

# JACKSON TOWNSHIP



# EMPLOYEE HANDBOOK

April 2014

**EMPLOYEE HANDBOOK  
FOR  
JACKSON TOWNSHIP EMPLOYEES**

**INTRODUCTION/DISCLAIMER**

This handbook outlines personnel policies as they apply to all Jackson Township Employees in the performance of their assigned duties.

The township plays an important part of 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.

As a township employee, you have certain rights and obligations. Federal and State law as well as township policies cover such important areas as discrimination, safety, violence, harassment and conflicts of interest. Many common attitudes of the past have changed. For example, the old adage “to the victors belong the spoils” in governmental hiring is now against the law and the old fashioned garage or office “give and take” can no longer be condoned. Behaviors that were tolerated ten or twenty years ago are no longer acceptable.

Employees have a right to a safe workplace free of discrimination, violence, harassment and conflict of interests and have an obligation to conduct themselves consistent with these policies. The township has a “no tolerance” policy towards workplace wrongdoing.

This handbook, and the policies contained therein, is intended to be consistent with the statutes of the State of New Jersey, New Jersey Civil Service Commission Rules and Regulations, the Ordinances of the Township of Jackson, and any Federal regulations regarding the statutory requirements for selected employees and Federal Labor Standards. However, the handbook itself is not to be construed as a contract or as a legally binding document. The handbook is intended to act as a reference and to assist in advising you that the policies, as promulgated by the Township of Jackson, are carried out in a uniform manner, and to give guidance to all township employees. Since many policies in effect pertain to various different groups and union members, not all policies may be listed herein.

The Township of Jackson reserves the right to rescind or revise or amend this handbook. The Township of Jackson retains and reserves all managerial rights, without reservation as provided for by the State and Federal regulation, and as enumerated in all collective bargaining agreements and policies.

All employees receiving this handbook are required to sign an acknowledgement of receipt. A copy of this receipt will be maintained in your official personnel file.

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## **GENERAL PERSONNEL POLICY**

It is the policy of the Jackson 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.

**Violations of the policies and procedures of the township may result in disciplinary action, up to, and including termination.**

The policies and procedures contained in this manual are not intended to void, replace, or conflict with New Jersey Department of Personnel rules and regulations, State or federal law or negotiated union contracts.

The issuance of this manual shall not diminish the right of a collective bargaining representative to request negotiations over mandatorily negotiable terms and conditions of employment.

As a general principle, the Township of Jackson has a “no tolerance” policy towards workplace wrongdoing. 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 supervisor, department head or Business Administrator concerning any problem.

The Employee Manual adopted by the Township of Jackson is intended to provide guidelines covering public service by township employees and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for township personnel. All employees are encouraged to talk to their respective department heads to learn and understand any specific departmental rules and regulations. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the township. The Township of Jackson reserves the right to rescind or revise any or all policies.

The personnel policies and procedures contained in this manual are not intended to void, replace or conflict with the negotiated union contracts. As to the unionized employees, to the extent the collective negotiated agreement conflicts with these personnel policies and procedures, the collective bargaining agreement shall supersede and/or modify these personnel policies and procedures.

To the maximum extent permitted by law, the employment practices of the township shall operate under the legal doctrine known, as “employment at will.” Neither this manual nor any other township document confers any contractual right, either express or implied, to remain in the township’s employ. Nor does it guarantee any fixed terms and conditions of employment. Within federal and State law, including any applicable bargaining unit agreement, the township shall have the right to terminate an employee at any time and for any reason, with or without notice, except the township shall comply with all federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal. This manual shall not be construed as a contract or other legal promise.

## **Management Rights**

The Township of Jackson hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by the laws and Constitutions of the State of New Jersey and of the United States including, but not limited to, the following rights:

1. To manage and control the affairs of the Township of Jackson and its properties and facilities, the operation of its departments and the work activities and scheduling of its employees;
2. To hire, fire, transfer and assign all employees subject to the provisions of the Civil Service Commission's regulations, determine their qualifications, standards of performance and conditions for continued employment or assignment, promotion and transfer;
3. To take disciplinary action for good cause according to law;
4. To establish rules, regulations, policies and procedures to effect the orderly and efficient administration of the Township of Jackson's personnel management system;
5. The failure of the Township of Jackson to exercise any of the foregoing rights, or any other management rights, shall not be construed as a waiver of these rights;
6. To lay off according to law.

## **SECTION ONE: Policies Relating to Employee Rights and Obligations**

### **Anti-Discrimination Policy**

The township 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 (LAD). Under no circumstances will the township discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political 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), liability for service in the United States armed forces, gender identity or expression and/or any other characteristic protected by law. Decisions regarding the 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, the Business Administrator or the Personnel Manager.

### **Americans with Disabilities Act Policy**

In compliance with the Americans with Disabilities Act, the ADA Amendments 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, as well as the ADA Amendments Act.

It is the policy of the township to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the township.

Once on notice of an employee's disability and a reasonable accommodation is requested, the Business Administrator shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Business Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the township to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting township facilities. Any questions concerning proper assistance should be directed to Business Administrator.

### **Contagious or Life Threatening Illnesses**

The Township of Jackson encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The township shall make reasonable accommodations to known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the township.

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

- Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information.
- Information may be disclosed without the prior written consent to qualified individuals for the purpose of conducting management audits, financial audits, and program evaluations, but these individuals shall not identify, either directly or indirectly, the person who is the subject of the record in a report or evaluation, or otherwise disclose the person's identity in any manner. Information shall not be released to these individuals unless it is vital to the audit or evaluation.
- Information may be disclosed to the Department of Health as required by State or federal law.

Supervisors 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.

### **Safety Policy**

The Township of Jackson 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. Any occupational or public unsafe condition, practice, procedure or act must be immediately reported to the supervisor or department head. Any event involving the actions of an employee resulting in personal injury or damage to property must be reported immediately to a supervisor or department head.

A Township Safety Committee meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to raise safety concerns with their safety representative, supervisor or department head.

### **Light Duty Policy**

The Township of Jackson will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign light duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Light duty is not guaranteed and will be assigned on a case-by-case basis. If a department already has one employee on light duty, it is unlikely that another employee from that department will be assigned light duty.

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

Employees on light duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Business Administrator. If light duty is approved, the employee or Workers Compensation Physician must keep the Business Administrator 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 township reserves the right at its sole discretion to extend the light duty or place the employee back on Workers Compensation or disability. 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.

### **Drugs and Alcohol Policy**

The township recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is observed by a supervisor or department head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor or department head will immediately report any reasonable suspicions to the Business Administrator.

An employee will be required to submit to alcohol, drug or controlled substance testing when the employee's work performance causes a reasonable suspicion that that employee is impaired due to current intoxication, drug or controlled substance use, or in cases where employment has been conditioned upon remaining alcohol, drug, or controlled dangerous substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action, including termination. Supervisors or department heads that observe behavior

constituting reasonable suspicion are required to institute testing and do not have the option of sending the employee home as an alternative.

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs on township premises or during work hours by employees are strictly prohibited.

Employees must notify their supervisor within five (5) days of conviction for a drug or alcohol related violation, whether or not the violation occurred in the workplace.

Employees who are required to maintain a Commercial Driver's License (CDL) are subject to random drug testing as required by the federal government.

Employees using prescription drugs that may affect job performance or safety must notify their supervisor or department head, who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act. Township personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.

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

### **Workplace Violence Policy**

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

Prohibited conduct includes:

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

Any potentially dangerous situations must be immediately reported. The township will actively intervene in any potentially hostile or violent situation.

### **General Anti-Harassment Policy**

It is the township's policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political 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), gender identity or expression, liability for service in the United States armed forces, and/or any other characteristic protected by law. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings or images, and other similar verbal, written, printed or physical conduct.

If an employee is witness to or believes to have experienced harassment, immediate notification of the supervisor or other appropriate person should take place. See the Employee Complaint Policy.

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

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

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

### **Anti-Sexual Harassment Policy**

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

Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Regarding unwelcome sexual advances toward non-employees, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly in exchange for a benefit;
- Submission to or rejection of such conduct by an individual is used as the basis for a decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's activities or creating an intimidating, hostile or offensive environment.

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

If an employee is witness to or believes that the employee has experienced sexual harassment, they must immediately notify their supervisor or other appropriate person. See the Employee Complaint Policy.

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

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

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

### **“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. This right is also being communicated in the Employee Handbook. All complaints will be taken seriously and promptly investigated.

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

- Disclosing or threatening to disclose to a supervisor, department head, the Business Administrator, other official or to a public body, as defined in the Conscientious Employee Protection Act (N.J.S.A. 34:19-1 et seq.) an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with the statute, the employee must bring the violation to the attention of the township. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. Employees are encouraged to complain in writing, but may make a verbal complaint at their discretion. See Employee Complaint Policy. 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. In accordance with the statute, a copy of this policy will be posted in all facilities.

### **Employee Complaint Policy**

Employees who wish to complain of harassment, sexual harassment, or any other workplace wrongdoing are requested to immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact their department head and/or the Business Administrator. Reporting of such incidents is encouraged both when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their department head or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

No employee will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The employee will be notified of a decision or of the status of the investigation within a reasonable time from the date of the report an incident.

### **Code of Ethics**

All employees need to be aware of the importance of conducting themselves in an ethical manner. As such, employees shall not take part in or attempt to influence in any way any activity in which their own best interests may conflict with the best interest of Jackson Township. (See N.J.S.A. 40A:9-22.5).

Additionally, some of the business conducted by the township is confidential in nature such as contracts, acceptance of bids, personnel issues, etc. Most township business is open to the public and is by law, open for public disclosure. However, such confidential issues shall not be improperly discussed outside your department and may be subject to disciplinary action.

### **Grievances Policy**

Employees who have complaints or disagreements with the interpretations or application of polices under the appropriate negotiated bargaining agreement(s) shall follow the grievance procedure as outlined in the applicable negotiated agreement. Non union employees shall address their concerns to the Business Administrator and/or Personnel Manager.

### **Access to Personnel File Policy**

The official personnel file for each employee shall be maintained by the Personnel Manager. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the township premises in the presence of the Personnel Manager or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for

employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

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

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

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

### **Conflict of Interest**

All employees including township officials must conduct business according to the highest ethical standards of public service.

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

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

conduct would create a conflict of interest, immediately contact the Personnel Manager or the Business Administrator to obtain clarification.

Employees are allowed 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 in the outside employment activities. The Business Administrator may request employees to restrict outside employment if the quality of township work diminishes. Any employee who holds an interest in, or is employed by, any business doing business with the township must submit a written notice of these outside interests to the Business Administrator.

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.

### **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. Employees are prohibited from engaging in political activities while performing their public duties and from using township time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, department head or the Business Administrator.

### **Employee Evaluation Policy**

The department head will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year. After completing the evaluation, the supervisor or department head will review the results with the employee and return the form(s) with the signed acknowledgement to the Business Administrator. After review by the Business Administrator, the form(s) are to be forwarded to the Personnel Office for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Business Administrator or Personnel Manager.

### **Conduct of Employees**

Employees are expected to conduct themselves in a manner which exhibits a respect for the rights and property of the Township of Jackson, fellow employees and residents. While many of these behaviors are addressed under specific policies, the following list, while not all inclusive, further identifies examples of inappropriate behavior:

- Failure to treat all residents, visitors and fellow employees in a courteous manner.

- Behavior or conduct which is offensive, undesirable or is subject to disciplinary action.
- Intoxication or drinking/drugs while on duty.
- Illegal Gambling.
- Possession of weapons or firearms which would make the employee be in violation of the Workplace Violence Policy.
- Insubordination or the refusal by an employee to follow management's instructions concerning job-related matters.
- Falsifying or altering Township of Jackson records or reports, including, but not limited to applications for employment, medical reports, time records, expense reports, absentee reports or shipping and receiving records.
- Smoking where prohibited in accordance with the Township of Jackson smoking policy.
- Unauthorized sleeping on the job.
- Improper attire or inappropriate personal appearance.
- Engaging in any form of harassment or discrimination.
- Violation of Township of Jackson policies on solicitation or distribution.
- Soliciting or accepting gratuities from visitors/residents.
- Use of Township of Jackson supplies or property for personal purposes.
- Fighting or using obscene, abusive, or threatening language or gestures.
- Theft of property from co-workers, clients or the township.
- Failure to maintain the confidentiality of Township of Jackson information.
- Disregarding safety or security regulations

### **Disciplinary Action**

An employee may be subject to disciplinary action, up to, and including termination for any of the following reasons:

- Falsification of public records, including attendance and other personnel records
- Unauthorized, chronic or excessive absence
- Harassment
- Theft or attempted theft of property

- Fighting
- Being under the influence of alcohol or drugs on the premises
- Possession, sale, transfer, or use of alcohol or drugs on the premises
- Insubordination
- Entering the building without permission during non-scheduled work hours
- Soliciting on premises
- Careless waste of materials or abuse of tools, equipment or supplies
- Deliberate destruction or damage to property
- Unauthorized sleeping on the job
- Possession of a weapon on premises (unless it is permitted as specified in the Workplace Violence Policy)
- Violation of established safety and fire regulations
- Tardiness
- Failure to perform duties, inefficiency, or substandard performance
- Unauthorized disclosure of confidential information
- Gambling on the premises
- Conviction of certain crimes
- Conduct unbecoming a public employee
- Violations of township policies and procedures
- Other sufficient cause

This list is merely illustrative and does not constitute a complete list of all actions that may result in disciplinary action.

Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure (and Civil Service procedure). In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

In cases of employee misconduct, the township believes in corrective action for the purpose of correcting undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances. In every case, employees will be given an opportunity to state the situation from their point of view.

In order to correct undesirable behavior, supervisors and managers may utilize the following corrective tools: verbal reprimand; Business Administrator review; written reprimand; suspension; fines, and, dismissal. At the discretion of township, action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

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

## **Resignation Policy**

An employee who intends to resign must notify the department head in writing at least two weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Personnel Manager will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys, radios, tools, phones or any other Township of Jackson property and equipment to the department head or Business Administrator.

The Township of Jackson recognizes two types of resignations.

### **RESIGNATION IN GOOD STANDING**

Any permanent employee may resign in good standing by giving the Business Administrator at least 14 days written notice, unless the Business Administrator consents to a shorter notice. The resignation shall be considered accepted by the Business Administrator upon receipt of the notice of resignation.

### **RESIGNATION NOT IN GOOD STANDING**

If an employee resigns without complying with the required notice in NJAC 4A:2-6.1, he or she shall be held as having resigned not in good standing. Any employee who is absent from duty for five or more consecutive business days without the approval of his or her department head and/or Business Administrator shall be considered to have abandoned his or her position and shall be recorded as a resignation not in good standing. Approval of the absence shall not be unreasonably denied.

An employee who has not returned to duty for five or more consecutive business days following an approved leave of absence shall be considered to have abandoned his or her position and shall be recorded as a resignation not in good standing. A request for extension of leave shall not be unreasonably denied.

Where an employee is resigned not in good standing under the above, the employee shall be provided with notice and an opportunity for a department hearing under NJAC 4A:2-2.5, and Final Notice and a right to appeal to the Merit System Board under NJAC 4A:2-2.8.

The Business Administrator or the Mayor may modify the resignation not in good standing to an appropriate penalty or to a resignation in good standing.

### **EXIT INTERVIEW**

Upon receipt of resignation in good standing, an exit interview shall be conducted by the Business Administrator or Personnel Manager. Discussed at the interview shall be the reason for the resignation, COBRA information regarding benefits, payment of any vacation, sick or comp time; if applicable; and processing of New Jersey Civil Service Commission paperwork.

## **Retirement**

Contributions to the applicable State retirement program will be deducted from the employee's pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the department head in writing. The State retirement plan requests six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee.

On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment.

Note that employees may not utilize accumulated sick, vacation, personal, compensatory or holiday time in order to extend the effective termination of service date, nor shall accumulated time be used to attain additional insurance coverage, holidays or accrued time. The pay out of accumulated time will occur in the year of separation to the extent there is an available budget appropriation. In the event sufficient budget appropriations are not available in the year of separation, the payout will take place in the subsequent budget year.

## **Work Force Reduction**

Pursuant to N.J.A.C. 4A: 8-1.1, the Township of Jackson may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. Seniority, lateral or other re-employment rights for employees in Career Service titles will be determined by the State of New Jersey Civil Service Commission.

## **Driver's License Policy**

Any employee whose work requires the operation of township vehicles must hold a valid New Jersey State Driver's License.

All new employees who will be assigned work entailing the operating of a township vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employee's drivers' licenses through visual review shall be made by the department head or division supervisors, and the Personnel Manager shall conduct formal Department of Motor Vehicles reviews. Any employee who does not hold a valid driver's license will not be allowed to operate a township vehicle until such time as a valid license is obtained.

Any employee performing work which requires the operation of a township vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. An employee that fails to report such an instance is subject to disciplinary action, including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a township vehicle shall be subject to possible termination.

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

### **Literature and Solicitation**

1. Solicitations, ticket sales, requests for contributions, distributions of literature and similar activities can seriously interfere with a safe, productive working environment. These activities are not normally allowed.
2. Exceptions may occasionally be granted to collect money for presents, flowers, parties, charitable donations or relief of hardship, etc.

The Business Administrator may impose any conditions and restrictions necessary to meet these standards.

### **Appointments**

All appointments to positions shall be made in accordance with the Statutes of the State of New Jersey and in accordance with the New Jersey Civil Service Commission rules and regulations. Upon appointment, a police background check shall be required and is a condition for continued appointment. Some employees may require a physical examination by a township designated physician and/or a drug/alcohol test.

Your employment with the township is "at will" and entered into voluntarily.

### **Transfers**

#### **PERMANENT TRANSFERS**

A permanent employee may be permanently transferred from one department to another within the Township of Jackson (4A:4-7.1).

#### **TEMPORARY TRANSFERS**

Employees may be temporarily transferred for a maximum of six months to provide a needed service for short periods of time or for other reasons documented to be in the Township of Jackson's best interest (4A:4-7.1(d))

## **Promotions**

The department head will submit a written recommendation to the Business Administrator to promote an employee to an existing vacancy or a reclassification of the present position. Requests for position reclassification must be accompanied by documentation which identifies changes, increase in number or complexity of duties to justify the request. All promotions are subject to approval by the Mayor and are in accordance with New Jersey Civil Service Commission rules and regulations.

## **SECTION TWO: Workplace Policies**

### **Job Descriptions**

A job description including qualifications shall be maintained for each position pursuant to the State of New Jersey Civil Service Commission guidelines if the position is subject to Civil Service. All job descriptions must be approved by the Business Administrator. Copies are available upon request in the Personnel Office.

### **Attendance/ Tardiness**

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday.

Employees who anticipate arriving late for work should telephone their immediate supervisor or department head. Where applicable, employees who do not report anticipating late arrival for work within the call-in grace period shall be subject to disciplinary action.

### **Hours of Work**

The official hours of work shall be 8:30 a.m. to 4:30 p.m. for all departments excluding Public Works and the Police Department.

For employees in Public Works, the hours of work are from 7:00 a.m. to 3:30 p.m., except for those employees with alternate work schedules.

Employees in the Police Department are subject to alternate work schedules as determined by the department head.

Lunch hours consist of a one hour lunch break unless otherwise outlined in accordance with a collective bargaining agreement.

### **Breaks**

Breaks will be handled pursuant to the terms of the applicable bargaining unit agreement. Supervisory personnel must arrange breaks so that offices continue to function.

### **Emergency Closing of Offices/Inclement Weather**

If it is necessary to close offices because of adverse weather (deemed a state of emergency) or other conditions, employees may call their worksite or supervisor for information. Employees will not be docked for the day.

All essential employees in the Public Works and Police Department must report to work as directed by their department heads.

If, inclement weather is not considered an emergency and non-safety employees do not report to work or leave early, said time shall be deducted from either comp, personal, vacation or sick time.

If offices are closed early, employees who have reported to work shall not be charged any paid leave time for the balance of the day. Employees who are not at work shall be charged a full day of paid leave time.

### **Uniforms and Dress Code**

The appearance of employees reflects the image of our township and has a significant impact on the way we are viewed by residents, other employees and the general public. 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 departmental standards. Uniforms must always be worn when on duty and should be kept well maintained. All aspects of the uniform must be worn. Full responsibility for maintenance and cleanliness will remain with the employee, including replacement of damaged uniforms.

All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. As a rule of thumb, please see the guidelines below. Supervisors are responsible for ensuring that these guidelines are met.

#### **RECOMMENDED OFFICE ATTIRE**

Pants: Colored Jeans, Dockers, Khakis,  
Capris, Corduroys, Pantsuits  
Shirts: Blouses, Collared Shirts, Sweaters  
Other: Dresses, Skirts and Blazers  
Shoes: Dress Shoes, Loafers, Sandals

#### **NOT RECOMMENDED OFFICE ATTIRE**

Pants: Blue Jeans (of any kind), Torn or  
Baggy Pants, Shorts  
Shirts: T-Shirts with Slogans or Pictures,  
Midriff, Cropped, Tank and/or Halter  
Other: Tight, Short-Fitting, Revealing Attire,  
Athletic Wear or Sweat Suits  
Shoes: Athletic Shoes (Sneakers), Flip-Flops

#### **PERMISSIBLE DRESS DOWN/CASUAL FRIDAY**

Blue Jeans, Athletic Wear, Athletic Shoes (Sneakers)

## **No Smoking Policy**

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 addition, Ordinance 51-02 states the following:

- A. Smoking is prohibited on all Township-owned property at all times.
- B. Violations and penalties.
  - 1. Any person who violates this section shall appear before the Jackson Township Municipal Court and shall be subject to punishment as follows:
    - a. First offense: up to 15 hours of community service at a place designated by the Municipal Court.
    - b. Second offense: up to 30 hours of community service in a place designated by the Municipal Court and/or a fine up to \$100.
    - c. Third and subsequent offense: up to 50 hours of community service in a place designated by the Municipal Court and/or a fine up to \$250.
  - 2. Community service may include participation in a nonsmoking educational or support program approved by the Municipal Court.

Township facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere on township grounds. Smoking inside vehicles owned by the township and near equipment that may be sensitive to smoke is also prohibited.

This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

## **Use of Township of Jackson Property and Vehicles**

Township of Jackson policy, as well as state law, strictly prohibits the use of any public property for the private or personal benefit of any individual or private interest. Under no circumstances is any Township of Jackson property to be used to benefit any private interest whatsoever. This includes but is not limited to vehicles, fuel, tools, parts and supplies, computers, office equipment, office supplies, etc.

Any Township of Jackson employee who improperly uses any Township of Jackson property for personal gain or misuses any public property in the absence of a public purpose, will face immediate disciplinary action including termination. Furthermore, under certain circumstances, the employee may face criminal prosecution through referral to the criminal justice system.

Township-owned vehicles shall be used only for official business and shall only be used to transport passengers for official business purposes. A department head may grant temporary approval for an employee to take a vehicle home to facilitate responses to after-hours emergency calls, provided that it is to be used only for official township business. Employees who have been granted said approval may be required to return their assigned vehicle when on a leave that extends beyond two days.

Any employee whose work requires the operation of a vehicle, whether township or privately-owned will be required to:

- Submit to a State of New Jersey Motor Vehicle Commission (MVC) driving records check as a condition of employment
- Maintain a valid New Jersey State Driver's License
- Submit to periodic visual and formal MVC driving record checks
- Participate in defensive driving training as required by the township
- Ensure that proper vehicle documentation including registration and insurance card are in the vehicle prior to operating
- Abide by all state and federal laws, local ordinances and policies concerning the safe operation of a vehicle
- Notify the township in the event a license has been revoked

If a MVC driving record check reveals multiple violations, employees may lose driving privileges with the township.

If improper or unauthorized use of a township vehicle results in an accident, the employee may be required to make restitution for the damages.

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

### **Reporting Incidents Involving Township of Jackson Employees/Property**

Employees should perform their duties, utilize Township of Jackson property and operate Township of Jackson vehicles and equipment in a safe and responsible manner. Any employee who is involved in an incident involving Township of Jackson employees, property, equipment or vehicles, no matter how minor, for which the Township of Jackson may be held accountable, now or in the future, shall report the incident immediately to his/her supervisor, department head, the Township Clerk's Office and/or Business Administrator.

Employees may be liable for damages incurred to or caused by Township of Jackson equipment, property and/or vehicles if such damage is the result of employee negligence. CDL license holders may require a drug/alcohol test in accordance with the township Drug/Alcohol Policy.

The health and safety of all employees is a major concern of the Township of Jackson. For the protection and welfare of employees, the township will ensure its operations are in accordance with the safety provisions defined by the following:

- PEOSHA (Public Employees Occupational Safety & Health Act)
- OSHA (Occupational Safety & Health Act)
- Fire Prevention Bureau
- New Jersey Department of Labor

Any safety equipment issued to an employee must be worn as required or disciplinary action will be taken against the employee.

Police Officers shall refer to Departmental policies.

## **Telephone Usage**

Department heads and supervisors will instruct employees in telephone usage procedures and proper telephone answering techniques. This instruction includes, but is not limited to, the following:

- Answer telephones promptly and courteously.
- Identify the department and give your name.
- Telephones shall be answered using the following script:  
    “Good morning/afternoon, (department), (name) speaking, how may I help you?”  
    When signing off: “Is there anything else I can do for you today?”
- When taking messages, record the caller’s name, address, telephone number including area code along with a brief message. Also indicate the date and time of the call and your initials.

Employees are not authorized to accept collect telephone calls.

## **Personal Calls and Use of Handheld Devices**

“Personal calls” include all telephone communications, E-Mails, text messages and ‘tweets’ which are not necessitated by an employee's assigned work. Township business shall take priority over use of personal handheld devices including cellular telephones for personal use.

Township employees are responsible for the following:

- a. Confining personal calls to lunch and break periods unless an emergency arises.
- b. Spending as little time as possible on any personal call made during business hours.
- c. Bearing the cost of any personal call made on a township land line or handheld device.
- d. Maintaining township and personal handheld devices in a way that minimizes disruption in the work environment.
- e. Employees shall not use cellular telephones while operating township equipment.
- f. The township assumes no liabilities for loss or damage to employees’ personal property, including cell telephones carried on company equipment or left on company property. Employees assume the risk of loss or damage to cell phones or other electronic devices carried during the workday.

Each supervisor is responsible for minimizing the misuse of township and personal handheld devices through methods which he or she deems practical and appropriate for the situation as it exists.

The use of cellular telephones while driving on township business is prohibited.

## **Communication Media Policy (E-Mail, Voice Mail, Computer and Internet)**

Jackson Township's Communication Media are the property of the township and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the township, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

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

The township respects the individual privacy of its employees. However, employee communications transmitted by the township's Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the township. The township reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the township's Communication Media.** By using the township's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by township personnel. The existence of passwords does not restrict or eliminate the township's ability or right to access electronic communications. However, the township cannot require the employee to provide its password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the township are required to use the assigned municipal email account for ALL township business and correspondence. The use of private email accounts for ANY township business or during business hours is strictly prohibited.

Employees can only use the township's Communication Media for legitimate business purposes. Employees may not use township's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any township rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by township. Certain data, or applications that process data, may require additional security measures as determined by the township. **Employees must not share their passwords;**

**and each employee is responsible for all activity that occurs in connection with their passwords.**

All employees may access only data for which the township has given permission. All employees must take appropriate actions to ensure that township data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the township's computing environment.

Employees may not install *or modify* ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the township. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the township, or licensed to the township. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

The township encourages employees to share information with co-workers and with those outside the township for the purpose of gathering information, generating new ideas and learning from the work of others to the extent such sharing is permitted by the township. Social media provide inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Employees may engage in social media activity during work time through the use of the township's Communication Media, provided that it is directly related to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential township information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the township's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Business Administrator. Except in "emergency situations", employees are prohibited from taking digital images or photographs with media equipment not owned by the township. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the township's Communication Media. If such situation occurs, the

employee agrees that any images belong to the township and agree to release the image to the township and ensure its permanent deletion from media device upon direction from the township.

No media advertisement, electronic bulletin board posting, or any other posting accessible via the Internet about the township or on behalf of the township, whether through the use of the township's Communication Media or otherwise, may be issued unless it has first been approved by the Business Administrator. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the township.

Because authorized postings placed on the Internet through use of the township's Communication Media will display on the township's return address, any information posted on the Internet must reflect and adhere to all of the township's standards and policies.

All users are personally accountable for messages that they originate or forward using the township's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else) is prohibited.

Employees must respect the laws regarding copyrights, trademarks, rights of public, township and other third-party rights. Any use of the township's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the township, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Township employees have the right to engage in or refrain from such activities.

### **Video Surveillance**

The township may install video surveillance camera systems within public buildings and throughout public areas within the township, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the township will ensure compliance with federal, state and local laws governing such usage.

The township's video surveillance camera systems are a significant tool to which the employees of the township will avail themselves in order to complete the goals and objectives of the township. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The township's designee will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the township's video surveillance camera systems or tamper with access, archive, alter, add to, or

make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission from the designee of the township.

The township shall designate a person to be responsible for the maintenance and administration of the video surveillance camera system. Such designee will be responsible for maintaining a user access log detailing the date and name of individuals who view/access a stored recording.

Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that the Business Administrator is immediately informed of such breach.

### **Bulletin Boards**

The bulletin boards located in the township administrative building and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Business Administrator may post, remove, or alter any notice.

### **Identification Cards**

Various employees may be issued identification cards.

Identification cards must be available for presentation by an employee upon request. Please see your department head to ascertain if you require an identification card.

Each employee must immediately report a lost or stolen identification card to the Business Administrator, Personnel Manager and/or department head.

When terminating employment, each employee must surrender his/her identification card to the Personnel Manager.

### **Outside Employment**

Employees are permitted to seek jobs outside of the Township of Jackson employment if:

1. They maintain the Township of Jackson as the primary employer.
2. Such employment does not impede the performance of their duties or conflict with their position with the Township of Jackson.
3. Certain job titles may require prior approval by the Business Administrator.
4. Police Officers should refer to departmental policies.

## **Personal Property**

The Township of Jackson will make every attempt to assure a secure building. However, because the public has access to the general office area and at times the private offices, the Township of Jackson assumes no responsibility for employees' personal property beyond maintenance of a reasonably secure building.

## **SECTION THREE: Paid and Unpaid Time Off Policies**

### **Holidays**

Full-time permanent, provisional and unclassified employees are entitled to the following paid holidays. Police Officers shall refer to their collective bargaining agreements.

- New Year's Day
- Martin Luther King's Birthday
- Lincoln's Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- General Election Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Day

A permanent part-time employee is entitled to official paid holidays on a prorated basis.

- 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 on the preceding Friday.
- To be paid holiday pay, an employee must be on active pay status.
- If a paid holiday occurs while an employee is on approved vacation or sick leave, the employee shall not have that holiday charged as sick or vacation time.
- If a paid holiday occurs on the normal workday of a permanent, part-time employee, the employee is entitled to his/her regular part-time pay.
- When it is necessary for an employee to work on a paid holiday to maintain operations, the employee will be compensated in accordance with the provisions in the appropriate negotiated agreement.
- The observance of religious holidays other than those listed as official paid holidays will be granted and charged as personal or vacation days.

## Vacation

Permanent, unclassified and provisional full-time employees are entitled to paid vacation leave in accordance with the following schedule:

- After the initial month of employment and up to the end of the first calendar year, employees shall receive one (1) vacation day for the initial month of employment if they begin work on the 1<sup>st</sup> through the 8<sup>th</sup> day of the calendar month, and one-half (1/2) working day if they begin on the 9<sup>th</sup> through the 23<sup>rd</sup> day of the month;

After that time, annual paid vacation leave for the above employees shall be as follows:

- From one year but less than five years of continuous service, 13 working days;
- After five years of service but less than 10 years of continuous service, 17 working days;
- After 10 years but less than 15 years of continuous service, 21 working days; and
- After 15 years or more of continuous service, 25 working days.

Vacation time is credited at the beginning of the calendar year in anticipation of continued employment. (See NJAC 4A:6-1.2(a))

An increase in vacation leave shall be granted at the beginning of the calendar year in which the service requirement is met.

Permanent part-time employees are entitled to proportionate amounts of paid vacation leave. (See N.J.S.A. 11A:6-7)

Paid vacation days shall not accrue during certain leave of absences or suspension.

Department/division heads are to receive an additional five (5) days per year on the schedule above.

1. Requests for vacation shall be submitted via the appropriate Request for Leave form (Police personnel are to use police leave form and follow established submittal procedures) to the department head. Requests submitted will be honored if possible; however, proper staffing of department units must take precedence over all other considerations in scheduling vacations.
2. In an effort to afford all staff the convenience of scheduling vacations, and to avoid employees having an abundant balance of days at the end of the year which they must “use or lose,” all employees are to submit “Application for Leave” vacation requests, for the year, by the end of February. This is for ease of scheduling only, and to limit disruption to office operations, and would not preclude employees from taking other days off.
3. Vacation requests submitted up to and including February 27<sup>th</sup> shall be considered on a seniority basis, however, any requests submitted after February 27<sup>th</sup> shall be considered on a first-come first-serve basis.

4. An employee who leaves service with a local jurisdiction shall be paid for unused earned prorated vacation leave. (See NJAC 4A:6-1.2(h). Please refer to your respective collective bargaining agreement for any applicable bonus upon retirement. Non union employees shall, upon retirement only, receive a bonus of 5%. Non union employees hired after 1/1/96 shall receive a 5% bonus with a cap of \$12,000 inclusive of sick pay.
5. Vacation time for all employees may be taken in hours.
6. Vacation leave not taken during the calendar year because of the pressure of official business shall be used during the next succeeding year only and shall be scheduled to avoid losing the leave (maximum up to one year vacation allowance.) (See NJAC 4A:6-1.2(g))
7. Any employee who exhausts all of his/her vacation leave in any one year shall not be credited with any additional paid vacation leave until the beginning of the next calendar year. (See NJAC 4A:6-1.2(i))
8. Unused prorated vacation leave shall be paid to the estate of a deceased employee. (See NJAC 4A:6-1.2(j))
9. If employment terminates prior to the end of the calendar year, an adjustment will be made in the employee's final paycheck for any vacation leave which has been used, but not yet earned.
10. Accumulated vacation leave shall not be utilized in order to extend the effective termination of service date, nor shall it be used to attain additional insurance coverage, holidays or accrued time.
11. If an employee is sick or injured while on vacation leave, he/she may submit a written request to the Business Administrator to change vacation leave to sick leave. Proper medical verification may be requested. Approval is subject to the Business Administrator's discretion. Such requests must be made within a reasonable period of time as determined by the Business Administrator.
12. Other provisions which may affect vacation procedures may be found in the negotiated agreements.
13. If an employee wishes to take time off in excess of his/her accrued time, said employee must submit a request, in writing, at least 30 calendar days in advance of the requested time off. Said request should be dated and shall be reviewed and approved or disapproved by the Business Administrator. Employees will be docked in pay.

Police Officers shall refer to collective bargaining agreement and/or policy established by their department head.

## **Sick Leave**

### ACCUMULATION

Permanent, provisional and unclassified full-time employees are entitled to fifteen (15) working days of sick leave per calendar year. During the first year of employment, sick days are accrued based on the same schedule as vacation leave. Sick leave is credited in anticipation of continued employment. (See NJAC 4A:6-1.3(a)2.)

Permanent part-time employees are entitled to proportionate amounts of paid sick leave. (See N.J.S.A. 11A:6-7)

Sick leave may be used for personal illness or injury, exposure to contagious disease, or to care for a seriously ill member of an employee's immediate family. Immediate family shall be defined in the appropriate negotiated agreement and/or the Family Leave Act.

Unused sick leave shall accumulate from year to year without limit (NJAC 4A:6-1.3(f)).

Paid sick days shall not accrue during certain leave of absences without pay or suspension.

An employee who exhausts all paid sick days in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year. (See NJAC 4A:6-1.3(e))

### PAYMENT FOR SICK LEAVE

At the employee's option, employees who do not utilize their yearly allotment of accrued sick days may sell back a portion (in part or full) of his/her sick time in straight pay. Said request shall be submitted to the Personnel Manager no later than November 1<sup>st</sup> of each year. Sold back sick days are to be deducted from the employee's accumulated total and shall not be applicable to the Bonus Pay Program.

Where applicable, employees may be eligible for the Sick Bonus Pay Program, whereby the employee shall receive one (1) day's pay for every five (5) days of sick leave which is earned, but not used during the calendar year.

When an employee retires, the township shall pay back a portion of unused sick in accordance with the terms of the appropriate collective bargaining agreement. Non union employees shall be paid up to a maximum of 130 days in addition to a 5% bonus. Non union employees hired after 1/1/96 shall receive a 5% bonus with a cap of \$12,000 inclusive of vacation pay.

If an employee terminates employment prior to the end of the calendar year, an adjustment will be made in the final paycheck for any sick leave which has been used but not yet earned.

### USE OF LEAVE

All employees are responsible for immediately notifying their department in the manner prescribed by the department head if they will be absent due to use of sick leave. Failure to follow the procedure for notification of absence could result in denial of sick leave for that absence and/or disciplinary action.

If an employee is sick or injured while on vacation leave, he/she may submit a written request to the Business Administrator to change vacation leave to sick leave. Proper medical verification may be requested. Approval is subject to the Business Administrator's discretion. Such requests must be made within a reasonable amount of time.

When an employee uses more sick leave than he/she has, said employee must submit a doctor's note for each occurrence. Failure to submit same within one week of absence will result in the individual being docked for his/her actual time out as well as disciplinary action. Said disciplinary action shall be progressive in nature.

An employee may be required to submit official proof of the need to use sick leave in the form of a doctor's verification of illness or injury when:

- The employee is absent on sick leave for three (3) or more consecutive working days;
- If an employee is attending to an immediate family member, a doctor's verification of that individual may be required.
- After the tenth occurrence of absence on sick leave in one calendar year;
- There is a pattern of utilizing sick time to extend weekends, absences due to holidays or use of personal or vacation time.
- The Business Administrator determines such requirement appears reasonable.

Failure to comply with the above policy may result in disciplinary action. The submittal of a doctor's note **shall not** preclude disciplinary action from being taken. A review of the employee's personnel file shall be conducted and if an employee has a pattern of excessive and chronic abuse of sick leave in prior years, stronger disciplinary action will occur. "Chronic and/or excessive absenteeism" are to be determined by management. If no pattern of abuse exists in prior years and a doctor's note is submitted, every due consideration shall be given.

If the requested sick leave qualifies under the "Family Leave Act" (NJFLA) and/or the "Family and Medical Leave Act" (FMLA) you will receive written notification that your sick leave request has been designated as NJFLA and/or FMLA. The use of accrued time will run concurrent with family leave time and shall not extend the leave period. Refer to Family and Medical Leave Act Policy for detailed policy information.

## RETURN TO WORK

Prior to the return to work, the township may require an employee to be examined by a physician designated by the township to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received.

Short-term absences will be reported to the Business Administrator on the employee time sheets. For long-term absences, department heads will send a memo to the Business Administrator stating the anticipated length of the employee's absence. The township may require a medical certificate/release from the attending physician stating that the employee is able to return to perform regular duties and in doing so would not jeopardize the health of the employee or other employees. The employee's supervisor will forward the certificate to the Business Administrator for the employee's personnel file. If an illness is of a chronic or recurring nature, the employee may be required to provide one proof of illness every six months. Such proof must specify the nature of the illness and that it is likely to cause periodic absences.

## **Personal Days**

Permanent, provisional and unclassified employees shall be granted two (2) personal days at the beginning of each calendar year in anticipation of continued employment. Department/division heads shall be granted three (3) personal days at the beginning of each calendar year.

Personal days shall not be cumulative.

During the initial year of employment, employees shall be granted one-half day of personal leave for each full calendar month of employment up to a maximum as specified above for the remainder of the calendar year.

Personal leave may be taken in hourly increments.

## **AWOL**

An employee is considered to be AWOL (Absent without Official Leave) when that employee does not contact his/her department in accordance with procedures established by their department head to advise that he/she will not be in. The department head is to then notify the Personnel Manager of said AWOL whereby disciplinary action shall be taken. The employee shall also be docked for day(s) he/she was AWOL. An AWOL for five (5) or more consecutive workdays is considered as an abandonment of the position whereby the employee shall be terminated subject to Civil Service Commission rules and regulations.

If an employee has a pattern of excessive and chronic AWOLs, including those in prior years, stronger disciplinary action may occur. A review of the employee's file shall be conducted and management shall make a determination as to disciplinary action warranted.

## **Bereavement Leave**

In the case of death in the immediate family, a full-time permanent, provisional or unclassified employee shall be granted up to four (4) consecutive days of bereavement leave. This leave shall not be deducted from any other leave and shall be granted as many times as may be necessary during any given year. The term "immediate family" shall include the following: spouse or civil union partner, children, step-children, parents, step-parents, siblings, sister-in-law, brother-in-law, grandparents, grandchildren, great-grandparents, great-grandchildren of the employee or employee's spouse.

Two days of bereavement leave shall be granted to the employee in the event of the death of an aunt, uncle, niece or nephew of the employee or employee's spouse.

If travel time is required, the Business Administrator may grant up to one (1) additional day of bereavement leave. Said time shall be taken from one of the employee's leave banks.

### **Jury Duty/Witness Subpoena Leave**

An employee required to render jury service shall be entitled to be absent from work during that service and will be paid the employee's regular salary, subject to the following conditions:

1. The employee must notify their supervisor immediately upon receipt of a summons for jury service.
2. The employee has not voluntarily sought jury service.
3. The employee submits adequate proof of the time served on the jury and the amount received for such service.
4. Any compensation received by the employee as a juror, except for meal and travel expenses, shall be returned to the township.

### **Leaves of Absence**

Employees may be granted leaves of absence without pay in accordance with New Jersey Civil Service Commission Rules and Regulations.

A leave of absence without pay may be granted for, but is not limited to, the following:

1. Provisions of the Family Leave Act, which allows time for an employee's illness (also considered a Disability Leave), the birth of a child (Disability Leave), to care for a newborn or adopted child, or for a family member with a serious health condition which requires the employee's care. (Maximum of twelve weeks in a rolling year for a Family Leave.) Also includes paid FMLA.
2. Personal emergency.
3. Maternity.
4. Intermittent Family Leave.

The length and conditions of all leaves are subject to the approval of the Business Administrator and/or the Mayor. Each case is considered on its own merit and does not set a precedent for future cases.

Since leaves of absence may affect certain employee benefits, employees should see the Personnel Manager to discuss possible continuation of such benefits.

Vacation and sick leave shall not accrue while an employee is on certain approved leave of absences without pay. An employee may also lose service credit while on leave.

Employees on Family Leave are to only pay for those benefits which are normally made through payroll deductions. After the Family Leave expires, the employee pays for benefits.

Disability Leaves are considered part of a Family Leave.

The township will report all leaves of absences to the New Jersey Civil Service Commission.

Employees are expected to return to work on the day after their leave expires. If the employee fails to return to work upon expiration of a leave, they will be considered to have resigned. Employees will be restored to the position they held immediately prior to their leave, if it is available. If the position has been filled, they will be restored to an equivalent position. Should the Township of Jackson undertake a reduction in force or layoff during your leave, the employee would retain all layoff rights.

Intermittent Family Leave without pay may be taken by employees with a chronic medical condition that prevents them from working continuously. An employee must exhaust all of his/her sick leave prior to receiving an approved Intermittent Family Leave. The township requires medical certification from a physician. Intermittent Family Leave is for a cumulative total of 12 weeks (60 work days) in a one year (rolling year) period.

### **Family and Medical Leave Act**

In accordance with the New Jersey Family Leave Act (NJFLA) and the federal Family and Medical Leave Act of 1993 (FMLA) an eligible employee may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA) (the 12 month period is based on a 12 month rolling calendar) for the following reasons:

1. the birth of a child, adoption or placement (FMLA only)
2. to care for the newborn child within one year of birth or the placement of a child with you for adoption within one year of placement
3. the placement of a child with you for foster care within one year of placement (FMLA only)
4. a serious health condition that makes you unable to perform the essential functions for your job (FMLA only)
5. a serious health condition affecting your spouse/civil union partner, child, or parent, for which you are needed to provide care
6. any qualifying exigency arising out of the fact that your spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation (FMLA only) or in accordance with the Family and Medical Leave Act, 29 U.S.C. 2611 et seq., an eligible employee may take up to 26 work weeks of leave during a single 12 month period to care for a covered service member with a serious injury or illness who is your spouse, son, daughter, parent, or next of kin to the employee.

### **ELIGIBILITY**

Employees are eligible for leave under the New Jersey Family Leave Act (NJFLA) if the individual has worked for at least 12 months with a minimum of 1,000 hours during the immediately preceding 12 months. Employees are eligible for leave under the Federal Family Leave Act (FMLA) if the individual has worked for at least 12 months with a minimum of 1,250 hours during the immediately preceding 12 months.

If an employee may be considered a “key employee” under the Family and Medical Leave Act, or a “highly compensated employee” under the New Jersey Family Leave Act, that employee’s entitlement to leave and reinstatement may be affected.

If the employee and his/her spouse both work for the township, they are both eligible for leave. In cases other than the employee's own serious health condition, the total leave period for the employee and the employee’s spouse may be limited to 12 weeks total (combined).

### REQUEST FOR LEAVE

When requesting leave, the employee must provide at least 30 days of advance notice, whenever possible. Medical certification will be required if the leave request is for the employee's own serious health condition or to care for a family member's serious health condition. Failure to provide the requested medical certification in a timely manner may result in denial of the leave until it is provided.

It may be medically necessary for some employees to use intermittent FMLA leave. The township will work with employees to accommodate reduced work schedules for most qualifying FMLA events; however, a reduced work schedule under FMLA is not permitted for the birth, adoption or placement for foster care of a child. Jackson Township may transfer an employee on recurring intermittent FMLA leave to another temporary position which better accommodates the leave schedule.

Leave because of the birth or adoption of a child must be completed within the 12 month period beginning on the date of birth or placement of the child. Employees on approved intermittent FMLA leave are required to comply with township notice and call out procedures.

### DEFINITIONS

*Family Member* – A child (including biological, step-child, adopted child or foster child), parent (including foster parent, step-parent, parent-in-law [FLA only] and legal guardian) or spouse of the employee.

*Care* – Actual physical or psychological care, emotional support, visitation, assistance in treatment, transportation, assistance with essential daily living matters and personal attendance services.

*Serious Health Condition* – An illness, injury, impairment or physical or mental condition that requires:

1. In-patient care in hospital, hospice, or residential medical care facility; or
2. Continuing supervision by a health care provider.
3. A period of incapacity (i.e. inability to work or perform other regular daily activities due to the serious health condition, treatment therefore or recovery) of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves treatment two (2) or more times by a health care provider, or treatment by health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
4. Any period of incapacity due to pregnancy or for prenatal care.

5. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which requires periodic visits for treatment by a health care provider, continues over an extended period of time and may cause episodic rather than continuing period of incapacity (such as asthma, epilepsy, etc.). Treatment by health care provider is not intended to include routine physical examinations, eye examinations or dental examinations. Furthermore, continuing treatment by a health care provider is not intended to include treatment which can be initiated without visit to a health care provider such as the taking of over-the-counter medications, bed rest, drinking fluids, exercise, etc.

*Employment Benefits* – All benefits and insurance policies that Jackson Township provides or makes available to employees. Depending on the employee's eligibility, these benefits may include group life insurance, health insurance, sick, personal and vacation time.

#### CERTIFICATION BY HEALTH CARE PROVIDER

Jackson Township, at its expense, may require an examination by a second health care provider designated by the township if the organization has a reasonable question regarding the medical certification provided by the employee.

Because Jackson Township wishes to ensure the well being of all employees, any employees returning from FMLA for his/her own serious health condition may need to provide a Fitness for Duty statement signed by his/her treating physician. An employee failing to provide a Fitness for Duty statement may not be permitted to resume work until it is provided.

#### EMPLOYEE BENEFITS

Health benefits will be maintained during FMLA and NJFLA leave under the same conditions as if the employee continued work. If the employee does not return to work following FMLA or NJFLA leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle them to leave; or (2) other circumstances beyond their control, the employee may be required to reimburse the township for their share of health insurance premiums paid on the employee's behalf during their leave.

All other benefits will continue under the same conditions in accordance with applicable law and/or negotiated contracts.

#### RETURN FROM LEAVE

Upon return from leave, the employee will be restored to his/her original or an equivalent position. If an employee fails to return at the end of FMLA leave, the employee will be considered to have voluntarily resigned his/her position with the township.

If an employee requests an extension of leave beyond the 12 week period because of his/her own serious medical condition, the employee must submit medical certification of a continued serious health condition in advance of the request. The Business Administrator will review such requests on a case-by-case basis in order to determine whether it can reasonably accommodate such a request. Reinstatement is not guaranteed when granted extended leave and will depend upon the business needs of the township.

All questions regarding Family and Medical Leave policies should be directed to the Personnel Manager.

### **Family Leave Insurance**

New Jersey Family Leave Insurance (FLI), signed into law May 2, 2008 provides FLI benefits for up to six (6) weeks in every 12 month period to employees for the care of family member suffering from a serious health condition, and for bonding with newborn and newly adopted children. FLI provides a monetary benefit, not a leave entitlement.

For applications, complete benefit information under FLI or for additional information, please contact:

- Online: [www.nj.gov/labor](http://www.nj.gov/labor)
- By mail:  
Division of Temporary Disability Insurance  
PO Box 387, Trenton, NJ 08625-0387
- By phone: (609) 292-7060  
Hearing impaired: (609) 292-8319

All questions regarding Family Leave Insurance should be directed to the Personnel Manager.

### **Military Leave**

The township will grant military leave for eligible employees in accordance with the provisions of the New Jersey Administrative Code (N.J.A.C. 4A:6-1.11) and all other applicable State and Federal laws.

### **Domestic Violence Leave**

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

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

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

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

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

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.

## **SECTION FOUR: Compensation & Employee Benefits Policies**

### **Payroll Policy**

Pay periods for all employees are bi-weekly in length starting on Saturday and ending on Friday. Paychecks are distributed the Friday which is the last day of the pay period. If a payday falls on an official holiday, paychecks will be issued the day before.

No paychecks may be issued in advance of the normal payday, unless requested one month in advance. The employee must complete and submit application for leave form to their department head, who in turn will submit to the Business Administrator for approval. Employees wishing to receive a paycheck early must also submit a copy of this request to the Finance Department to insure prompt handling of the early paycheck.

Employees must cash their paychecks on personal time, not during official municipal working hours.

Per Ordinance 11-14, effective September 1, 2014, there will be mandatory direct deposit for all full-time employees.

Salary ranges are established by ordinance and are paid in accordance with collective bargaining agreements. Non union employees' wages are subject to the decision and approval of the Mayor or in some cases, the Township Council.

Mandatory deductions from paychecks may include the following:

- Federal Income Tax
- State Withholding Tax
- Social Security (FICA)
- Unemployment Insurance
- Pension Deductions & Loan Repayments
- Court-ordered Wage Garnishments
- Medicare
- Short and Long-term Disability Insurance
- NJ Family Leave Insurance (FLI)
- 

Employee-authorized deductions shall include:

- PERS Contributory Insurance (mandatory for the first year of enrollment in the Pension system)
- Supplemental Insurance
- Union Dues and Representation Fees
- Deferred Compensation
- Health Insurance Benefits, where applicable

## **Overtime**

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. Depending upon the job duties assigned to the employee, employees whose compensation exceeds \$100,000 per year may be exempt. The Personnel Manager 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 Business Administrator's prior approval and at the sole discretion of the Business Administrator.

All other employees are classified as Non-Exempt and 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 Business Administrator. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

- Department heads must first receive authorization from the Business Administrator before scheduling overtime for employees, except in emergency situations.
- Overtime is paid at a rate of time and one half.
- Employees called in for work shall receive a minimum of two hours pay.
- Compensatory time may be granted in lieu of overtime pay.
- Exempt employees, including department heads are not to receive overtime and/or comp time except that such employees may be granted hour for hour compensation in the form of a cash payment or compensatory time for emergency or extraordinary work, including but not limited to, maintenance, construction, snow removal or other related work in situations which constitute unreasonable safety hazards to the public. Such hour for hour compensation in the form of cash payment or compensatory time may be approved in writing, at his or her reasonable discretion, by the Business Administrator, upon submission of proper documentation which requires, at a minimum, accurate timekeeping records and detailed prior written justifications, except in emergency situation if prior justification is not reasonably practicable. If the Business Administrator is requesting hour for hour compensation in the form of a cash payment or compensatory time for emergency or extraordinary work, such approval shall be given in writing, at his or her reasonable discretion, by the Mayor. Under no circumstances may any exempt employee, including department heads, approve his or her own time for purposes of receiving overtime pay and compensatory time.

## **Timesheets**

All employees, with the exception of certain exempt employees and elected officials, are required to accurately record their work time and submit it to his/her supervisor via the time

clock. All employees are to punch in at the beginning of their shift, and punch out at the end, using the time clock system installed nearest to their workstation.

Any missed punches should be reported to your supervisor or designated time keeper within your department.

There will be a seven (7) minute grace period to punch in both before and after the start or end of a shift. The grace period is not to be construed as permission for late arrivals or early departures.

All employees, with the exception of Police Officers, Dispatchers and TWU workers are required to clock out during their lunch period. Other exceptions may be considered on a case by case basis for employees who work outside the office.

### **Health Insurance & Prescription Policy**

The township shall provide medical and prescription coverage to all full-time employees, part-time employees who work 30 hours a week or more (excluding all interim, temporary and seasonal employees, whether full-time or part-time) and their eligible dependents.

The Township of Jackson pays the premiums for medical and prescription coverage for all full-time employees and their families with the exception of employee contributions as required by law.

Coverage for new employees will begin 60 days from the 1<sup>st</sup> day of employment or meeting the eligibility requirements. You may opt to waive medical benefits, provided you show proof of other coverage by your spouse. (Includes prescription)

The Personnel Manager will provide enrollment forms and information about the features of the available programs for all eligible employees upon employment.

New employees must complete the enrollment form and return it to the Personnel Manager as soon as possible after beginning employment to ensure timely coverage. Failure to do so will delay enrollment.

1. Any employee who wishes to change from one plan to another plan may do so during the open enrollment period.
2. After retirement, termination, or while on an approved leave of absence, health benefit coverage may be continued. Employees may be required to pay premiums. To insure uninterrupted group coverage, employees should see the Personnel Manager as early as possible for complete details.
3. Errors on either enrollment and/or claim forms are the responsibility of the employee.

Please see booklet plans for additional information on medical coverage.

## **Dental Benefits**

The township shall provide dental coverage to all full-time employees, part-time employees who work 30 hours a week or more (excluding all interim, temporary and seasonal employees, whether full-time or part-time) and their eligible dependents. The township pays the premiums for dental coverage.

Coverage for new employees will begin 60 days from the 1<sup>st</sup> day of employment or meeting the eligibility requirements.

After retirement, termination, or while on an approved leave of absence, dental benefit coverage may be continued. Employees may be required to pay premiums. To ensure uninterrupted group coverage, employees should see the Personnel Manager as early as possible for complete details.

Please see booklet plans for additional information on dental coverage.

## **Vision**

The township shall provide vision coverage to all full-time employees, part-time employees who work 30 hours a week or more (excluding all interim, temporary and seasonal employees, whether full-time or part-time). Dependents are not eligible for this coverage. The township pays the premiums for vision coverage.

Coverage for new employees will begin 60 days from the 1<sup>st</sup> day of employment or meeting the eligibility requirements.

Employees may obtain vision claim forms from the Personnel Department.

After retirement, termination, or while on an approved leave of absence, vision benefit coverage may be continued. Employees may be required to pay premiums. To ensure uninterrupted group coverage, employees should see the Personnel Manager as early as possible for complete details.

## **Short and Long-Term Disability Plans**

The township shall provide short-term and long-term disability benefits to all full-time employees and part-time employees who work 30 hours a week or more (excluding police officers, all interim, temporary and seasonal employees, whether full-time or part-time). Dependents are not eligible for this coverage.

Disability benefits are effective the 1<sup>st</sup> of the month following 60 days of employment or meeting the eligibility requirements.

Employees shall pay one-half of one percent of the premium cost through payroll deductions.

Please see benefits plan booklet for details.

While on an approved leave of absence, disability benefit coverage may be continued. To ensure uninterrupted group coverage, employees should see the Personnel Manager as early as possible for complete details. Employees are required to pay premiums while on leave.

There may be additional optional Disability Plans, including Cancer Illness Plans which are paid at the employee's expense. Please see Personnel Manager for details.

### **Group Life Insurance**

Employees who are members of the Public Employees' Retirement System of New Jersey or Police and Firemen's Retirement System are automatically enrolled in the group life insurance provided through the State.

### **Pension Plan**

The township will enroll employees in the Public Employees' Retirement System (PERS), Police and Firemen's Retirement System (PFRS) or Defined Contribution Retirement Program (DCRP) in accordance with the rules of the State of New Jersey, Department of the Treasury, Division of Pensions and Benefits.

### **Deferred Compensation Plans**

The township offers Deferred Compensation Plans to its employees. Participation in these plans is made through payroll deductions. Please see the Personnel Manager for details.

### **Workers Compensation**

Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The township covers workers compensation benefits through its insurance program. Additionally, the Township of Jackson will supplement any payments received as workers compensation for temporary disability to equal an employee's full salary for up to one year as long as the employee is temporarily disabled under workers compensation. This supplemental income, in the form of a leave of absence with pay, is available to any full or part-time employee who is injured or disabled as a result of his/her employment.

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 designated by the township's insurance program and payment for unauthorized medical treatment may not be covered pursuant to the Act.

When an employee or volunteer gets injured on the job:

1. The employee's supervisor immediately notifies the designated medical claims coordinator (CSG 1-800-293-9795). This pertains to all shifts.

2. In case of an emergency, the employee should go to the nearest hospital and the designated medical claims coordinator (CSG) should be notified as soon as possible.
3. The supervisor and employee complete the Incident Investigation Report and forward it to the Personnel Office.
4. The medical claims coordinator will assign a nurse case manager.

Failure to report job related injuries and illnesses in a timely manner may result in disciplinary action, up to, and including termination.

## **COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 was signed into law on April 7, 1986. This law contains a provision pertaining to the continuation of health care benefits for persons enrolled for coverage through an employer group plan. COBRA requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage called “continuation coverage” at group rates in certain instances where coverage under the plan would otherwise end.

Employees whose coverage terminates because of a reduction in working hours or termination of employment can choose to continue their coverage in the program. However, employees terminated because of gross misconduct are ineligible for such coverage. Additionally, dependents that are no longer eligible for coverage can choose to continue coverage as well. Employees receive a COBRA Notice at the time of employment and a COBRA Package at the time of termination.

## **Unemployment Compensation**

Employees who lose their jobs through circumstances beyond their control, or who are working less than full-time because of a lack of full-time employment, may be covered by the Unemployment Compensation Law.

Both the Township of Jackson and its employees make contributions towards the Unemployment Compensation Insurance Program.

## **Educational Benefits**

Employees are encouraged to receive job-related training and education by attending college courses, seminars, professional conferences, and New Jersey Civil Service Commission Human Resource Development programs.

Reimbursement for educational expenses shall be in accordance with negotiated contracts and/or evaluated on a case-by-case basis.

If any employee holds an Associate's Degree, Bachelor's Degree, or, Master's Degree and said degree is not required as part of the employee's employment or is not taken into consideration during the interview process, then that employee may be entitled to an additional one-time

stipend for said degree. The payment of this benefit is at the sole discretion of the Business Administrator.

It is understood and agreed that the holding of a higher degree eliminates any additional compensation for the lower degree.

Employees wishing to pursue job-related, educational seminars must submit a written request to their department head. If the department head approves and if funds are involved, the request will be forwarded to the Business Administrator for final approval.

### **Conferences and Seminars**

Requests to attend a conference or seminar must be submitted at least thirty days before the event for approval by the Business Administrator. Requests must be in writing and include the conference schedule, registration information and estimated costs. The department head is responsible to detail all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

Employees wishing to attend the Annual League of Municipalities Convention will be required to request the use of paid time off unless attendance is associated with educational courses specific to a municipal license or certification issued by the State of New Jersey and/or directly related to the employee's work. If related to a State certification or job relevant, the Business Administrator may consider requests to attend and agree to pay for the cost of the education and training, subject to available budget and staffing considerations. Under no circumstances, however, will the township reimburse for meal and lodging expenses associated with attendance at the Convention.

### **Reimbursement for Travel Expenses**

Employees who receive approval from the Business Administrator will be reimbursed for legitimate expenses, including the use of a personal vehicle in accordance with the Township of Jackson travel policy and/or appropriate collective bargaining agreements.

All requests for such reimbursement must be itemized and accompanied by receipts.