

EMPLOYEE MANUAL

PERSONNEL

POLICIES AND PROCEDURES

MANUAL

TOWNSHIP OF LITTLE FALLS

July 24, 2017

Revision #2

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*Required

Personnel Policy and Procedure Manual

Purpose of the Policy and Procedure Manual

Purpose: This manual includes a compilation of policies and procedures which govern and affect personnel administration for all administrative departments within the jurisdiction of the Township of Little Falls. The purpose of this manual is to improve the quality of the personnel management function.

Additionally, this manual serves as a convenient repository which codifies existing rules and municipal laws and procedures relating to personnel administration in the Township of Little Falls. Its' intent is to provide an orderly explanation of personnel regulations which aid in assuring equitable and fair treatment of applicants and employees in selection, promotion and compensation without regard to political views, race, national origin, sex, religion, age or disability, providing the latter does not directly affect efficient job performance.

Definitions

A. Policy: An adopted and approved management approach and attitude toward the general handling of matters relating to the administration of personnel matters.

B. Procedure: Detailed method for implementation of a policy.

Scope: The Personnel Policies and Procedures Manual refers to all Township of Little Falls employees and volunteers and may be amended by a collective bargaining contract, approved by the Mayor and Council for employees covered by said contracts. It is to be considered binding and is to serve as a reference for Department Head and staff personnel.

This manual has been prepared to explain the policies and procedures in existence at the time of printing and is subject to change.

Responsibility for Development and Implementation of Policy and Procedures Manual

Township Business Administrator/Personnel Officer

Responsible for:

- A. Coordinating the preparation of policies and procedures;
- B. Obtaining required approvals by the Mayor and Township Council as necessary for adoption of personnel policies and procedures;
- C. Authorizing distribution of approved policies and procedures;
- D. Overseeing the implementation of approved policies and procedures; including training for said policies.
- E. Reviewing and updating the Policies and Procedures Manual.

Department Head

Responsible for:

- A. Implementing existing policies and procedures within their respective departments;
- B. Participating in the formulation or modification of policies and procedures through written recommendations and suggestions to the Township Administrator;
- C. Maintaining all policy and procedure directives and revisions in the binder provided;
- D. Insuring that the Policies and Procedures Manual is available to all Departmental employees and that they are familiar with its contents.

Management Rights

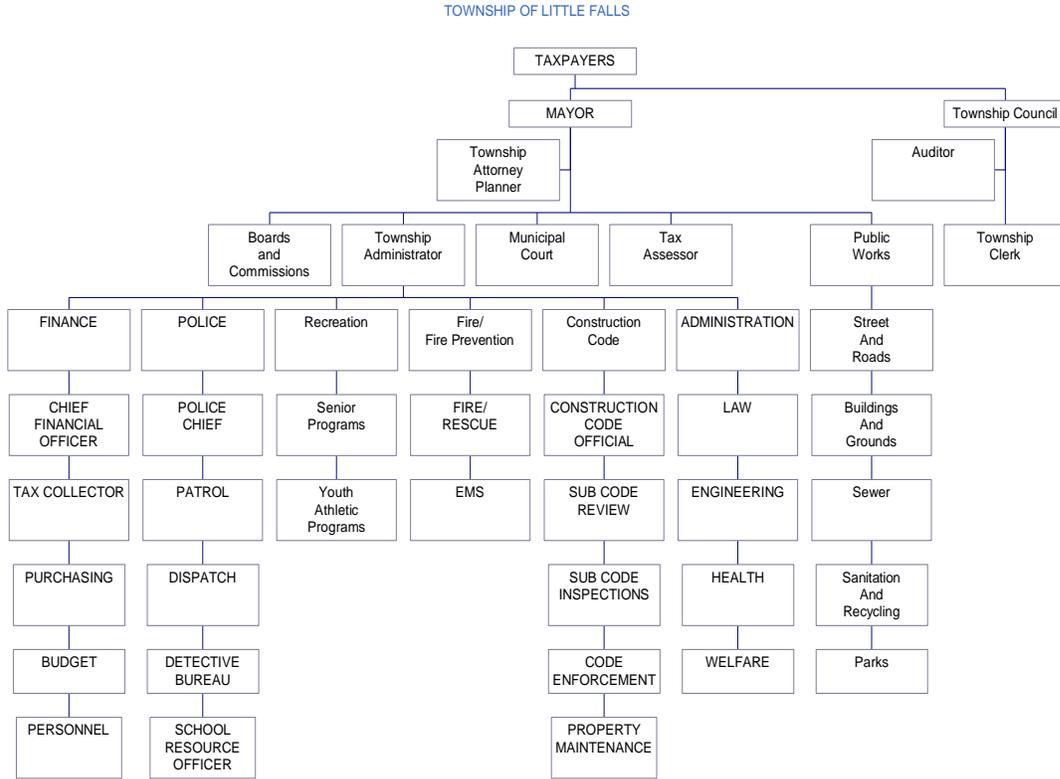
The Township of Little Falls hereby retains and reserves unto itself all powers, rights, authority, duties and responsibilities conferred upon and vested in it by the Laws and Constitution of the State of New Jersey and the United States, including, but not limited to, the following rights:

- A. To manage and control the affairs of the Township of Little Falls and its' properties and facilities, the operation of its' departments, and the activities of its' employees and volunteers;
- B. To hire all employees and, appoint volunteers subject to the provisions of law, to determine their qualifications, to determine standards of performance, conditions for continued employment or assignment and to promote and transfer employees;
- C. To layoff, suspend, demote, discharge or take other disciplinary action for good and just cause according to law;
- D. To promulgate rules, regulations, policies and procedures to effect the orderly and efficient administration of the personnel management system of the Township of Little Falls.
- E. To set work schedules, on call time, hours and days off.

Relationship of Policy and Procedures Manual Court Rules and Contracts

The policies and procedures stated in this manual are not intended to abrogate, supersede, or conflict with Court rulings formulated by the New Jersey and United States Courts, or any contracts negotiated on behalf of the Township of Little Falls employees

Section 5. Organizational Chart of the Township of Little Falls



GENERAL PERSONNEL POLICY:*

It is the policy of the Township of Little Falls 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 of Little Falls shall apply to all employees, volunteers, elected or appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law including the New Jersey Civil Service Act, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

All employees, officers and Department Heads shall be appointed and promoted by the Mayor and Council. No person shall be employed or promoted unless there exists a position created by a resolution adopted by the Township of Little Falls as well as the necessary budget appropriation and salary resolution.

The Township Administrator and all managerial/Department Heads are authorized and responsible for personnel policies and procedures. The Mayor and Township Council shall also have access to the Township Attorney for guidance in personnel matters.

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

The Personnel Policies and Procedures Manual adopted by the Governing Body is intended to provide guidelines covering public service by Township of Little Falls employees and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for Township of Little Falls personnel. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township of Little Falls.

<p>To the maximum extent permitted by law, the employment practices of the Township of Little Falls shall operate under the legal doctrine known, as “employment at will.” Within Federal and State law, and any applicable bargaining unit agreement, the Township of Little Falls shall have the right to terminate an employee at any time and for any reason, with or without notice, except the Township of Little Falls shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.</p>

Specific Employment Policies and Procedures
SECTION ONE

Policies Relating to Employee Rights and Obligations:

Equal Employment Opportunity Statement

Policy: It is the policy of the Township of Little Falls to ensure equal employment opportunity for all persons, regardless of race, color, national origin, political or religious opinions or affiliations, ancestry, age, marital status, sex or because of a physical disability that does not interfere with ability to do the work required, or liability for service in the Armed Forces of the United States.

Age shall be a factor for employment only where it is a valid occupational requirement as determined by law.

This policy shall be applied to all phases of employment including but not limited to recruitment, selection, appointment, placement, promotion, demotion, transfer, training, wages, benefits, working conditions, layoff, recall, discharge, disciplinary action, performance evaluation and use of all municipal facilities.

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 as amended by the New Jersey Pregnant Worker's Fairness Act (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), pregnancy (including pregnancy related medical condition), childbirth, 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, Township Administrator.

Americans with Disabilities Act Policy:***Americans with Disabilities Act Policy/ New Jersey Pregnant Worker's Fairness Act:***

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Township does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. 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 LAD. 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, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, 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.

The Township Administrator shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the Township 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 Township Administrator.

Contagious or Life Threatening Illnesses Policy:*

The Township of Little Falls 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 of Little Falls 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 their job and also provided that the accommodation does not impose an unreasonable hardship on the Township of Little Falls.

The Township of Little Falls 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.

Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

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

Safety Policy:

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

The Township of Little Falls has appointed a Safety Committee that meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their Safety Committee Representative.

Transitional Duty Policy:

The Township of Little Falls will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed and will not exceed 30 workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

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

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

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Township Administrator. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Township Administrator informed of the medical progress. Employees assigned to transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason. If at the end of transitional duty period the employee is not able to return to work without restrictions, the Township of Little Falls reserves the right at its sole discretion to extend the transitional 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 of Little Falls 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 Department Head to be intoxicated or under the influence of alcohol or drugs during working hours or is under the reasonable suspicion of same shall be immediately tested

and is subject to discipline up to and including termination. The Department Head or will immediately report any reasonable suspicions to the Township 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. 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 of Little Falls premises or during work hours by employees is strictly prohibited.

Employees must notify their Department Head 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 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 of Little Falls 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. A program to assist employees who may have a drug/alcohol problem is provided through the Township of Little Falls' Employee Assistance Program (EAP).

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 of Little Falls property or while performing Township of Little Falls business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

Workplace Violence Policy:*

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

Prohibited conduct includes:

- Causing physical injury to another person;

- Making threatening remarks;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on Township of Little Falls property or while on Township of Little Falls business unless carrying a weapon is a function of your job duties and is authorized by the Township administrator or the Police Chief; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Any potentially dangerous situations must be immediately reported. The Township of Little Falls will actively intervene in any potentially hostile or violent situation.

General Anti-Harassment Policy:*

It is the Township of Little Falls' 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 partner 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. Harassment of non-employees by our employees is also prohibited. 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 or physical conduct.

If an employee is witness to or believes to have experienced harassment, immediate notification of the Department Head 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 his or her Department Head. 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 of Little Falls generally. The Township of Little Falls 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 of Little Falls policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The Township of Little Falls prohibits sexual harassment from occurring in the workplace or at any other location at which Township of Little Falls 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 Department Head or Township Administrator or Township Clerk. See the Employee Complaint Policy.

Harassment of Township of Little Falls 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 immediately to the Township Administrator. 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 of Little Falls generally. The Township of Little Falls cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring those kinds of problems to the attention of management so that steps are necessary to correct them.

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. A written acknowledgement that the employee received, read, and understood this letter will be included in the employee’s official personnel file. The annual notice shall be in English and Spanish and must contain the name of the person who is designated to receive written notification of policies or practices that might violate CEPA. This right will also be communicated in the Employee Handbook. All complaints will be taken seriously and promptly investigated.

The Township of Little Falls 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 Department Head, Township 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 of Little Falls. 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 emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form. See Employee Complaint Policy. Under the law, the employee must give the Township of Little Falls 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.

Employee Complaint Policy:*

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to their Department Head, or, if they prefer, or do not think that the matter can be discussed with their Department Head, should contact the Township 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 complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report of an incident.

Grievance Policy:

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the Township of Little Falls. Grievances from union employees will be handled pursuant to the terms of the applicable bargaining unit agreement. All grievances from non-union employees must be presented in accordance with the following procedure and failure to report a grievance within such time shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty working days prior to the date the grievance was first presented in writing.

Grievance Procedure: Step One:

- (a) A grievance shall be presented in writing to the Personnel Officer. It must be filed within 30 calendar days from either the date on which the alleged act occurred or the date on which the grievant should reasonably have known of its occurrence. Efforts should be made to resolve the matter informally.
- (b) All grievances shall:
 - 1. Specify the particular act or circumstance being grieved;
 - 2. State the requested remedy; and
 - 3. Indicate whether the employee is representing himself or herself or the name of the employee's counsel or agent.
- (c) The Personnel Officer shall notify the employee of the scheduled hearing or grievance meeting date within seven days of receipt of the grievance. Such hearing or grievance meeting shall be conducted within 30 days of receipt of the grievance, unless an additional time period is agreed to by the parties.
- (d) A written decision shall be rendered within 14 days after the conclusion of the hearing or grievance meeting.
- (d) Lack of response by the Personnel Officer within the periods set forth in (c) and (d) above, unless the parties have consented to time extension, shall be considered a negative response.

Grievance Procedure: Step Two

- (a) A grievant may appeal to the Personnel Committee within 10 calendar days of:
 - 1. Receipt of the written decision at Step One: or
 - 2. A lack of timely response by the Personnel Officer.
- (b) The appeal shall be accompanied by material presented at Step One and any written records or decisions from Step One.
- (c) The Personnel Committee shall notify the employee of the scheduled hearing or grievance meeting date within 10 days of receipt of the grievance.
- (d) A written decision shall be rendered within 21 days after the conclusion of the hearing or grievance meeting.
- (e) Lack of response by the Personnel Committee within the periods set forth in (c) and (d) above, unless the parties have consented to a time extension, shall be considered a denial of the grievance appeal.

Appeals from Personnel Committee Decisions:

- (a) Minor discipline may be appealed to the Mayor provided any further appeal rights to mechanisms under the agreement are waived.
 - 1. The Mayor shall review the appeal upon a written record or such other proceeding as they direct and determine if the appeal presents issues of general applicability rule, or policy. If such issues or evidence are not fully presented, the appeal may be dismissed and the Mayor's decision will be a final Personnel Committee decision.
 - 2. Where such issues or evidence under (a) 1 above are presented, the Mayor will render a final administrative decision upon a written record or such other proceeding.

These limitations do not apply to employee complaints made under the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy or the Whistle Blower Policy.

Access to Personnel Files Policy:*

The official personnel file for each employee shall be maintained by the Personnel Officer. 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 Township Clerk 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 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 as described in the following section titled, "Requests for Employment Verification and Reference Procedure."

Conflict of Interest Policy:*

Employees including Township of Little Falls officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts

to the interests of the Township of Little Falls. Violations of this policy will result in appropriate discipline including termination.

The Township of Little Falls recognizes the right of employees to engage in outside activities that are private nature and unrelated to Township of Little Falls business. However, business dealings that appear to create a conflict between the employee and the Township of Little Falls'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 of Little Falls Clerk a state mandated disclosure form. The Township of Little Falls Clerk will notify employees and Township of Little Falls officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an employee including a Township of Little Falls official is in a position to influence a Township of Little Falls 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 of Little Falls 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 Township Administrator who may contact the Township Attorney to obtain clarification.

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

Employees may not accept any donations, gratuities, contributions or gifts that could be interpreted to affect their Township of Little Falls duties. Under no circumstances accept any donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Township of Little Falls or any person or firm seeking to influence Township of Little Falls decisions. Meals and other entertainment valued in excess of \$25.00 are also prohibited. Employees are required to report to the Township Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Political Activity Policy:*

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging

in political activities while performing their public duties and from using Township of Little Falls time, supplies or equipment in any political activity. Any violation of this policy must be reported to the Department Head, or Township Administrator.

Gifts and Gratuities

Policy: No employee, elected or appointed official of the Township of Little Falls shall accept, receive or obtain in any manner or fashion any gifts or gratuities from any resident, vendor, individual, partnership or corporation conducting activities with the Township or its agents. Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Township of Little Falls duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to business with the Township of Little Falls or any person or firm seeking to influence Township of Little Falls decisions.

Incidental meals related to the operation of government are considered to be a routine element of business operation, provided that they are not excessive and in no way intended to influence any decision made or to be made by any employee, elected or appointed official of the Township of Little Falls.

Employees are required to report to the Township Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Failure to comply with this policy may provide a basis for removal from employment or office.

Nepotism

Policy: It is the Township's policy that the employee of relatives shall be in compliance with the New Jersey Code of Ethics for Public Officials and to assure that the reality and appearance of fairness in the best interest of the Township.

Where ethical, legal or management necessity requires the limitation of employment opportunity of spouses or other immediate relatives, this means chosen to meet the necessity shall be those which have the least adverse impact on spouses or members of either sex.

Definitions: In compliance with NJSA 40:9-22.3 Immediate Family – Includes, spouse, child, parent, brother, sister, grandparent, parent-in-law, daughter-in-law, son-in-law, or grandchild. This policy shall also apply to people related by blood or marriage or non- related people residing as family members in a employee's home.

Employee Definitions

Full-time Employee: A provisional or permanent employee appointed to a regular Township of Little Falls position whose regular hours of work are the normal work week for the department to which he/she is assigned. A Full-Time employee enjoys all rights and benefits.

Part-Time Employee- A permanent employee appointed to a regular Township of Little Falls position, whose hours are less than the normal work week for the department to which he/she is assigned. Part-time employees who average over twenty five (25) hours per week are entitled to full benefits. Part-time employees averaging less than twenty five (25) hours per week receive no benefits.

Permanent Employee: An employee appointed to a Township of Little Falls position who has acquired permanent status and who has served the required one year probationary working test period.

Temporary Employee: (Per Diem) An employee hired for a period of limited duration not to exceed an aggregate of 1,000 hours in a twelve-month period. Temporary employees are not eligible for benefits.

Seasonal Employee: An employee appointed to a temporary position which may be of a seasonal or emergency nature. Seasonal employees are not eligible for benefits.

Probationary Employee: An employee whose permanent status is pending trial working period after regular appointment, during which time the work performance and conduct of the appointee is evaluated to determine if he/she shall merit permanent appointment.

Employee Evaluation Policy:*

The Department Head will monitor and evaluate each employee under his or her charge daily to measure progress and to encourage self-improvement. This process is continuous and the employees progress shall be communicated to the Township Administrator noting any additional duties performed, educational courses completed as well as a plan to correct any weak points identified by the Department Head. The Department Head is encouraged to maintain a working dialog with the employee and keep the Township Administrator informed of any issues related to work performance. If at any time the Township Administrator determines that the employee requires formal notification and action to insure the employee is working at the Township's standard, the Township Administrator and the Department Head will meet with the employee and reduce to writing the events and action plan to resolve any matters which need be addressed. This writing will be included in the employee's official personnel file. As a part of the continuous process the employees have the right to request a conference with the Township Administrator at any time.

Employee Discipline Policy:*

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

- Falsification of public records, including attendance and other personnel records.
- Failure to report absence.
- Harassment of co-workers and/or volunteers and/or visitors.
- Theft or attempted theft of property belonging to the Township of Little Falls, fellow employees, volunteers or visitors.
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on Township of Little Falls property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Township of Little Falls property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on Township of Little Falls property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Township of Little Falls premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Township of Little Falls or suppliers' property.
- Sleeping on the job.
- Carrying weapons of any kind on Township of Little Falls premises and/or during work hours, unless carrying a weapon is a function of your job duties.
- Violation of established safety and fire regulations.

- Unscheduled absence, and chronic or excessive absence.
- Chronic tardiness.
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours.
- Defacing walls, bulletin boards or any other Township of Little Falls or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential Township of Little Falls information.
- Gambling on Township of Little Falls premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Township of Little Falls premises.
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort.
- Conviction of a crime.
- Violating any Township of Little Falls rules or policies.
- Conduct unbecoming a public employee.
- Violation of Township of Little Falls policies, procedures and regulations.
- Violation of Federal, State or Township of Little Falls laws, rules, or regulations concerning drug and alcohol use and possession.
- Misuse of public property, including motor vehicles.
- Unauthorized use of computers, Internet, and email.
- Other sufficient cause.

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.

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 of Little Falls 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, Department Heads will recommend to the Township Administrator the use of the following corrective tools: verbal reprimand; Township Administrator review; written reprimand; suspension; fines, and, dismissal. At the discretion of Township of Little Falls, 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. The Administrator's disciplinary action is a formal written reprimand or a suspension or fine of five working days or less. No grievance appeal procedure is available to an employee for disciplinary action taken of less than five working days in a calendar year.

Disciplinary action taken of 5 days or more in a calendar year may be appealed by the employee in accordance with the grievance procedures herein:

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

Resignation Policy:

An employee who intends to resign must notify the Township Administrator in writing at least two weeks in advance. After giving notice of resignation, employees may be expected to assist their Department Head and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two weeks, the employee may use paid time off except paid holidays. The Township Administrator will prepare an Employee Action form showing any pay or other money owed the employee. The Township Administrator 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 and equipment. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

Work Force Reduction Policy:*

The Township of Little Falls 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 will be determined by the Township Administrator.

Driver's License Policy:*

Any employee whose work requires that the operation of Township of Little Falls 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 of Little Falls 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 and formal Department of Motor Vehicles review checks shall be made by Department Heads. Any employee who does not hold a valid driver's license will not be allowed to operate a Township of Little Falls vehicle until such time as a valid license is obtained.

Any employee performing work which requires the operation of a Township of Little Falls vehicle must notify the immediate Department Head 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 Department Head and continues to operate a Township of Little Falls vehicle shall be subject to possible termination.

Any information obtained by the Township of Little Falls in accordance with this section shall be used by the Township of Little Falls 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.)

SECTION TWO

Workplace Policies:

Job Description Policy:*

A job description including qualifications shall be maintained for each position. All job descriptions must be approved by the Township Administrator. Copies will be available upon request.

Employability Proof:

After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.

Working Test Period Policy

Prior to obtaining permanent status, all employees must serve a probationary period of six months. The employee may be dismissed without cause during the probationary period. Based on the evaluation of the employee by the Department Head the working test period may be extended an additional six months with the approval of the Township Administrator. The working test period for transfers and promotions will be 3 months. The employee may be demoted or dismissed during the working test period. Based on the evaluation of the employee by the Department Head the working test period may be extended an additional six months with the approval of the Township Administrator

Educational and Experiential Qualifications Policy

Policy: Employees of the Township of Little Falls must have the educational and experiential qualifications for the position they hold or for the promotion they seek. In addition, employees must hold educational degrees or certifications as required by municipal, county, or state law for the positions they seek, as well as job related experience to support their appointment.

Hours of Work

Policy: The official office hours of the Township of Little Falls are 8:00 – 4:00, Monday through Friday, The hours of work for employees, including a one hour lunch period, shall be specified by the Township Administrator. Individual department time schedules may vary according to the needs of that particular department. All employees of the Township work an annual 2018 hours. The Township Administrator may flex hours in order to accommodate the needs of the Residents or public as required. Collective Bargaining Contracts may specify shift and work schedule and shall be approved by the Township Administrator. The Township hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it prior to the signing of any Collective Bargaining

Agreement by the Laws and Constitution of the State of New Jersey and of the United States, including, but without limiting the generality of the foregoing, and to determine the work pace, work schedule, work performance, levels and standards of performance of the employee. Official summer work hours are as follows: Administrative employees 8:00 – 4:00, Monday through Thursday, the hours of work for Administrative employees, including a ½ hour lunch period, Friday hours are 8:00 to 12:00 noon, No lunch period on Friday.

Department of Public Works employees 6:00 to 2:30 Monday through Friday, the hours of work for employees, including a one hour lunch period.

Dress Code Policy:

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. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees should not wear suggestive attire, tattered frayed or torn jeans, athletic clothing, shorts, T-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. Tattoos and body piercing, other than earrings, should not be visible. With the advance approval of the Township Administrator, the Township of Little Falls will make reasonable accommodations that do not violate safety standards. Employees violating this policy will be required to take corrective action or will be sent home without pay.

Attendance Policy:

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 Department Head gives prior approval. All absences must be reported to the Department Head prior to the start of the normal workday. The normal working hours for administrative departments are 8:00AM to 4:00 PM. The working hours for other departments are established by departmental procedures and bargaining unit agreements.

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

All unauthorized and unreported absences shall be considered absence without leave and deduction of pay shall be made for such period of absences. Absence without leave shall be grounds for immediate dismissal from the Township of Little Falls.

Procedure:

- A. A warning for tardiness or excessive absences shall be oral or a written memorandum, noting date and particulars, signed by the Township Administrator and shall be placed in the employee's personnel file.

Early Closing and Delayed Opening Policy:

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

Breaks:

Administrative personnel are entitled to a one hour lunch that is to be arranged by the Department Head so that offices continue to function. All employees are entitled to a fifteen minute break in the morning and in the afternoon. Administrative personnel must arrange breaks so that offices continue to function. Breaks for other employees will be scheduled by the Department Head.

Returning to Work Following Sickness, Accident or Injury

Policy: An employee returning from a leave of absence due to sickness, accident or injury for a period of more than three consecutive work days, or on any day preceding or following a weekend or holiday may, at the discretion of the Township Administrator, be required to submit a medical certificate from a physician. The certificate shall state the nature of the sickness, accident or injury and shall certify that the employee is capable of performing his/her normal employment activities and that his/her return will not jeopardize the health of other employees.

The Township may require that an employee additionally be examined, at the expense of the Township, by a Township designated physician to establish the employee's ability to return to work, this examination is referred to as a "Fit for Duty Exam".

Procedure:

On the day of return from sick leave, exceeding more than three consecutive work days, or any sick day which immediately precedes or follows a weekend, holiday or vacation day, an employee shall present a medical certificate to the Township Administrator.

Outside Employment Policy

Policy: Full-time employees of the Township of Little Falls may engage in outside employment if:

1. They maintain the Township of Little Falls as their primary employer;
2. Such employment does not conflict with their duties or their position as an employee of the Township.
3. The employee must notify the Township Administrator and provide the name of the outside employer

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 accordance with State law, the Township of Little Falls has adopted a smoke-free policy for all buildings. Township of Little Falls facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Township of Little Falls buildings. Employees are permitted to smoke only outside Township of Little Falls buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Township of Little Falls 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 Vehicles Policy:

Township of Little Falls owned vehicles must be used for Township business, passengers may be driven in a Township owned vehicle when the employee is operating said vehicle in accordance with the established contractual provisions of vehicles assigned to the employee conducting the business of the Township. An employee who is also employed by another governmental entity may use a Township of Little Falls vehicle for that employment only if; the employment is approved by the Township Administrator in accordance with the provisions of Outside Employment.

Vehicles may be taken home on a special or temporary basis, only with the advance approval of the Township Administrator in order to facilitate responses to after-hours emergency calls, or work situations, which may occur. When an employee takes home a Township vehicle, on a temporary basis, it is to be used only for official business any other use is not permitted. Any violation of this policy is cause for disciplinary action.

Telephone Usage Policy:

Township of Little Falls telephones are for official business and employees may make a personal call only to inform their family of unexpected situations. Charges for all other personal calls must be reimbursed to the Township of Little Falls. The use of hand-held cell phones while driving must be done in accordance with all applicable traffic laws.

Communication Media Policy: *

The Township's Communication Media are the property of the Township of Little Falls 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, web sites, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the Township of Little Falls. 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 cloud bases storage 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. 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 Township business is 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 Administrator. 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.

Social Media and its uses in government and daily life are expanding each year 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. Only those Employees directly authorized by Township Administrator may engage in social media activity during work time through the use of the Township's Communication Media, as it directly relates 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.

No Township employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Township Administrator. In addition, employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, fires, 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 Township 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, 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 communication 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 Township Administrator of the Township of Little Falls. 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. Such unauthorized communications may result in disciplinary action.

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 without a legitimate authorized purpose and authorized by the Township Administrator is prohibited

Employees must respect the laws regarding copyrights, trademarks, rights of public Township's 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.

To the extent that employees use social media outside of their employment and in so doing employees identify themselves as Township's employees, or if they discuss matters related to the Township on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the Township, and the employee is expressing only their personal views. For example: "The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the Township or the Township's business. Employees must keep in mind that, if they post information on a social media site that is in violation of Township policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

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 of Little Falls may install video surveillance camera systems within public buildings Public Rights of way, Public Streets and throughout public areas within Township of Little Falls, 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 for 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 Township Administrator and the Chief of Police are immediately informed of such breach.

Employee Dating Policy:

The Township of Little Falls recognizes the right of employees to engage in social relationships with each other, including relationships of a romantic or intimate nature. However, the municipality also recognizes that such relationships can be a problem in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among coworkers, or the perception that they generate such problems.

To try to achieve a balance between employee rights and workplace needs, the Township has adopted the following policy on the subject of supervisor/subordinate dating.

If such a relationship exists or develops, both parties involved shall report the fact to A) their immediate supervisor or B) human resources.

For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title, makes or has the authority to make decisions or to take action concerning another employee's compensation, promotion, demotion, discipline, daily tasks, or any other terms, conditions or privileges of employment with the municipality.

If the employees involved in the relationship are also in a supervisor/subordinate status, management may take any action which it deems appropriate, up to and including transferring one of the parties so that there is no longer a supervisor/subordinate relationship between them.

In Addition, management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

Any employee who violates this policy will be subject to disciplinary action, up to and including discharge. The municipality regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment for other interference with municipal operations.

Nothing in this policy alters an employee's at will status.

Safety Policy

Policy: Employee safety and health are of major concern to the Township of Little Falls. It is essential that duties be performed in a safe manner for the protection and welfare of all employees. Safety equipment issued to employees must be worn on the job. Failure to do so will result in disciplinary action for an employee and his/her supervisor.

The Township of Little Falls will maintain conditions in accordance with the safety provisions of both the New Jersey Department of Health and the New Jersey Department of Labor.

Medical, Dental and Other Personal Business Appointments Policy

Policy: Employees shall schedule their medical, dental and other personal business appointments outside normal working hours. If necessary that such appointment be scheduled during working hours, flex hours can be utilized at the approval of the Department Head however employees should utilize whenever possible a personal day or vacation day for these appointments.

Use of Municipal Property Policy

Use of Equipment and Supplies

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

Unauthorized use or removal of municipal equipment and supplies shall be cause for disciplinary action and/or removal from employment.

Use of Personal Vehicles on Township Business Policy

When an employee has been authorized by the Township Administrator to use their personal vehicle on Township business, said employee shall be reimbursed for vehicle mileage at the rate consistent with current IRS regulation for per mile. Any charges for tolls and parking shall be in addition to the mileage.

Procedure:

- A. Employees shall be reimbursed for mileage following the submission of a voucher that details the actual number of miles traveled, the purpose of the trip, and the date. Any toll and parking receipts are to be attached to the voucher.

Bulletin Board Policy:*

The bulletin boards located in the Township of Little Falls administrative building and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Likewise, the Official Township of Little Falls website at www.LFNJ.com is also intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Township Administrator may post, remove, or alter any notices.

Personnel Records Policy– Confidential Nature and Review by Employee

Access to Personnel Files Policy:

The official personnel file for each employee will be maintained by the Personnel Officer. Personnel files are confidential records that must be maintained in a secured facility and will only be available to authorized managerial personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Any employee may review their file in the presence of the Personnel Officer upon reasonable request.

Policy: The Township Administrator or Township Clerk will provide that adequate personnel records are maintained for each employee of the Township of Little Falls. These records shall include: dates of appointments and promotions; job titles; salaries; recommendations; performance evaluations; disciplinary actions; amount of leave accrued and used; a record of the employee's training and other related manners; and attendance records.

The records are considered to be of confidential nature and are available only to the employee, his/her Department Head or the Administrator on a need-to-know basis. Employees are entitled to review the contents of their personnel folder but not that of other employees.

Procedure: Employees wishing to see their personnel folder will contact the Township Administrator for an appointment in advance. Any such review of personnel folders by the employee will be done in the presence of the Township Administrator. Employees will not be

permitted to take personnel folders outside of the Township Administrator's office or to remove documents from this folder.

Personnel Records Policy – Changing Vital Information

Policy: It is the responsibility of each employee to notify the Township Clerk promptly, in writing, of any changes of vital information including but not limited to the following items:

Name

Address

Telephone Number

Marital Status

Dependent Children

Change in status for health care programs

Change in status for dental coverage

Change of beneficiary on pension or life insurance policies

Change in tax status for tax withholding purposes

Procedure: Changes may be accomplished by sending written notice to the Administrator, When necessary, the employee will be provided with the proper forms to change beneficiary, income tax deductions, etc.

Personal Action Requests

Policy: To establish a procedure whereby the Township Administrator is notified of personnel actions that need to be taken or are being requested on behalf of one or more of the Township employees.

Definition: Personnel action requests shall be made to the Township Administrator and will include, but are not limited to, the following categories:

- New employees
- Suspensions
- Demotions
- Leave of absence with pay
- Leave of absence without pay
- Leave of absence: extension
- Return from leave
- Salary adjustment
- Termination of employment
- Resigned: good standing
- Resigned: not good standing
- Deceased
- Retirement
- Dismissals
- Release at end of working test period
- New Positions

- Title change
- Position upgrade/downgrade
- Position creation/abolishment
- Recruiting assistance
- Outside employment
- Other; i.e. Family leave act

Procedure:

A. All Personnel Action Requests will be forward to the Township Administrator for approval.

SECTION THREE

Paid and Unpaid Time-Off Policies:

Scope:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

Paid Holiday Policy:

Policy: Employees of the Township of Little Falls are entitled to paid holidays, not to exceed fourteen (14) days. Said days shall be approved by the Mayor and Council prior to January 1st of each year. They are:

New Year's Day	General Election Day
Martin Luther King Day	Presidents Day
Columbus Day	Good Friday
Veterans Day	Memorial Day
Thanksgiving Day	Independence Day
Day after Thanksgiving	Labor Day
Christmas Day	One- Half Day preceding Christmas Day
	One- Half Day preceding New Year's Day

Procedure:

- A. If a holiday falls on a Sunday, it shall be observed on the Following Monday. If a holiday falls on a Saturday, it shall be observed on the proceeding Friday (unless otherwise noted by the Township Administrator).
- B. If an official holiday occurs while an employee is on vacation leave, the employee shall not have that holiday charged against vacation time.
- C. When necessary to maintain municipal services, an employee is required to work on an official holiday, the employee will be compensated for the time worked at the rate of time and one-half their regular hourly rate.
- D. To qualify for holiday pay, employees must work on their regularly scheduled work day preceding and their regularly scheduled work day following the holiday unless they are specifically excused by the Township Administrator or Department Head for a valid reason or are on an authorized leave of absence.

Vacation Leave Policy:

Policy:

- A. Full-time employees and permanent part time employees working regularly scheduled at least 20 hours a week for 12 months, a year for the Township of Little Falls will receive annual vacation leave in accordance with-the following schedule: .Key Employees shall receive an additional five (5) days vacation annually.

The chart shows the number of vacation days to which a permanent full-time or permanent part-time employee is entitled after six months of employment as well as when an employee may use those days:

<u>Month of Hire</u>	<u>Amount of vacation leave</u>
January	Five (5) days starting in July
February	Five (5) days starting in August
March	Four (4) days starting in September
April	Three (3) days starting in October
May	Two (2) days starting in November
June	One (1) day starting in December
July	Ten (10) days starting in January of the next year
August	Ten (10) days starting in February of the next year
September	Nine (9) days starting in March of the next year
October	Eight (8) days starting in April of the next year
November	Seven (7) days starting in May of the next year
December	Six (6) days starting in June of the next year

After the end of the first calendar year in which a permanent full-time or permanent part-time employee completes six (6) months of employment, the number of vacation days shall depend on the length of service as follows:

1. Ten (10) vacation days for service of less than ten (10) years.
2. Fifteen (15) vacation days after service of at least ten (10) years but less than twenty (20) years of service.
3. Twenty (20) vacation days after service of at least twenty (20) years.

For purposes of this chapter, seasonal, casual, temporary or per diem Township officers and employees, regardless of hours worked on a daily or weekly basis, shall not be eligible to receive vacation leave."

Procedure:

- A. January 1st following the first anniversary of full-time employment with the Township of Little Falls will determine the number of years of service for vacation purposes.
- B. Requests for 5 vacation days or greater shall be made in writing to the Department Head and Township Administrator no later than April 1st of each year using the Request for Leave Form. Employees must schedule their vacation with their Department Head and Township Administrator at least two weeks in advance.
- C. Vacations shall be approved by the Township Administrator or Department Head in accordance with the best interest and needs of the Township of Little Falls.
- D. Accrued vacation leave shall be compensated for upon the separation of an employee. At no time shall the employee be authorized to carry more than one year annual vacation time into the next year. This request shall be approved by the Mayor.
- E. All vacation time must be used in the year earned. In any calendar year where vacation time or any part thereof is not granted by reason of pressure of municipal business, such vacation time or part thereof not granted shall accumulate and shall be taken during the next succeeding calendar year only and shall be approved by the Township Administrator. Requests for carry over of vacation days shall be made by January 15th of the succeeding year.
- G. Vacations in excess of two consecutive weeks shall not be granted without the prior approval of the Township Administrator.

Personal Leave Policy:

Policy: All full-time employees are entitled to two (2) personal days each year. Personal days are not cumulative and will be forfeited at the end of each year.

Procedure:

- A. Requests for Personal Days shall be made in writing to the Department Head
- B. Requests will be approved providing that they do not unduly conflict with the needs of the Township of Little Falls nor scheduling requirements of the Department.

Sick Leave Policy:

Only the following Township officers and employees shall be eligible to receive sick leave:

- (1) Permanent full-time Township officers and employees; and
- (2) Permanent part-time Township officers and employees who are regularly scheduled to work twenty (20) hours or more weekly for twelve (12) months a year, whether paid on an annual salary basis or hourly basis. These officers and employees shall receive sick leave on a prorated basis.

Sick leave is to be used only in cases where the employee is ill and unable to work, or in cases of the serious illness of a family member. Employees absent on sick leave for three or more consecutive working days must submit a doctor's verification of illness or injury. If an employee is attending to an immediate family member, including civil union partner, a doctor's verification of that individual is required. After ten non-consecutive days of absence on sick leave in one calendar year, a doctor's verification must be submitted for all sick leave absences, regardless of duration. Prior to the return to work, the Township may require an employee to be examined by a physician designated by the Township of Little Falls to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received.

At the end of each calendar year, an employee's unused sick time is added to the allotment for the following year. The accumulation continues indefinitely, unused sick days shall accumulate from year to year without limitation. Accumulated sick time shall be paid to the employee at the time the employee resigns or retires from employment, at the statutory maximum of \$15,000.00 Employees will be paid for one-half of their total accumulated unused sick time,

After six months of employment, a qualifying employee shall receive sick leave days as follows:

<u>Month of Hire</u>	<u>Amount of sick leave</u>
January	Four (4) days starting in July
February	Three and one-half (3.5) days starting in August
March	Three (3) days starting in September
April	Two and one-half (2.5) days starting in October
May	Two (2) days starting in November
June	One (1) day starting in December
July	Eight (8) days starting in January of the next year
August	Eight (8) days starting in February of the next year
September	Seven (7) days starting in March of the next year
October	Six (6) days starting in April of the next year
November	Five (5) days starting in May of the next year
December	Four (4) days starting in June of the next year

After the end of the first calendar year in which a permanent full-time or permanent part-time employee completes six (6) months of employment, the employee shall receive eight (8) sick leave days per year

Policy:

- A. Full-time employees shall be entitled to sick leave when they are unable to report to work due to a personal illness. Permanent Part Time employees working regularly scheduled, at least, 20 hours a week for 12 months, a year for the Township of Little Falls shall receive sick leave on a prorated basis.

It is required that the employee submit a doctor’s certificate in the event of an absence by reason of sickness for more three (3) consecutive days. The Township may require that an employee additionally be examined, at the expense of the Township, by a Township designated physician to establish the employee’s ability to return to work, this examination is referred to as a “Fit for Duty Exam”. Sick leave shall accrue to the eligible employee in accordance with the Code of the Township of Little Falls Section 155.16.

Procedure:

- A. Employees shall notify the Department Head and the Township Administrator of an absence due to illness prior to their normal starting time or as soon thereafter as is reasonably possible. Sick Days may be taken when needed in ½ day increments with the approval of the Department Head.
- B. An employee who shall be absent on sick leave for more than three (3) consecutive working days is required, to submit a medical certificate from a physician substantiating the illness. On the day of return from sick leave, exceeding more than three consecutive work days, or any sick day which immediately precedes or follows a weekend, holiday or vacation day, an employee shall present a medical certificate to the Township Administrator.

Bereavement Leave Policy:

Policy: Full time employees shall be granted three (3) days off without deduction from pay for a death in an employees immediate family. “Immediate family” means father, mother, spouse, child, foster child, sister or brother, mother-in-law or father-in-law of the employee.

Procedure:

- A. Employees shall immediately notify the Department Head that a death has occurred and of the date of the funeral.

Jury Duty Policy:

Policy: An employee required to serve jury duty shall be paid their regular rate of pay by the Township. Compensation, excluding travel monies, the employee receives as a juror shall be turned over to the Township.

Procedure:

- A. Employees who are summoned for service as grand or petit jurors are required to provide the Department Head with a copy of summons.

Leave of Absence Policy:*

Employees may be granted a personal leave of absence for up to six months at the sole discretion of the Township Administrator if the leave does not cause undue operational disruption. The leave must include the use of any accrued vacation and sick leave time, regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of vacation and sick leave will be without pay or longevity credit. In exceptional circumstances, the Township Administrator may extend a leave of absence for an additional six months, if such extension is considered in the best interests of the Township of Little Falls.

Personal leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees on personal leave of absence for more than two weeks in any month will not receive holiday pay, and will not accrue personal leave, sick leave or vacation time for that month. Health benefits may also be impacted. Refer to the Township of Little Falls Health Benefits Policy. A personal leave is granted with the understanding that the employee intends to return to work for the Township of Little Falls. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have resigned.

Definition: A leave of absence is an authorized absence from work with or without pay which is not chargeable to sick leave, vacation leave or accumulated compensatory time.

Policy: All leaves of absence must be approved by the Mayor and Township Council.

Employees on authorized leaves of absence will be continued in the Township's Medical and Insurance Programs if they submit a written request to the Township Administrator:

1. Asking that their coverage be continued; and
2. Expressing their willingness to reimburse the Township on a monthly basis

Family and Medical Leave Act Policy:*

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("FLA"). In order to be eligible for such leave, employees must have: one (1) year of service with [the local unit type]; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite (for Federal leave). Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee's health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

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

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Township reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the Personnel Officer.

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

Employees taking paid family leave in connection with a family member’s serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the (local unit type) with 15 days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the (local unit type) with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. . A serious injury or illness means an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran’s active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank, or rating; *or*

2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; *or*

3. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; *or*

4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any *one* of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon employer's request, an employee must provide a copy of the covered military member's active duty orders to support request for qualifying exigency leave. In addition, upon an employer's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon an employer's request, an employee must provide a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Domestic Violence Leave:* Local units with more than 25 employees)

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

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

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

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

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

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 of Little Falls 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.

Military Leave Policy:*

Any full-time employee who is a member of the National Guard, Naval Militia, Air National Guard, or a reserve component of any United States armed force who is required to engage in field training will be granted a military leave of absence with pay for the training period as authorized by law. The paid leave will not be counted against any available vacation.

When an employee is called to active duty with the United States military, the employee shall automatically be granted an indefinite leave of absence for the duration of active military service. To be reinstated by the Township of Little Falls without loss of privileges or seniority, the employee must report for duty with the Township of Little Falls within sixty days following release from active duty under honorable circumstances.

During the period of active military duty, the employee shall be paid the difference between military salary and the employee's regular salary for a period not to exceed one hundred and eighty days. Employees on active service will also continue to receive paid health insurance coverage during the one hundred and eighty day period plus an additional thirty days. After this period has expired, employees may continue coverage for themselves or their dependents under the Township of Little Falls group plan by taking advantage of the COBRA provision. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during the one hundred and eighty day period. When a full-time employee (either permanent or temporary) who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. (Thereafter, the leave shall be without pay but without loss of time.) or (Thereafter, the employee shall be paid the difference between military salary and the employee's regular salary.) The paid leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

Employees on military service will also continue to receive paid health insurance coverage during the period of the paid leave plus an additional thirty days calendar days after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the (local unit type) group plan by taking advantage of the COBRA provision. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during the period of paid leave.

Pursuant to the Uniformed Services Employment and Reemployment Rights Act, any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits: for service less than thirty-one (31) calendar days, the employee must return to work on the beginning of the first regularly scheduled workday or eight (8) hours after the end of military duty, with reasonable allowances for commuting; for service of thirty-one (31) to one hundred eighty (180) calendar days, the employee must submit an application for reinstatement within fourteen (14) calendar days after completing military duty; for service greater than one hundred and eighty (180) calendar days, the employee must submit an application for reinstatement within ninety (90) calendar days after completing military duty.

Maternity Leave

Policy: Permanent employees of the Township of Little Falls are eligible for an unpaid six (6) month leave of absence for maternity. The leave shall be taken at a time determined by the employee in conjunction with and confirmed by written verification from the physician.

Vacation time and sick time may be used for maternity purposes either prior to or immediately following childbirth.

Procedure:

- A. The employee shall submit a written request for maternity leave, together with verification by her physician to the Township Administrator four (4) months before the intended leave.
- B. The Township Administrator shall give written notice to the employee that her request for leave of absence for maternity has been approved. Such notification shall indicate the inclusive dates of leave.
- C. If an employee desires to return from maternity leave prior to the originally scheduled return date, an employee should submit a written request to the Township Administrator.
- D. When returning to work from a maternity leave, the employee shall submit to the Township Administrator a medical certificate stating her fitness to resume her normal job duties.
- E. If extended leave (more than six (6) months) is required, an employee should submit a written request to the Township Administrator.

Illness in Family Leave

Policy: In the event of a serious illness in the immediate family, full time employees shall be entitled to three (3) days off without loss of pay once each calendar year. The immediate family includes: mother, father, spouse, child, foster child, sister or brother, mother-in-law or father-in-law.

SECTION FOUR

Compensation & Employee Benefits Policies:

Scope:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

Payroll Policy:

Salary ranges are established by ordinance, and the salary must fall within the minimum and maximum ranges for the employee's title. Employees are paid every bi-monthly, with overtime being held back for two weeks in order to compute payment of the amount due.

The Township of Little Falls will not accept responsibility for any employee's personal finances. The Township of Little Falls will acknowledge judgments against an employee's pay, but will not act as a mediator between the employee and creditors.

Pay Period and Payment Distribution

Policy: The Township of Little Falls distributes pay on a bi-monthly basis, the 15th and the 30th of each month for all employees. When a pay day falls on a day other than a working day the payroll will be made the day before the pay day. All full and permanent part time employees receive pay via direct deposit only to the employee's selected bank account. Seasonal and temporary part time employees only will receive pay by check.

Overtime Compensation Policy:

Under the Federal Fair Labor Standards Act, certain employees in managerial, Department Head, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Township Administrator 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 Township Administrator's prior approval and at the sole discretion of the Township 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 Township Administrator. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of forty in a weekly period.

Non-Exempt employees will receive one and one-half hours of overtime compensation for each hour worked in excess of forty hours in a weekly period. For purposes of overtime compensation, hours worked are computed to the nearest one-half hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

In addition to the requirements of the Federal Fair Labor Standards Act, Non-Exempt employees will also receive overtime compensation for work in excess of thirty-seven and a half hours but not greater than forty hours in a weekly period. This other compensation will be one hour for each hour worked in excess of thirty-seven and a half hours. If a Non-Exempt employee works on Sunday or a paid holiday, the employee will receive overtime compensation of one hour for each hour worked. If a Non-Exempt employee not on regular call out duty is required to return to work in an emergency or because of unusual circumstance, the employee will receive overtime compensation of the one and one half hours of overtime compensation for each hour worked.

Procedure:

- A. When necessary, overtime will be scheduled and authorized by the Department Head.
- B. All authorized overtime will be recorded on weekly time sheets which must be approved by the Department Head.

Separation Pay Policy

Policy: At the termination of service with the Township, an employee is eligible to receive pay for any time worked during the current pay period and any accumulated vacation days, floating holidays and unused personal days in accordance with this manual.

Procedure:

- A. An employee shall give written notification to the Township Administrator at least two (2) weeks in advance of intended termination of service with the Township.

- B. The Township will tabulate the employee's final pay and pay the employee at the next pay period pay date.

Contracted Overtime Policy

Policy: The Policy of the Township of Little Falls is that employees contracted outside the Township, to conduct various traffic, security, and emergency service assignments, shall be paid at the rate of pay set forth in the bargaining unit contract approved by the Township Council annually.

Comp Time Policy

- a. **Policy:** The Policy of the Township of Little Falls is that overtime pay may be paid to or compensatory time off may be given to non-key employees; however, compensatory time must be used within the same year and may not be carried over. Compensatory time shall commence only after the employee has worked the prescribed work week. Authorized compensatory time shall be computed at one and one-half (1½) times the hourly rate.
- b. The following employees, when employed full-time, are considered exempt key employees and designated management of their departments: Township Administrator, Township Clerk, Chief Municipal Finance Officer, Construction Code Official, Police Chief, Superintendent of Public Works, Tax Collector, Tax Assessor and Court Administrator. Key employees shall not receive overtime nor any regimented compensatory time off in lieu of overtime but shall be paid on an annual salary basis as provided from time to time in the Salary Ordinance.
- c. In lieu of overtime or compensatory time off they shall receive an additional vacation week. Overtime may be paid to key employees only upon authorization by the Mayor.

Health Insurance Policy:

Policy: The Township of Little Falls shall provide medical insurance coverage which include provisions for Dental, Prescription and Eye Glass as negotiated with the employee bargaining units and provided by the New Jersey State Health Benefits Program for all full-time employees. Employees shall contribute to the cost of medical insurance coverage in the amount directed by New Jersey State Statutes and Regulations This contribution shall be made through a premium only section 125 plan adopted by the Township.

Employees and their immediate family members are provided health insurance coverage administered by Township of Little Falls through the New Jersey State Health Benefits Program. The complete benefit plan is on file in the Township Clerk's Office and a Summary Plan Description will be provided to all employees

Health insurance coverage for employees on a Leave of Absence, or for an employee who leaves Township of Little Falls employment will terminate at the end of the month in which the Leave begins or employment is terminated. Employees who wish to continue health insurance coverage for themselves or their dependents under the Township of Little Falls group plan may do so by taking advantage of the COBRA provision for a period of up to eighteen months by

paying the monthly premium in advance at the existing group rate, for each month of continued coverage. For more information, consult the Township Clerk.

Procedure:

- A. Employees will be eligible for medical benefits on the day following completion of two months continuous service with the Township of Little Falls.
- B. To obtain coverage, employees must fill out the appropriate forms which are available from the Township Clerk.

Life Insurance

Policy: The Township of Little Falls shall provide the group life insurance plan available under the appropriate New Jersey Pension Plan.

New Jersey Pension Plans

Policy: All permanent employees, eligible to be enrolled in the New Jersey Public Employees Retirement System(PERS), the Police and Firemen Retirement System (PFRS) or the Deferred Compensation Retirement Plan (DCRP) shall do so in accordance with the provisions of the New Jersey statutes and regulations.

Deferred Compensation Policy:

The Township provides a 403-B plan for all employees of the Township. All employees are eligible to participate when they are permanent in their position. All contributions are made by the employee through payroll deduction.

Seniority Policy

Definition: Seniority is defined as an employee's continuous length of service with the Township of Little Falls, beginning with his/her date of hire.

Policy: Seniority shall commence on the date of hire for said employee.

Continuous service for seniority purposes shall be broken for any of the following reasons:

1. Discharge for just cause.
2. Voluntary resignation
3. Failure to report as required following the expiration of an approved leave of absence, unless the employee presents justifiable reason for his/her inability to report
4. Unauthorized absence from work unless a reasonable and satisfactory excuse for not having notified the Township of Little Falls is presented.

Dismissal Policy

Definition: Dismissal means removal of an employee from the service of the Township for cause.

Policy: Reasons for dismissal include but are not limited to:

1. Permanent or chronic physical or mental illness or impairment which incapacitates an employee's ability to properly perform his/her duty;
2. Careless or negligent performance duty;
3. Violation of official Township regulations;
4. Refusal to obey reasonable directions of one's supervisor;
5. Offensive or discriminatory treatment of fellow employees;
6. Conviction of a criminal offence;
7. Conduct causing damage to public property or waste of public supplies.

Procedure:

- A. A Department Head may recommend to the Township Administrator that an employee be dismissed when such action is deemed by said Department Head to be in the best interest of the Township of Little Falls. Such dismissal recommendation shall be in writing and shall state the reasons for dismissal.

All discharges will be in accordance with Federal and State laws as well as applicable collective bargaining agreements.

Retirement Policy:

Under State law, all employees must enroll in the New Jersey Public Retirement System or the Police and Fire Fighters Retirement System as applicable. The employee's contribution to the Plan 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 Township Administrator in writing. The State retirement plans request six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their Department Head and co-employees by providing information concerning their current projects and help in the training of a replacement. The Department Head will prepare an Employee Action form showing any pay or other money owed the employee. The Township Administrator 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 Township Administrator will conduct an 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. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

Policy: In accordance with the provisions of N.J.R.S. 43:15A-74, the Public Employees Retirement System of New Jersey has been adopted within the Township of Little Falls.

Employees enrolled in the Public Employees Retirement System of New Jersey are subject to the requirements and provisions of the plan for which he or she belongs.

Procedure: An employee should notify his/her Department Head and the Township Administrator in writing at least three (3) months before planned retirement.

Additionally, the employee should apply to the Public Employees Retirement System for pension benefits at least three (3) months prior to his or her planned retirement.

Workers Compensation Policy:

Employees who suffer job related injuries and illnesses might be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Township of Little Falls covers workers compensation benefits through its membership in the its selected Joint Insurance Fund. Any occupational injury or illness must be immediately reported to the Department Head and Township Clerk. All required medical treatment must be performed by a Workers Compensation Physician appointed by Township's Joint Insurance Fund the Township of Little Falls and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Procedure:

- A. Any time an accident or injury occurs while on the job, an employee shall report the incident to his/her supervisor immediately, no matter how small the injury. In addition, an accident report is to be completed and given to the Department Head and/or Township Clerk immediately after injury.
- B. Department Head will transmit the injury form to the Township Clerk within twenty four (24) hours.
- C. Compensation for time lost from the job due to an on-the-job injury or job related illness will be handled as follows:
 - 1. Employee will receive normal salary from the Township of Little Falls.
 - 2. Employee will receive a compensation check from the insurance company.
 - 3. Employee will sign his/her compensation check over to the Township of Little Falls.
 - 4. Employees will not be taxed for any Worker's Compensation payments and this income will not be reported to the IRS on the employee's W-2 form, at the end of each year.
- D. Continuation of benefits while on Worker's Compensation will be in accordance with N.J. Division of Pensions Employee Benefit Manual.

Unemployment Compensation

Policy: The unemployment Compensation Law sets up a program for the payment of cash benefits to covered workers who have lost their jobs through circumstances beyond their control.

The Township of Little Falls and employees are required to make contributions to the financing of the Unemployment Compensation Insurance Program. This is accomplished through deductions from each employee's wages.

Educational Benefits

Policy: The Township of Little Falls encourages employees to receive job related training and education through attendance at college courses, seminars and professional conferences directly related to their positions with the Township.

No employee will register for a course which conflicts with the employee's working hours without the prior approval of the Township Administrator and Department Head. Employees requiring special consideration to fulfill required courses for an advanced degree shall request approval from the Township Administrator.

Prior to enrolling or registering in any class, seminar, conference, etc., the employee must first receive approval from the Township Administrator. If the Employee will be applying for reimbursement of the cost of said class, seminar, conference, etc. Approval from the Township Administrator is required in writing.

Employee Assistance Policy:

The Township of Little Falls has a strong commitment to the health, safety and welfare of its employees, and their families. The Township recognizes that a variety of personal problems, such as emotional distress, family problems, alcoholism, and drug abuse can be devastating to lives and productivity of our employees. Most people solve their problems on their own, however, The Township of Little Falls recognizes that sometimes people need professional assistance.

The Township has established, through the State Health Benefits program, the ability for each employee to access Behavioral Health Services to help and encourage those employees in need of professional assistance. The program applies to all employees and their eligible dependents who are covered under the Township health care program.

While the Township has no intention of intruding into the private lives of its employees, we recognize that personal problems may eventually take their toll on job performance. Our concern is to assure that employees report to work in a condition to perform their duties safely and efficiently in the interest of their co-workers and the public. The Administrator can adjust, alter or assist any employee's work schedule when issues occur which could be devastating to the lives and productivity of our employees, in an effort to support the employee and resolve the matters affecting the employees.

All interaction with the EAP will occur between the Township Administrator, Department Head and the employee.

Education and Training Policy:

Subject to sufficient funds in the budget and upon approval of the Department Head, employees may request tuition expenses for training directly related to the employee's work. The Township Administrator will be the sole judge of whether a particular course or program is "directly related" to the employee's work. Employees are required to obtain this determination before enrolling in any course or certification program. Upon successful completion by the employee of any certificated program the employee shall remain in the employ of the Township for three years after the certificate is issued. If the employee leaves the employment with the Township that employee shall be required to repay the entire cost of the training paid by the Township used to obtain the certification.

Conference and Seminar Policy:

Requests to attend a conference or seminar must be approved by the Township Administrator and Department Head. Requests should be made far enough in advance to take advantage of discounts for early registration, and must be submitted at least thirty days before the event. Requests must be in writing including 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.

Policy: The Township of Little Falls officials and employees, with the approval of the Administrator and provided funds are appropriated and available in the current year budget for these purposes, may from time to time attend conventions, meetings and/or conferences of a professional association. Officials and employees may attend provided these conventions, meetings and conferences are given to provide information specific to the operation of local government. The Township shall pay for convention, travel, meetings and/or conference registrations and fees. In addition, the Township representative will be reimbursed for expenses incurred (meals, overnight accommodations taxis, etc.) related to the attendance at the convention, meetings and/or conferences in an amount not to exceed \$75.00 per day.

Procedure: All authorized Township Representatives shall be reimbursed for expenses incurred in accordance with the above policy following the submission of a voucher that details the activities and costs and has attached in support of the requested reimbursement all receipts for expenses claimed for reimbursement.

SECTION FIVE:

Managerial/Department Head Procedures:

Employment Procedure:*

- **Recruitment:** The Township Administrator will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Department Head to notify the Township Administrator who will distribute notification of the vacancy to all departments. Subject to available funding and direction of the Mayor, the Township Administrator will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Township of Little Falls is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form with the Township Administrator. A resume will not be considered as a substitute for this form, however a written resume must accompany all applications. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.

Interviews: The Township Administrator will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Township of Little Falls will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of his or her job and also provided the accommodation does not impose an unreasonable hardship on the Township of Little Falls.

- **Physical and Psychological Examinations:** Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Township Administrator may require applicants to pass a physical and/or psychological examinations in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical and psychological examinations must be performed on all applicants for a particular position. The Township Administrator may require periodic physical and or psychological examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Township of Little Falls at the expense of the Township of Little Falls. All psychological examinations must be performed by a licensed psychologist chosen by the Township of Little Falls at the expense of the Township of Little Falls. All medical records of employees and prospective employees are confidential and are to be maintained by the Township Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.
- **Criminal Background Checks:** Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedures outlined in the Section of this ordinance entitled "Background Checks and Procedures for Candidates, Employees and Volunteers".
- **Job Offers:** The final decision will be made by the Mayor of the Township of Little Falls with the assistance of the Township Administrator after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all 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 an unreasonable hardship on the Township of Little Falls. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.
- **Acceptances and Rejections:** If the first offer is rejected, the Mayor of the Township of Little Falls with the assistance of the Township Administrator will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Employability Proof:** After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.

- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Township Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations and psychological examinations where applicable must be maintained in a separate file. All records documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

Background Checks and Procedures for Candidates, Employees and Volunteers:

- **Background checks required:** Background checks are required of all candidates, whether for paid or volunteer positions, working directly or indirectly with children/youth/minors. Background checks will also be administered for each employee or volunteer that works directly or indirectly with children/youth/minors every three years. The exact titles of employees subject to background checks are (locally defined, but at a minimum should include all recreational positions, crossing guards, library positions, and maintenance and administrative positions pertaining to such programs).
- **Background check procedure:** The Township Administrator will perform or initiate background checks and be the recipient of reports from outside agencies or contractors. The Township Administrator will discuss disqualifying information received with the employee's or volunteer's department head. Written information received as a result of a "Request for Criminal History Record Information For A Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

The Township Administrator will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the Township contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from working with children/youth/minors. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the Township Administrator.

- **Conditions Under Which An Employee or Volunteer Will Be Disqualified From Working With The Public:** A candidate, volunteer, or employee may be disqualified from employment in a position that works with the public if that person's criminal record history background check reveals a record of involvement and /or conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:
 - Homicide (N.J.S.A. 2C:11)
 - Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
 - Kidnapping (N.J.S.A. 2C:13)
 - Sexual Offenses (N.J.S.A. 2C:14)
 - Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
 - Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
 - Robbery (N.J.S.A. 2C:15)
 - Theft (N.J.S.A. 2C:20)
 - The Crime of Arson or any fire setting involvement
 - Or other crime or offence that would render this person an inappropriate selection for the position sought

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction.

- **Appeal Process:** The Appeals Committee will be comprised of the Township Administrator, Police Chief /Fire Chief, and the Chairman of the personnel Committee. Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the employee has 14 calendar days to file a Notice of Appeal with the Township. Such Notice of Appeal must be sent in writing to the Township Administrator. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to NJAC 13:59-1.6.

During the 14-day period listed above, and until the issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

In making a determination on the appeal, the following information will be considered:

1. The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.
2. The nature and seriousness of the crime or offense.
3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.
5. The age of the individual when the crime or offense was committed.
6. Whether the crime or offense was an isolated or a repeated incident.
7. Any social conditions which may have contributed to the commission of the crime or offense.
8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.
9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.

The Township will issue a written determination on the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

Open Public Meetings Act Procedure concerning Personnel Matters:*

Discussions by the Governing Body or anybody of the Township of Little Falls concerning appointment, termination, terms and conditions of employment, performance, promotion or discipline of any current or prospective officer or employee shall be in closed session unless during the Rice notice process the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the Governing Body or anybody of the Township of Little Falls concerning such matters, the Clerk shall notify the affected person(s), within a reasonable period of time, of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session. If the individual(s) does not request that the discussion be held in open session, the Governing Body or other body of the Township of Little Falls may at its sole discretion invite the affected individual(s) to attend the applicable portion of the closed session

Processing and Orientation of New Employees Procedure:*

All new regular full-time and regular part-time employees will be scheduled to meet with the Township Administrator and Department Head, on their first day for a general orientation. Copies of all forms and acknowledgements must be returned to the Township Administrator for inclusion in the employee's official personnel file. The orientation will include:

- A tour of the appropriate facilities to acquaint the new employee with overall operations as they relate to the specific position;
- The completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Employee Handbook and acknowledgement of receipt;
- A review of the Personnel Policies and Procedures Manual if the employee is a manager or Department Head and acknowledgement of receipt;
- The Employee Complaint Policy letter and acknowledgement;
- A safety orientation and acknowledgement; and
- Arrangements for the new employee to complete required PEOSHA safety training.

Initial Employment Period Procedure:*

Except where State requirements direct otherwise, new employees or present employees transferring to new positions, will be hired subject to an initial employment period of not less than 24 months, as determined by the Township Administrator. During this initial employment period, the new employee or transferee will be provided with training and guidance from the Department Head. At the end of the initial employment period, the Department Head will report to the Township Administrator the status of the employee's work progress. New employees may be discharged at any time during the working test period if the Township Administrator concludes that the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Township Administrator may extend the initial employment period. Nothing in the procedure set forth in this section shall alter Township of Little Falls's employment at will policy. Employment with Township of Little Falls is at will and may be terminated at any time with or without cause or notice by the Township of Little Falls or the employee."

Employee Handbook Procedure:*

The Township of Little Falls utilizes this Personnel Policy Manual as the Employee Handbook. The Personnel Policy Manual also covers Elected and appointed members of the Governing Body and Township Boards, Volunteers, part-time and seasonal employees as well as all bargaining groups in the Township and all other Full-time employees. Once approved, copies will be distributed and employees will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. The Personnel Policy manual will be revised and re-distributed whenever there is a significant change in personnel practice.

Performance Evaluation Procedure:*

The performance evaluation policy set forth in this manual is the method and procedure utilized by the Township of Little Falls. The Township understands that it is critical to create a formal record of an employee's performance in order to establish a foundation for personnel actions. The Township relies on the day-to-day feedback to and from the employee. The Township standards which are documented through our job descriptions represent the minimum performance level acceptable in the Township of Little Falls. The employee's permanent record will include all pertinent documentation noting exceptional performance or documented issues requiring resolution.

Performance discussions with employees conducted by Department Heads also provide guidance regarding their requirement to meet job standards. Extraordinary skills or abilities should be recognized in addition to areas for improvement. Department Heads should review future training needs and career planning. The employee is encouraged to make suggestions about how the department can improve. Department Heads should ask employees for feedback on a regular basis regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates and the public. Open communication is the key to successful performance.

Disciplinary Action Procedure:*

All employees are expected to meet the Township of Little Falls's work performance standards. The intent of the Disciplinary Action Procedure is to formally document problems and provide the employee with a reasonable time to improve performance. The process should encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the Township of Little Falls's policies and procedures and other disciplinary problems.

Should a Department Head believe that an employee is not conforming to the Township of Little Falls's policies and rules or to specific instructions, or has acted improperly, the Department Head will first privately discuss the matter with the employee to obtain the employee's view. If the Department Head determines that the employee has acted improperly, the Department Head shall take one of the following actions depending upon the gravity and the employee's past record. At the discretion of the Department Head and the Township Administrator, action may begin at any step, and/or certain steps may be repeated or by-passed.

- **Informal Verbal Reprimand:** Depending on the circumstances, the Department Head may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The Department Head will discuss situation with the Township Administrator.
- **Township Administrator Review:** Should the Department Head consider the offense sufficiently serious to warrant consideration by the Township Administrator, the employee will be so advised and a meeting arranged with the Township Administrator at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at that time of disciplinary action, if any. This meeting will be documented in writing and that record shall be placed in the employee's personnel file.
- **Written Reprimand:** When a Department Head determines that a written reprimand is appropriate, the situation must be discussed with the Township Administrator. The reprimand will be prepared by the Township Administrator and should clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning in writing and may include additional comments. A copy of the written reprimand with the signed acknowledgement and comments must be placed in the employee's official personnel file.
- **Suspension:** Whenever an employee is recommended for suspension, the Township Administrator will make the decision and may seek the advice of the Township Attorney. The Actual suspension will be conducted in accordance with the provisions established in the Personnel Policy Manual. Suspended Employees may request a hearing under the applicable grievance procedure.

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- **Dismissal:** Whenever an employee is recommended for dismissal, the Township Administrator and the Mayor will make the decision only after seeking the advice of the Township Attorney and or Labor Counsel after reviewing the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal. Terminated employees may request a hearing under the applicable grievance procedure.

Personnel File Procedure:*

The official personnel files shall be maintained by the Township Administrator and employee medical information will be maintained in a separate file. At least annually, the Township Administrator will review files to make sure they are up-to-date.

The Official file shall include at least the following:

- The original application signed by the employee;
- Notes from any pre-employment interview and reference check;
- The original letter detailing an offer of employment and any additional correspondence concerning the employee's hiring;
- A signed acknowledgement that the employee received a copy of the Employee Complaint Policy letter;
- A signed acknowledgement that the employee has received the Employee Handbook;
- A signed acknowledgement that the employee received the safety orientation;
- Annual written performance evaluations including documentation that the evaluation was reviewed with the employee;
- Counseling Action Plans;
- Records relating to on-the-job accidents;
- Disciplinary actions including an acknowledgement that the employee was notified of the proposed disciplinary action and was given an opportunity to respond;
- Records relating to any other employment actions including promotions, demotions, transfers, resignations, leaves, etc.;
- Educational transcripts; and
- Any other pertinent information.

Employee Complaint Investigation Procedure:*

Employees have the right to formally or informally report any statement, act, or behavior by a co-employee, Department Head, elected official or visitor that they believe to be improper.

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.
- **Identification/Screening:** The Department Head, or (Employment Attorney/Advisor title) must report all written or verbal complaints to the Township Administrator unless the complaint is against the Township Administrator. Upon receipt, the Township Administrator will determine if the complaint was made pursuant to the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy, the Whistle Blower Policy, a grievance procedure or is another form of complaint. A file will be established including the written complaint, the investigation procedure followed and the response action plan. As soon as possible but no later than ten days after receiving the complaint, the Township Administrator or investigator appointed by the Township Administrator will interview the employee. If the employee is reluctant to sign a written complaint, the Township Administrator or investigator will prepare written notes of the date, time and place of the complaint and the specific allegations. These notes will be read back to the employee who will be asked to affirm, preferably in writing the information's accuracy.
- **Investigation:** The Township Administrator will seek the advice of the (Employment Attorney/Advisor title) when planning the investigation. The investigation should be conducted by the (Employment Attorney/Advisor title) or county prosecutor if it involves potential criminal charges. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. It is important to protect the rights of both the person making the complaint and the alleged wrongdoer.
- **Response Plan – No Corrective Action Required:** The Township Administrator will discuss the conclusions with the (Employment Attorney/Advisor title) and render a decision within fourteen days after the investigation is complete. If the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee should be notified in writing. Care should be taken to avoid being too specific, confrontational or accusatory and to avoid any language that might be construed as defamatory. A general statement is usually more appropriate that the claim was thoroughly investigated, but could not be sufficiently documented or confirmed to justify taking formal action. The employee should be assured that future complaints will be investigated and that the Township of Little Falls is committed to eliminating wrongful employment practices when they are found to exist. If the

investigation reveals that the complainant intentionally and maliciously levied false charges against the alleged wrongdoer, the complainant must be notified of the seriousness of filing a false complaint, and the appropriate disciplinary penalty under the circumstances, up to and including termination.

- **Response Plan – Corrective Action Required:** If the investigation reveals that the complaint is justified and substantiated, the Township Administrator will formulate with the advise of the (Employment Attorney/Advisor title) a corrective action plan as well as possible disciplinary action. The complaining employee will be notified, in writing that it appears that the complaint was justified and an appropriate response plan has been formulated. A copy of the response plan should be attached to the letter. The response plan should provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

Requests for Employment Verification and Reference Procedure:*

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred to the Township Administrator. No employee may issue a reference letter without the permission of the Township Administrator. Under no circumstances should any information be released over the phone.

In response to a request for information, the Township Administrator will only verify an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1) the Township of Little Falls is required to release the information by law or (2) the employee or former employee authorizes the Township of Little Falls in writing to furnish this information and releases the Township of Little Falls from liability.

Continuing Education Procedure:*

The Township of Little Falls, in conjunction with the Risk Manager will arrange for employment practices seminars at least annually to train all managerial/Department Head personnel. The Township of Little Falls will also offer non-mandatory training to all other employees with special emphasis on employee rights and protections under various Federal and State laws as well as Township of Little Falls employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure.

Managerial and Department Heady personnel will also update employees periodically by department meetings and memos that should address specific problems and concerns that may arise. Every effort will be made to encourage employee suggestions about ways to avoid employer-employee disputes and violations of employment rights.

SECTION SIX:

Model Forms

- Notice of Personnel Discussion*
- Employee Letter Concerning Employee Complaint Procedure*
- Sample Notices Concerning Whistleblower Act*
- Application for Employment*
- NJ Division of Civil Rights Guide on Pre-Employment Inquiries*
- Counseling Action Plan*
- Fingerprint and Background Check Consent Form For Employees, Job Applicants, and Volunteers That May Work or Have Contact with the Public

TOWNSHIP OF LITTLE FALLS
NOTICE OF PERSONNEL DISCUSSION

To:

Address:

This is to notify you, pursuant to the Open Public Meeting Act, that the Mayor and Council of the Township of Little Falls plans to discuss the subject matter(s) checked below relating to your employment.

- Application for Employment
- Promotion or Transfer
- Compensation
- Performance Evaluation
- Special Leave Request
- Grievance
- Discipline
- Possible Termination
- Other

(Specify):

The discussion will take place at the following meeting(s):

Date _____ of _____ Meeting(s):

Time:

Location:

The discussion will be in closed session, not open to the public, unless before the meeting the Township Clerk receives a request, in writing, in which you ask that the discussion be held in public. If the discussion will affect other employees or potential employees, it may be closed to the public unless all such affected persons submit such signed requests. You are not required to attend this meeting.

Notice Date: _____ Signed: _____ (title) _____

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Conscientious Employee Protection Act "Whistleblower Act"

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.
N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

The following contact person has been designated to answer your questions or provide information regarding your rights and responsibilities under this act (N.J.S.A. 34:19-4):

Primary Contact: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers must distribute notice of this law to their employees.
If you need this document in a language other than English
or Spanish, please call (609) 292-7832.

La Ley de protección al empleado consciente

“Ley de protección del denunciante”

Acciones de represalia del empleador; protección de las acciones del empleado

1. La ley de New Jersey prohíbe que los empleadores tomen medidas de represalia contra todo empleado que haga lo siguiente:
 - a. Divulgue o amenace con divulgar, ya sea a un supervisor o a una agencia pública toda actividad, directriz o norma del empleador o de cualquier otro empleador con el que exista una relación de negocios y que el empleado tiene motivos fundados para pensar que violan alguna ley, o en el caso de un trabajador licenciado o certificado de la salud y que tiene motivos fundados para pensar que se trata de una manera inadecuada de atención al paciente;
 - b. Facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la violación de alguna ley, regla o reglamento que el empleador o algún otro empleador con el que exista una relación de negocios; o en el caso de un trabajador licenciado o certificado de la salud que facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la calidad de la atención al paciente; o
 - c. Se opone o se niega a participar en alguna actividad, directriz o práctica que el empleado tiene motivos fundados para pensar que:
 - (1) viola alguna ley, o regla o reglamento que dicta la ley o en el caso de un empleado licenciado o certificado de la salud que tiene motivos fundados para pensar que se trata de la atención inadecuada al paciente;
 - (2) es fraudulenta o delictiva; o
 - (3) es incompatible con algún mandato establecido por las directrices públicas relacionadas con la salud pública, la seguridad o el bienestar o la protección del medio ambiente. Artículo 34:19-3 de las Leyes comentadas de New Jersey de protección del empleado consciente (N.J.S.A., por sus siglas en inglés)
2. No se puede acoger a la protección contra la represalia, cuando se hace una divulgación a un organismo público, a no ser que el empleado le informe al empleador de tal actividad, política o norma a través de un aviso por escrito y le haya dado al empleador una oportunidad razonable para corregir tal actividad, política o norma. Sin embargo, no es necesaria la divulgación en los casos en que el empleado tenga indicios razonables para creer que un supervisor o más de un supervisor del empleador tienen conocimiento de tal actividad, política o norma o en los casos en los que el empleado teme que tal divulgación pueda traer como consecuencia daños físicos a su persona siempre y cuando la naturaleza de la situación sea la de una situación de emergencia.

Información del Contacto

La persona siguiente para ha sido designada a contestar sus preguntas o, proporcionar información adicional relacionada con sus derechos y responsabilidades según lo indica esta ley (N.J.S.A. 34:19-4):

Nombre: _____

Dirección: _____

Número de teléfono: _____

Este aviso se debe exponer a la vista de todos.

Una vez por año, los empleadores deben de distribuir un aviso de esta ley a sus empleados. Si necesita este documento en algún otro idioma que no sea inglés o español, sírvase llamar al (609) 292-7832. Posiblemente, una carga nominal puede ser cobrada.



Township of Little Falls Employee Complaint Form
Date _____

Attach additional sheets if necessary to fully complete all questions

NAME: _____ **DEPARTMENT:**

TITLE: _____ **SUPERVISOR:**

Time period covered by this complaint:

Individuals who allegedly committed the acts being complained of:

Describe the nature and dates of the acts allegedly committed by each individual:

Identify all persons with knowledge of the complained conduct:

Are there any documents or other evidence that supports the occurrences described above?

If you previously complained about this or related acts to a supervisor or official, please identify the individual to whom you complained, the date of the complaint, and any action taken.

Have you missed any time from work or incurred any un-reimbursed medical expenses as a result of the alleged acts?

Are you afraid that someone may retaliate against you because you filed this complaint? If so, please identify the person(s) and indicate the reasons why you feel the person(s) may retaliate against you.

What is your requested remedy for this complaint?

ACKNOWLEDGMENT

The information provided above is true and correct to the best of my knowledge.

BY: _____

DATE:

To investigate your complaint, it will be necessary to interview you, the accused party, and any witnesses with knowledge of the allegations or defenses. All persons involved in the investigation will be notified that (1) the complaint is confidential, (2) that any unauthorized disclosures of information concerning the investigation or retaliation could result in disciplinary action up to and including discharge.

I am willing to cooperate fully in the investigation of my complaint and to provide whatever evidence is deemed relevant.

BY: _____

DATE:

Township of Little Falls

Date:

225 Main Street, Little Falls, New Jersey 07424
Employment Application:

Applicant Information:			
Name	(Last,	First,	Middle):

Address: _____			
City/Town: _____			
Phone (Work): (_____) _____		(Home): (_____) _____	
Social Security Number: _____ - _____ - _____			

Position applied for:

Have you ever applied to the (local unit type) before: ___ Yes ___ No If yes, give date _____

Date you can start: _____ Salary desired: _____

Are you available to work: ___ Full time ___ Part time ___ Shift work ___ Temporary

Are you currently employed: ___ Yes ___ No May we contact you at work: ___ Yes ___ No

May we contact your current employer: ___ Yes ___ No

Are you currently on layoff status and subject to recall: ___ Yes ___ No

Do you possess a current driver's license: ___ Yes ___ No

Do you possess a current commercial driver's license: ___ Yes ___ No

Please list any endorsements:

If you are under eighteen years of age, can you provide proof of eligibility to work: ___ Yes ___ No

Are you legally eligible to work in the United States of America: Yes No
Pursuant to Federal Law, proof of US Citizenship or immigration status will be required if you are hired.

Have you ever pleaded guilty or been found guilty of a crime or disorderly persons offense:
 Yes No

Employment is conditional upon the results of the criminal background check. An answer of “Yes” may disqualify you from employment depending upon the circumstances involved. If “Yes”, please explain below.

The Township of Little Falls is an Equal Opportunity Employer M/F

Employment History: This section must be completed even if you attach a resume. List your last four employers, major assignments within the same employer. Begin with the most recent. Include any military service. Explain any gaps in employment in the space on this form marked comments located on the bottom of this page.

Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: ___ Yes ___ No			

Comments:

Education: Provide information on your formal schooling and education. Include elementary, secondary, and post-secondary education, if any. Include any formal vocational or professional education. For high school and post-secondary education, indicate any major or specialty, such as Academic, Business, or Trade.

School:	Years completed: (Circle)	Graduated: (Circle)	Major Field:
High:	1 2 3 4	Yes No	
College:	1 2 3 4	Yes No	
Other:	1 2 3 4	Yes No	

Languages: List any foreign languages you know and indicate your level of proficiency.

Language:	Speak Some:	Speak Fluently:	Read:	Write:

Special Skills & Experience: State any special skills, experience, training, licenses, certifications or other factors that make you especially qualified for the position for which you are applying.

Comments & Additional Information: Is there any additional information about you we should consider?

References: Provide the names, addresses and phone numbers of three people whom we may contact as a reference. They should not be relatives or former supervisors.

Name & Address:	Phone Number:	Years Known:

Understandings and Agreements:

As an applicant for a position with the (local unit type), I understand and agree that I must provide truthful and accurate information in this application. I understand that my application may be rejected if any information is not complete, true and accurate. If hired, I understand that I may be separated from employment if the (local unit type) later discovers that information on this form was incomplete, untrue, or inaccurate. I give the (local unit type) the right to investigate the information I have provided, talk with former employers (except where I have indicated they may not be contacted). I give the (local unit type) the right to secure additional job-related information about me. I release the (local unit type) and its representatives from all liability for seeking such information. I understand that the (local unit type) is an equal-opportunity employer and does not discriminate in its hiring practices. I understand that the (local unit type) will make reasonable accommodations as required by the Americans with Disabilities Act. I understand that, if employed, I may resign at any time and that the (local unit type) may terminate me at any time in accordance with its established policies and procedures. No representatives of the (local unit type) may make any assurances to the contrary. I understand that any offer of employment may be subject to job-related medical, physical, drug, or psychological tests. I also understand that some positions may involve complete background and criminal checks. *For your application to be considered, you must sign and date below.*

Applicant's Signature _____ Date

Voluntary Affirmative Action Information

You are not required to provide this information. Provide only if you wish.

If you provide information on this page, it will be filed separately from the job application. This information will be used only for purposes of the affirmative action program

Applicant Information:

Name:

Address:

City/town:

Phone: () _____

Position

Applied

For:

How did you learn about this position? Advertisement Employment

Agency Friend Relative Walk-in Other

(Explain) _____

Information Regarding Status:

Gender:

Male

Female

Equal Employment Opportunity identification groups:

White

African-American (non-Hispanic)

Hispanic

American Indian/Alaskan native

Asian/Pacific Islander

Other _____

Other protected Groups:

Individual with a disability

Vietnam-era veteran (served between 1964 and 1975)

Disabled veteran

For Township of Little Falls use only

Hired: __Yes __No Position _____ Date

Which EEO job classification best describes the position for which the applicant applied?

- | | | |
|----------------------------------|---------------------------------------|------------------------------------|
| 1. Officials and Managers | 4. Sales workers | 7. Operators(semi-skilled) |
| 2. Professionals | 5. Office and clerical workers | 8. Laborers (unskilled) |
| 3. Technicians | 6. Craft workers (skilled) | 9. Service workers |

Township Official _____ Date _____

This page for Township of Little Falls use only!
Results of interview

Interviewer:

Date: _____ **Time:** _____

NJ DIVISION ON CIVIL RIGHTS GUIDE ON PRE-EMPLOYMENT INQUIRIES

Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries:
Name	<ul style="list-style-type: none"> a) The fact of a change of name or the original name of an applicant whose name has been legally changed b) Maiden name 	Whether or not the applicant has ever worked under another name or was the applicant educated under another name. (Allowable only when the data is needed to verify the applicant's qualifications)
Birthplace and Residence	<ul style="list-style-type: none"> a) Birthplace of applicant b) Birthplace of applicant's parents c) Requirement that applicant submit birth certificate, naturalization or baptismal record d) Own home, rent, board or live with parents e) Citizenship 	<ul style="list-style-type: none"> a) Are you in the United States on a visa, which prohibits you from working here? b) Are you either a US citizen or a permanent resident alien?
Creed and Religion	<ul style="list-style-type: none"> a) Applicant's religious affiliation b) Church, parish, or religious holidays observed by applicant 	
Race or Color	<ul style="list-style-type: none"> a) Applicant's race b) Color of applicant's skin, eyes, hair, etc. c) Driver's license number 	
Photographs	<ul style="list-style-type: none"> a) Photographs with application b) Photographs after interview, but before a hiring 	
Age	<ul style="list-style-type: none"> a) Date of birth or age of applicant b) Age specifications, limitations, or implications in a newspaper advertisement which might bar workers under or over a certain age c) Driver's license number 	Applicant may be asked if he/she is over the minimum legal age and under a bona fide mandatory retirement age
Language	<ul style="list-style-type: none"> a) Applicant's mother tongue b) Language commonly used by applicant at home c) How the applicant acquired ability to read, write, or speak a foreign language 	Language applicant speaks and/or writes fluently (only if job related)
Relatives	Name and/or address of any relative of the applicant	Name and address of person to be notified in case of accident or emergency
Military Experience	<ul style="list-style-type: none"> a) Applicant's military experience in other than United States Armed Forces b) National Guard or Reserve Units of applicant c) Draft classification or other eligibility for military service d) Applicant's whereabouts during periods of armed conflict e) Dates, conditions and type of discharge 	<ul style="list-style-type: none"> a) Military experience of applicant in Armed Forces of United States only when used for employment history b) Whether applicant has received any notice to report for duty in Armed Forces

Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries:
Organizations	Any clubs, social fraternities, sororities, societies, lodges, or organizations to which the applicant belongs	Membership in a union, professional or trade organization
References	The name of applicant's pastor or religious leader	Names of persons willing to provide professional and/or character references for applicant
Sex and Marital Status	<ul style="list-style-type: none"> a) Sex or marital status or any questions which would be used to determine same b) Number of dependents, number of children c) Spouse's occupation 	
Arrest and Conviction Record	The number and kind of arrests of an applicant	Convictions which bear a relationship to the job
Height and Weight	Any inquiry into height or weight of applicant	
Physical Disabilities	Any inquiry as to physical disability, which has no direct bearing on satisfactory performance of the specific job in question. (For example, questions as to the mobility of a person without the use of his or her legs, when the job in questions involves working in a stationary position.)	Does applicant have any physical disability, which would prevent him or her from satisfactorily performing the job? (For example, questions concerning hearing impairment are acceptable on applications for a telephone operation position.)
Education	Whether or not the applicant is a high school graduate	<ul style="list-style-type: none"> a) Show highest grade completed b) Detail your educational background

Township of Little Falls COUNSELING ACTION PLAN

EMPLOYEE NAME: _____ **DATE:** _____

DEPARTMENT: _____ **POSITION:** _____

I met with the above employee to discuss performance regarding the following problem(s):

This is a *verbal*, *written*, *final* meeting with this employee concerning this matter.

State the reason for the counseling session:

Employee's performance is not acceptable for the following specific reasons:

Employee must achieve the following goals in order to reach acceptable standards:

Employee should reach these goals by:

- Immediately
- Employee is on a probationary status and will be re-evaluated on _____
- Employee is Suspended: Dates: _____

Consequences of failure to improve or achieve goals:

- May result in further disciplinary action, up to and including termination.
- Termination.

Employee's Comments:

I have read the above. I understand that it constitutes a warning and I understand the amount of time I have to attain the stated performance goals. I also understand the consequences of my failure to improve or attain the above goals.

Employee Signature: _____ **Date:** _____

Department Head Signature _____ **Date:** _____

Township Administrator Signature: _____ **Date:** _____

**Fingerprint and Background Check Consent Form
For Employees, Job Applicants, and Volunteers That May Work or
Have Contact with the Public**

In accordance with Township of Little Falls Ordinance No. ___ and N.J.S.A. 15A:3A-1 et seq, I understand that, as a condition of continued employment, new employment, or my volunteer service, the Township requires background checks on all individuals who will be working with children. .

By signing this form, I agree to be fingerprinted and consent to a criminal background record check as a condition of new employment, continued employment, or voluntary service. I also represent, attest, and certify that I have never been convicted of any of the following crimes or disorderly persons offenses as defined by New Jersey law or the law of any other state, or that the guilty disposition of any of the crimes and/or offenses has been amended to a status of not guilty, or that any previous charges, as listed below, have been expunged:

- 2C:11 HOMICIDE all offenses
- 2C:12 ASSAULT, ENDANGERING, THREATS all offenses
- 2C:13 KIDNAPPING all offenses
- 2C:14 SEXUAL OFFENSES all offenses
- 2C:15 ROBBERY all offenses
- 2C:20 THEFT all offenses
- 2C:24 OFFENSES AGAINST THE FAMILY, CHILDREN AND INCOMPETENTS
all offenses
- 2C:35 CONTROLLED DANGEROUS SUBSTANCES
all offenses **except** paragraph (4) of subsection a. of NJS.2C:35-10
The Crime of Arson or Fire Setting

Other crime of offence that would render this applicant an inappropriate selection for the position sought.

Name (please print)

Applicant's signature Date

Parent's signature (if applicant is under 18) Date

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Receipt for Personnel Policies and Procedures Manual

I acknowledge that I have received a copy of the Township of Little Falls's Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my supervisor, or the Township Administrator. I understand that Township is an "at will" employer and consistent with applicable Federal and State law, as well as applicable bargaining unit agreements, employment with the Township may or may not be for a fixed term or definite period and thereby may be terminated at the will of either party, with or without cause, and without prior notice. In addition, I understand that this manual states the Township's personnel policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with Township for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Township Clerk.

Date: _____

Signature: _____

Print Name: _____

Department: _____