspapers or other governmental entities) must be referred directly to the Township Administrator.

Bulletin Boards

The bulletin boards located in the Township Municipal Buildings are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Township Administrator may post, remove or alter any notice.

Package, Bag and Locker Examination

The Township reserves the right to inspect all lockers, desks, packages and handbags brought onto or removed from Township property at any time without notice. Employees are required to cooperate.

Cell Phone Usage Policy

The Township recognizes that the danger of talking on a cell phone while driving is becoming an increasing concern. Consequently, the Township requires employees to follow the guidelines below while using cell phones:

- only use a hands-free cell phone (business or personal), to communicate the Township's business while driving a vehicle; and
- only use a hands-free cell phone (business or personal), while driving during work hours (even if the call is personal), including lunch break.

There are no exceptions to the above requirements.

If the employee must make a cell phone call (on a phone that is not hands-free), regarding business

issues or during business hours (even if the call is personal), while driving, they must pull over to make such a call. If an employee violates this policy and is involved in an accident, any damages arising from that accident will be the sole responsibility of the employee. If a lawsuit is filed against the employer by any party involved in the accident, the employee violating this policy will be required to indemnify the Township for all damages sustained by the plaintiff for which the Township is held liable, as well as reimburse the Township for any and all attorneys' fees expended to defend such a lawsuit.

If an employee has any questions regarding this policy, he/she should ask the Township Administrator.

SECTION III

HOLIDAYS, ABSENCES AND TIME OFF

Holidays

Section 1

The following days are recognized as paid Holidays under this Agreement:

New Year's Day	Labor Day
Martin Luther King Jr. Day	Columbus Day *
Lincoln's Birthday *	General Election Day *
Washington's Birthday	Veterans Day
Good Friday	Thanksgiving
Memorial Day	Day after Thanksgiving
July 4 th	Christmas

* Lincoln's Birthday, Columbus Day and Election Day holidays may be designated as floating holidays by the Township; all municipal offices will remain open and staffed. Staffing will be based on seniority and must be coordinated with the Department Head. If an employee works on a floating holiday, that employee is entitled to a day off within the next four (4) months. Normal approval process applies. The floating holiday must be taken within four (4) months following the holiday.

It will be left to the Township Committee or its designee to set the hours of work for Christmas Eve and New Year's Eve each year. A holiday falling on a Saturday will be observed on the proceeding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

Section 2

In order to receive holiday pay, employees must work the full day before the holiday or have received prior written approval from the Township Administrator to utilize accrued unused paid leave, including vacation, sick, personal or compensatory time. Use of Sick Leave before or after a holiday will have to be medically documented for the employee to receive holiday pay. Employees shall, in addition to the holiday pay, receive time and a half for any hours worked on a recognized holiday.

Section 3

Use of a personal or vacation day on the first work day following a holiday shall require approval by the Township Administrator prior to the holiday. Employees shall, in addition to the holiday pay, receive time and a half for any hours worked on a recognized holiday.

Employees who are called into work on Thanksgiving, Christmas or New Year's Day with the approval of the Township Administrator will be compensated at a rate of double their regular rate of pay.

Permanent part-time employees will receive holiday pay when the holiday is celebrated by the Township on one of the part-time employee's scheduled work days. Seasonal/temporary employees are not eligible for holiday pay.

Vacation

The Township provides vacation benefits to its employees. Vacation pay is computed at the employee's current regular salary or hourly rate of pay. Full-time employees are entitled to vacation based upon the following schedule:

If Length of Employment IS:	Then Length of Vacation IS:
First calendar year of employment:	Prorated depending upon employee hire date.
One (1) year through five (5) years:	Ten (10) days each year.
Six (6) years through fourteen (14) years:	Fifteen (15) days each year.
Fifteen (15) years and over:	Twenty (20) days each year.

Part-time employees will accrue vacation days on a pro-rata basis depending on the number of hours worked.

Employees' entitlement to the next level of vacation days will accrue upon their anniversary date. Therefore, employees may not take any additional days that they may be entitled to in a given calendar year until after their anniversary date.

Employees must request their desired paid time off at least two (2) weeks in advance. Before taking time off, employees must receive prior written approval from the Township Administrator. Employees who do not use all of their accrued vacation allowance in a given calendar year may carry over up to five (5) unused accrued days to their allowance for the following year. However, if these days are not utilized by the end of the first six months of the next calendar year, they will be permanently forfeited.

If an employee separates from service for any reason and has used unearned vacation time, he/she shall be required to reimburse the Township for the unearned time. The reimbursement will be withheld from the employee's last paycheck.

Personal Days

Full-time employees will receive three (3) paid personal days per calendar year. Any unused days are forfeited at the end of each calendar year and may not be carried to the next calendar year. Requests to utilize personal days must be made to the Township Administrator at least two (2) days in advance, except in cases of emergency.

Part-time employees will accrue vacation days on a pro-rata basis depending on the number of hours worked.

Sick Days

Full-time employees are entitled to receive twelve (12) paid sick days per calendar year. Sick leave is to be used only in cases when the employee is ill and unable to work, or in cases of the serious illness of a family member. A doctor's note may be required after a three (3) day absence verifying the reason for the leave. If an employee is attending to an immediate family member, a doctor's verification of that individual is required. During their first year of employment, full-time employees will accrue one (1) day of sick leave for each month of employment from the employee's start date to December 31st of that year. A sick day will not accrue in the first month of employment if the employee's start date is on or after the 15th of the month.

Part-time employees will accrue sick days on a pro-rata basis depending on the number of hours worked.

Employees may accrue sick days indefinitely and can utilize sick days only when being used for the purposes discussed in this policy. Employees will not receive compensation for unused accrued sick days. The only exception is that upon retirement, employees who have a minimum of fifteen (15) years of service with Millstone Township can redeem their accrued, unused sick days at one-half(1/2) their value (employees present rate of pay) up to a maximum of \$15,000.

Bereavement Leave

Full-time employees shall be granted up to five (5) consecutive working days off without deduction from pay or unearned leave, for a death in the employee's immediate family. "Immediate family" is defined as spouse, child, mother, father, sister, brother, domestic partner or grandchild. A maximum of three (3) consecutive calendar days will be granted in the event of death of grandparent, mother-in-law, father-in-law, or other immediate family members residing in the employee's household.

Part-time employees are entitled to the same bereavement leave on a pro-rata basis, depending on the number of hours normally worked each week.

Extended Leave

Prior to any extended absence, such as disability, family or Workers' compensation leave, an employee must turn in employee identification, keys, cell phone, passwords, vehicle or any other equipment which is property of the Township.

Jury Duty

The Township agrees that employees shall be granted leave with pay for the time required to attend jury duty that is scheduled during work hours. If an employee is released from duty before 12:00 noon, the employee must return to work.

Employees shall submit written verification of attendance signed by a representative of the court. In order to be paid for jury duty, employees must remit any money received from the court to the CFO.

Family and Medical Leave

It is expressly acknowledged that this section titled "Family and Medical Leave" shall only apply to Millstone Township once Millstone Township has continuously employed at least 50 employees, at one time, in accordance with the standards and requirements set forth in the Federal Family Leave Act and the New Jersey Family Leave Act.

Employees may be eligible for an unpaid family and medical leave under the Federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("FLA").

In order to be eligible for such FMLA leave, the Township of Millstone must employ at least fifty (50) "eligible employees" as defined in 29 U.S.C. 2611 of the Family Medical Leave Act (and in accordance with 29 C.F.R. 825.108(d)) and the employee must have: one (1) year of service with the Township of Millstone and at least 1,250 hours of work during the previous twelve (12) months.

In order to be eligible for such NJFLA leave, the Township of Millstone must be an eligible employer as defined in N.J.S.A. 34:11B-3(f) of the New Jersey Family Medical Leave Act (including employing at least fifty (50) eligible employees) and the employee must have: one (1) year of service with the Township of Millstone and at least 1,000 hours of work during the previous twelve (12) months.

Eligible employees may receive up to twelve (12) weeks of leave per year calendar year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

Eligible periods shall be calculated using a rolling 12-month period measured backward (from the time the employee utilizes the leave).

During the leave period the employee's health benefits will be continued on the same conditions, as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. Upon expiration of a Family Leave, the employee will be restored to the position he or she held when Family Leave commenced or, if that position has been filled, to an equivalent position of like seniority, status, employment benefits, pay, and other terms and conditions of employment. However, if during the Family Leave, the Township of Millstone experiences a reduction in force or layoff which would have resulted in the employee's loss of employment had the employee not been on Family Leave, or if the employee would have been terminated for other reasons if he or she had not been on Leave, the employee shall not be entitled to reinstatement. An employee who remains on leave after the expiration of their Family Leave will not be entitled to reinstatement. All employees returning to work from an approved leave as a

result of an employee's own serious health condition (FMLA) must present a written medical certification from his or her medical care provider stating that he or she is able to perform the essential functions of the job, with or without reasonable accommodation.

Upon written notice, eligible employees are entitled to a family or medical leave under FMLA and FLA for up to twelve weeks (12) to care for a newly born or adopted child or a seriously ill immediate family member, including domestic/civil union partner, or under solely FMLA for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave. Furthermore, should a leave under this section qualify for both FMLA and FLA leave, FMLA and FLA leave will run concurrently.

Every Application for Leave of Absence (FMLA or FLA) due to a serious health condition pursuant to this policy must be accompanied by a written medical certification from a licensed medical care provider (except when the reason for the requested leave of absence is the birth of a child or the placement of a child for adoption or foster care). The written medical certification must be submitted in a timely manner. It is the responsibility of the employee to submit the written medical certification. It shall be attached to the Application for Leave of Absence.

The written medical certification must state the following:

- Date on which the serious medical condition commenced
- Probable duration of the condition
- Appropriate medical facts regarding the condition and its duration

If the basis for the proposed leave of absence is an employee's own serious health condition (FMLA only), the written medical certification must also include a statement that the employee is unable to perform the functions of his or her position. If the basis for the proposed leave of absence is the serious health condition of a spouse, child, or parent (except when the reason for the requested leave of absence is the birth of a child or the placement of a child for adoption or foster care), the written medical certification must also include a statement of the care needed to care for the spouse, child, or parent, as well as an estimate on the amount of time the care is needed.

At its own expense, the Township may require a second medical opinion after an employee submits a medical certification if there is reason to doubt the validity of the certification. If the second medical opinion differs from the original medical certification, the two licensed medical care providers shall appoint a third licensed medical care provider to examine the employee and to issue a medical certification. The report of the third licensed medical care provider shall be accepted by the Township and the employee as the medical certification for the leave of absence.

The Township may require a periodic recertification no more than every thirty (30) days by an employee's medical care provider when the Township, in its discretion, deems recertification is warranted; the Township can request recertification sooner than every thirty (30) days if the employee requests an extension of leave, circumstances of the previous leave have changed significantly, or the Township receives information which casts doubt on the validity of the certification or the stated reason for the leave.

An extension past twelve (12) weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Township reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements is available from the Administrator.

Employees taking paid family leave in connection with a family member's serious health condition may take leave intermittently or consecutively. Intermittent leave may be taken in one day increments. An employee seeking intermittent paid family leave is required to provide the Township with fifteen (15) days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the Township with a regular schedule of days for intermittent leave.

A covered employer must grant an eligible employee up to **12 workweeks** of unpaid, job-protected leave during any 12-month period for qualifying exigencies that arise when the employee's spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty.

Covered active duty means:

- 1) for members of the **Regular** Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country; or
- 2) for members of the **Reserve** components of the Armed Forces (members of the National Guard and Reserves), duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.

Deployment to a foreign country includes deployment to international waters.

Military family leave is available in the following circumstances ("qualifying exigencies"):

- 1) Short-notice deployment: When a covered military member is notified of an impending call or order to active duty in support of a contingency operation 7 or less calendar days prior to the date of employment, an eligible employee may take *up to 7 calendar days'* leave beginning on the date the covered military member is notified of the call to duty.
- 2) Military events and related activities: An eligible employee may take leave to (a) attend any official ceremony, program, or event sponsored by the military that is related to the covered military member's active duty or call to active duty status, or (b) to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross, that are related to the active duty or call to active duty status of a covered military member.
- 3) Childcare and school activities: An eligible employee may take leave to (a) arrange for alternative childcare for the employee's child, (b) provide childcare on an urgent, immediate need basis, (c) enroll in or transfer the employee's child to a new school or day care facility, or (d) attend meetings with staff at a school or daycare facility, when such is necessitated by the covered military member's active duty or call to active duty.

- 4) Financial and legal arrangements: An eligible employee may take leave to make or update financial or legal arrangements to address the covered military member's absence while on active duty or call to active duty status, or to act as the covered military member's representative before a federal, state, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the covered military service member is on active duty or call to active duty status and for a period of 90 days following the termination of the covered military member's active duty status.
- 5) Counseling: An eligible employee may take leave to attend counseling provided by someone other than a health care provider, for the employee, the covered military member, or the covered military member's child.
- 6) Rest and recuperation: An eligible employee may take leave to spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. The leave is limited to a maximum of 5 days for each instance of the covered military member's rest and recuperation leave.
- 7) Post-deployment activities: An eligible employee may take leave to (a) attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, or (b) address issues that arise from the death of a covered military member while on active duty status, such as meeting and recovering the body of the covered military member and making funeral arrangements.

"Military caregiver leave" of up to 26 weeks during a single 12-month period may be taken by an employee to care for a spouse, son, daughter, parent or next of kin who is a "covered service member." A "covered service member" is a member of the Armed Forces, including a member of the National Guard or Reserves, 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. The injury or illness must have been incurred by the service member in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

The "next of kin" of a covered service member is the nearest blood relative, other than the covered service member's spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statute, brothers and sisters, grandparents, aunts and uncles, and first cousins. However, a covered service member may designate in writing another blood relative as his nearest blood relative for purposes of military caregiver leave, and if he does so, only that designated blood relative is eligible for military caregiver leave.

Family Temporary Disability

Commencing July 1, 2009, Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of

weekly compensation up to a maximum of \$524 per week (this amount is subject to change according to the state guidelines). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Domestic Violence Leave: NJ SAFE Act

The New Jersey Security and Financial Empowerment Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

- Seek medical attention for, or recover 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;
- Obtain services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Participate in safety planning for temporary or permanent relocation, or taking other actions to increase the safety from future domestic or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Seek legal assistance or remedy to ensure 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 or sexual violence; or
- Attend, participate in, or prepare 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.

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

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

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

In certain circumstances, the basis for the leave may also qualify under the Federal Family and Medical Leave Act and/or the New Jersey Family Leave Act. If so, the Township will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The Township shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

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

Excess Leave

Leave may be extended at the Township's sole discretion without continuation of health benefits. However, the Township cannot guarantee reinstatement to employees' same or equivalent position after employees' family/medical leave entitlement. Employees who need additional leave should contact the Township Administrator.

Military Leave

Millstone Township supports its employees who choose to serve in the military. The Township will grant leaves of absence and payment of salary in accordance with all applicable laws for individuals that need time away from work to fulfill military duties. Employees requesting military leave must submit a copy of their military orders to their Department Head or the Township Administrator as soon as they receive them.

As To All Leaves

Employees on any leave of absence shall not continue to accrue benefits, unless expressly required by law or contract.

Employees who take any leave where the Federal Family Medical Leave Act (FMLA) and/or New Jersey Family Medical Leave Act would or could also apply, shall have his or her leave counted against not only the type of leave requested, but also against FMLA and/or NJFLA, to the fullest extent permitted by law. That is, if a leave requested is also applicable or could fall under FMLA and/or NJFLA, the leave will also count against the employee's FMLA and/or NJFLA leave entitlements. In other words, the leaves will run concurrently to the fullest extent permitted by law.

SECTION IV

Compensation and Employee Benefits

Payroll

Employees are normally paid on a bi-weekly basis (every two weeks) on a Friday. Paychecks received on Friday are inclusive of all hours worked throughout the previous two (2) week pay period. Paychecks will normally be distributed to employees on Thursday afternoons. If you are not working that day or are otherwise not present when checks are distributed, you should see the Finance Department. Direct deposit is offered to all employees and recommended (see the Finance Department for the direct deposit form).

Overtime

Under the Federal Fair Labor Standards Act, certain employees, such as Department Heads and the Township Administrator, are exempt from the provisions of the Act.

Employees classified as non-exempt are subject to the provisions of the Act. Depending on work needs, non-exempt employees may be required to work overtime. Non-exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Township Administrator in advance. Non-exempt employees working overtime without prior approval will be subject to disciplinary action. Non-exempt employees will receive one and one-half (1-1/2) hours of overtime compensation for each hour worked in excess of forty (40) hours in a weekly period. For purposes of overtime compensation, hours worked are computed to the nearest one-quarter (1/4) hour per day.

At the time when the overtime work opportunity is offered, the employee may select payment either through payroll or by compensatory time in accordance with the paragraph above. When the employee elects compensatory time, the employee and his/her immediate supervisor shall, within one (1) week of the date on which the overtime was worked, agree on a date when the compensatory time is to be taken. The taking of compensatory time shall not unduly disrupt the Township's operations. The compensatory time shall be taken not later than ninety (90) calendar days after the overtime was worked. The ninety (90) day usage period may be extended by the Township Administrator, or his/her designee, at the request of and with the consent of the employee. Compensatory time accrual shall not exceed the length of one employee work week. (Example: 40 hours for a DPW employee, 35 hours for a clerical employee, or a part-time employee's normal work week) and shall accrue in accordance with the Fair Labor Standards Act. For example, after forty (40) hours actually worked per week, one hour worked equals 1 ½ hours overtime pay, which equals 1 ½ compensatory hours.

Health Insurance

The Township shall continue to provide full health insurance coverage for eligible employees and their eligible dependents at a benefit level substantially similar to the NJSHBP, which is in accordance with Chapter 78 P.L. 2010.

Insurance coverage shall commence the first of the month following sixty (60) calendar days of employment for those employees who are eligible for insurance coverage per NJSHBP rules. Eligibility for insurance coverage is defined as working thirty-two (32) or more hours per week, except for employees who work less than thirty-two (32) hours per week and who were employed prior to June 2, 2010, and were eligible for insurance benefits on June 2, 2010, in accordance with Resolution No. 10-107. The Township will pay its appropriate share of the cost of benefits for covered employees. Employees' contributions for health insurance benefits shall be deducted from their pay.

The Township may, at its option, change any of the foregoing insurance coverage or carriers so long as substantially similar benefits are provided.

In accordance with the provisions of Chapter 48, P.L. 1999, (N.J.S.A.52:14-17.38), employees who retire with twenty-five (25) or more years of service with Millstone Township will receive life time medical insurance benefits, including Medicare reimbursement, at the Township's expense. The twenty-five (25) years of service in Millstone Township shall not apply to employees who (a) meet the requirements of Chapter 48, (b) were employed in Millstone Township prior to July 1, 2010, and (c) have completed at least ten (10) years of service with Millstone Township prior to retirement. If an employee attains twenty-five (25) years of service credit on or after June 28, 2011, (the effective date of Chapter 78, P.L. 2011), he/she will pay a percentage of the premium based on his/her annual pension allowance provided the Township has adopted Chapter 88 and Chapter 48.

Health insurance coverage for employees who cease Township employment will terminate in accordance with the State Health Benefits Termination Time Table. Health insurance coverage for employees on a leave of absence will also be terminated in accordance with the State Health Benefits Termination Time Table, unless the Township approves the continuation of medical benefits. Employees will be advised upon the commencement of the leave whether medical benefits will be provided. Upon termination of health coverage, employees may extend health insurance coverage for themselves and their dependents by enrolling in COBRA for a period of up to eighteen (18) months or longer as required by law. For more information, employees should consult the Health Benefits Coordinator.

Longevity

Effective January 1, 2015, all employees shall be eligible for longevity pay, in accordance with the following chart:

Years of Service	Full-Time Employees	Part-Time Employees
0-5	\$ 0	\$ 0
6-10	\$ 800	\$ 600
11-15	\$1,000	\$ 750
16-20	\$1,200	\$ 900
21-25	\$1,500	\$1,125
26 +	\$1,800	\$1,350

The employee becomes eligible for this payment on October 31st of the calendar year of his/her 5th and subsequent year anniversary. All employees must be employed at the time of issuance. The longevity payment is made the first pay period in November, once a year.

Dental, Prescription and Vision Care

Employees shall also be entitled to in-house non-medical reimbursements, providing annual reimbursement of dental, prescription and vision expenses incurred in the following aggregate amounts:

	2015 & 2016	2017 & 2018
Single	\$1,000	\$1,200
Married/domestic partner	\$1,800	\$2,000
Parent/Child	\$1,800	\$2,000
Family	\$2,100	\$2,400

The payments shown above shall be pro-rated based on the number of months worked prior to separation from employment or the number of months employed prior to December 31st for new hires. Each employee's unexpended funds for any year may be carried over to the following year for the benefit of said employee. The maximum amount payable to any employee, including carry-over funds, shall not exceed two times the amount shown above.

Pension Plans and Retirement

Under State law, all employees must enroll in the New Jersey Public Employees Retirement System (PERS) or Defined Contribution Retirement Plan (DCRP), provided the employee meets the eligibility requirements established by each pension plan. The Township will pay its appropriate share for all amounts required to be made on behalf of the employees covered. Employees' contributions to the plan will be deducted from their pay.

Employees who have completed the required number of years and who have reached the mandatory retirement age under each plan may retire by notifying the Township Administrator and the CFO in writing. The State retirement plans request that employees provide advanced notice to process the application.

After providing notice of retirement, retiring employees are expected to assist their Department Head and co-Workers' by providing information concerning their current projects and help in the training of a replacement. All employees who leave the Township will receive a letter from the CFO detailing final compensation and a letter from the Health Benefits Coordinator detailing health benefit information, if eligible. The Township Administrator will conduct a confidential exit interview. Prior to receiving the final live paycheck, retiring employees must return their employee identification cards, all keys, work boots, uniforms (including Township of Millstone T-shirts, polo shirts and jackets), cell phones, vehicles and equipment.

Workers' Compensation

Employees who suffer on-the-job related injuries and illnesses may be entitled to payment for medical expenses, lost income and other compensation under the New Jersey Workers' Compensation Act. The Township covers workers' compensation benefits with a self-insurance plan. Absences for such reasons may be covered under, and counted against employees' medical leave entitlement. In order to be eligible to collect benefits, employees must immediately report all on-the-job injuries, no matter how small, to their Department Head or the Township Administrator. A workers' compensation physician appointed by the Township's insurance carrier must perform medical treatment, and payment for unauthorized medical treatment may not be covered pursuant to the Act. Failure to follow procedures may result in disciplinary action and/or denial of employees' claims by the Workers' compensation carrier.

Specific questions concerning work-related accidents or injuries should be directed to the Township Administrator.

Conferences and Seminars

Requests to attend conferences or seminars must be submitted for approval by the Department Head and the Township Administrator. Requests must be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Department Head at least thirty (30) days before the event. Requests must be in writing, and must include the conference schedule, registration information and estimated costs. The Department Head is responsible for detailing all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds. Employees may not attend conferences or seminars without the written approval of the Department Head and the Township Administrator.

A Township vehicle may be driven to a conference or seminar. Otherwise, an employee may submit a mileage reimbursement request based on the rate set annually by the U.S. Internal Revenue Service. A meal allowance, not to exceed \$25/day may also be requested for reimbursement.

Meal Allowances

Meal allowances are permitted in the following two cases:

1. Conferences/Seminars - Reimbursement is permitted up to \$25/day per employee. Employee must submit original receipt and completed voucher to the Township Administrator for approval.
2. Inclement Weather - During inclement weather, meal allowances are provided to DPW employees when the Township office is closed for business and/or a NJ State of emergency has been declared. Each DPW employee must adhere to the following maximums at designated vendors:

Breakfast less than \$10.00

Lunch less than \$10.00

Dinner less than \$12.50.

In the event the designated vendors are closed for business, the Township Administrator will designate an alternate vendor.

New Employee Orientation

Each new employee will receive a New Hire Packet on the first day, containing various forms required to be completed and returned. All new employees will be scheduled to meet with the appropriate personnel during their first week of employment for a general orientation. All relevant forms and acknowledgements must be returned to the Township Administrator by the end of the first week, for payroll purposes as well as inclusion in the employee's official personnel file. The orientation will include:

- A tour of the appropriate facilities to acquaint new employees with overall operations as they relate to specific positions;
- Completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Employee Handbook and acknowledgement of receipt;
- Safety orientation and acknowledgement, where relevant;
- Arrangements for applicable employees to complete the required PEOSHA safety training.

EMPLOYEE ACKNOWLEDGEMENT FORM

I acknowledge that I have received a copy of Millstone Township's Employee Handbook. I agree that I have read it thoroughly and I understand that it is my responsibility to comply with the policies contained within this Handbook and any revisions made to it. If there is any policy or provision in the Handbook that I do not understand, I will seek clarification from my Department Head or Township Administrator. In addition, I understand that this Handbook states Millstone Township's personnel policies in effect on the date of publication. I understand that nothing contained in this Handbook may be construed as creating a promise of future benefits or a binding contract with Millstone Township for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

After reading the Handbook, I was afforded the opportunity to ask questions, and any questions I had have been answered to my satisfaction.

Employee's Printed Name

Position

Employee's Signature

Date

Employer's Signature, Township Administrator

Date