ORDINANCE #2253-16

AN ORDINANCE OF THE CITY OF WOODBURY ADOPTING PERSONNEL POLICIES FOR THE CITY OF WOODBURY

WHEREAS, the City of Woodbury Administration, Personnel Committee, and Labor Counsel have reviewed and revised the City of Woodbury Personnel Policies and Procedures Manual to bring it up to current administrative, legal, and insurance requirements; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Woodbury, County of Gloucester and State of New Jersey that:

1. The attached Personnel Policies and Procedures Manual is hereby adopted and shall supersede any prior personnel policies and procedures manual;
2. This Ordinance shall take effect upon adoption and publication as required by law.

THE FOREGOING was introduced by the City Council of the City of Woodbury at a regular meeting held on September 13, 2016. This Ordinance will be considered for adoption at final reading and public hearing to be held on September 27, 2016 at 7:00 p.m. or at such time as may be determined and announced, in City Hall, Council Chambers, 33 Delaware Street, Woodbury, New Jersey, at which time and place all persons interested will be given the opportunity to be heard concerning said Ordinance. During the time prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the City Clerk's Office without charge to the members of the general public who may request same.

CITY OF WOODBURY

By: **DAVID TROVATO, President of Council**

ATTEST:

ROY A. DUFFIELD, Clerk

Approved:

WILLIAM J. VOLK, Mayor

City of Woodbury

PERSONNEL

POLICIES AND PROCEDURES

MANUAL

Dated: September 13, 2016

Ordinance 2253-16 – adopted September 27, 2016 "Ordinance Adopting Personnel Policies for the City of Woodbury"

Ordinance 2202-14 – adopted April 22, 2014 "Ordinance Adopting Personnel Policies for the City of Woodbury"

Ordinance 2162-12 – adopted May 29, 2012, "Ordinance Amending the Personnel Policies and Procedures of the City of Woodbury"

Ordinance #2075-08 – adopted April 28, 2008, "Ordinance Adopting Personnel Policies for the City of Woodbury"

Ordinance #2113-09 – adopted December 28, 2009, "Ordinance of the City of Woodbury, Adopting Use of City-Owned Vehicles Policy"

Resolution #10-80 – adopted April 12, 2010, "Resolution to Affirm the City of Woodbury's Civil Rights Policy with Respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that Come into Contact with Municipal Employees, Officials and Volunteers"

The City of Woodbury is an Equal Opportunity Employer, M/F.

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GENERAL PERSONNEL POLICY:*

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

All employees, officers and Department Heads shall be appointed and promoted by the Mayor & City Council. No person shall be employed or promoted unless there exists a position created by an ordinance adopted by the Mayor & City Council as well as the necessary budget appropriation and salary ordinance.

The City Administrator and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Mayor & City Council has appointed the Deputy Administrator to assist the City Administrator implement personnel practices. The City Administrator and Deputy Administrator shall also have access to the Labor Counsel appointed by the Mayor & City Council for guidance in personnel matters.

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

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

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

These policies are enacted by the City of Woodbury in order to further the following goals:

1. **To provide a uniform system of personnel administration throughout the City service.**

2. **To ensure that recruitment, selection, placement, promotion, retention and separation of City employees are based upon employees' qualifications and fitness, and are in compliance with Federal and state laws.**

3. **To assist department heads in the development of sound management practices and procedures, and to make effective and consistent use of human resources throughout the City.**

4. **To promote communication between the administrator, department heads, supervisors, and employees.**

5. **To ensure, protect and clarify the rights and responsibilities of employees.**

In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.

SECTION ONE
Policies Relating to Employee Rights and Obligations:

Anti-Discrimination Policy:*

The City 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 City discriminate, **or tolerate discrimination,** on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership 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, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, City Administrator, the Deputy Administrator or the Labor Counsel.

EMPLOYMENT PRACTICES PERSONNEL

A. Personnel Officer

The City has designated the City Administrator as its Personnel Officer. In the event that the City Administrator is unavailable to perform the responsibilities of this position as required pursuant to the terms of the Municipality's employee manual either due to absence or a conflict of interest, then the Deputy Administrator shall be designated as the alternate Personnel Officer. If neither individual is able to perform the responsibilities, then employees are to be instructed that any member of the governing body is to be advised of a potential complaint of a suspected violation of municipal policy or procedure. The member of the governing body shall then contact the municipality's labor consultant, labor attorney or municipal attorney for the purpose of investigating the complaint and formulating the appropriate response plan.

The Personnel Officer and alternate Personnel Officer shall be required to attend seminars and/or other instructional training dedicated to employment practice liability not less than annually and proof of attendance shall be maintained in the Personnel Officer's and alternate Personnel Officer's personnel file. In addition to the responsibilities set forth above and as otherwise identified in this manual, the Personnel Officer shall also be responsible for the following functions:

1. **Maintenance and security of all personnel files in accordance with the requirements of this manual.**

2. **Maintenance and annual review of the Municipality's employee manual.**

3. **Distribution and posting of all employment related notices including, but not limited to, available employment, anti-discrimination and anti- sexual harassment notices distributed by the U.S. Department of Labor, New Jersey Department of Labor, New Jersey Division on Civil Rights, the Equal Employment Opportunity Commission and any other applicable New Jersey or federal agencies.**

B. Labor Consultant

The Municipality has also retained the services of the Labor Counsel to assist the Personnel Officer in the review, screening and investigative process for employee complaints of violations of the Municipality's employment policies and procedures as established in the Municipality's employee manual.

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 City does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The City 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 City to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the 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 City.

The City 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 City 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 City 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 City facilities. Any questions concerning proper assistance should be directed to City Administrator.

Contagious or Life Threatening Illnesses Policy:*

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

The City 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 confidentially of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

The City has an obligation to provide a safe and healthy work environment for all employees. In an effort to balance the needs of the City, the public and the employees, the City hereby establishes the following policy regarding contagious or life threatening illnesses.

City employees who have been diagnosed with any illness which may pose a health hazard to other employees or to the public at large must disclose this information to the City Personnel Officer at the earliest possible time. The Personnel Officer or City Administrator shall consult with a physician, contracted by the City, in order to make a determination and assess the risks to any other employees and the public at large. The City may direct the employee to pursue one of the following options:

1. **Family Leave**
2. **Sick Leave**
3. **Vacation Leave**
4. **Short Term Disability, if the illness is anticipated to last a brief period of time.**
5. **Unpaid Leave of Absence, if the employee has expended all other accrued time.**
6. **Permanent Disability, if the illness is permanent in nature and the employee**

qualifies under the appropriate State pension plan.

7. **Resignation, if the illness is of such a nature that the employee will be unable to return to work, has exhausted all other accumulated time and fails to qualify for disability benefits under any State pension plan.**

Any employee who fails to make the required disclosure to the City Personnel Officer may be subject to disciplinary action including termination of employment.

Safety Policy:

The City will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The City 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 supervisor or Department Head. Any on-the-job accident or accident involving City facilities, equipment or motor vehicles must also be immediately reported to the supervisor or Department Head.

The City 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 City 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 forty-five 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 City 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 City 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 City Administrator will decide if it is in the best interest of the City to approve a transitional duty request and will notify the employee of the decision. The City 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 City 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 City Administrator. If transitional duty is approved, the employee or Workers Compensation Physician must keep the City 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 City 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 City recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is observed by a supervisor or department head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor or Department Head will immediately report any reasonable suspicions to the City Administrator.

An employee will be required to submit to alcohol, drug or controlled substance testing when the employee's work performance causes a reasonable suspicion that that employee is impaired due to current intoxication, drug or controlled substance use, or in cases where employment has been conditioned upon remaining alcohol, drug, or controlled dangerous substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action, including termination. Supervisors or Department heads that observe behavior constituting reasonable suspicion are required to institute testing and do not have the option of sending the employee home as an alternative.

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

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

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

Employees using prescription drugs that may affect job performance or safety must notify the City Administrator 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. City 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 City's Employee Assistance Program.

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 City property or while performing City business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

Workplace Violence Policy:*

The City 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 City property, at City events or under other circumstances that may negatively affect the City'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 City property or while on City business except with the authority of 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 City will actively intervene in any potentially hostile or violent situation.

General Anti-Harassment Policy:*

It is the City's policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), gender identity or expression, liability for service in the United States armed forces, and/or any other characteristic protected by law. 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 written, printed or physical conduct

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

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

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

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

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

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

- Submission to such conduct is made either explicitly or implicitly in exchange for a benefit;

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

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

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

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

Notification by employee to appropriate personnel of any harassment problem is essential to the success of this policy and the City generally. The City 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 City shall not take any retaliatory action or tolerate any reprisal against an employee for any of the following:

- Disclosing or threatening to disclose to a supervisor, Department Head, the City 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 City Administrator. 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 City 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 supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Department Head, the City Administrator, the Deputy Administrator or the Labor Counsel. 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 supervisor 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 an incident.

The conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance, <u>by themselves</u>, do not constitute harassment.

Grievance Policy:

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the City. 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 within five working dates after arising 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.

- **Step One:** Any employee or group of employees with a grievance shall in writing communicate the grievance to the supervisor or Department Head who will discuss the matter with the City Administrator and the City Administrator. The supervisor or Department Head will communicate in writing, the decision to the employee within two working days.

- **Step Two:** If the employee is not satisfied with the decision, the employee must submit a written grievance to the City Administrator detailing the facts and the relief requested. The decision in step one will be deemed final if the employee fails to submit a written grievance within five days working days of the step one decision. After consulting the City Administrator and the Labor Counsel as appropriate, the City Administrator will render a written decision to the employee within five working days after receipt of the written grievance.

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

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the City's compliance with applicable law;
- To the City's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the City 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 City 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 City. Violations of this policy will result in appropriate discipline including termination.

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

A potential or actual conflict of interest occurs whenever an employee including a City official is in a position to influence a City 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 City 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 City Administrator or the City Solicitor to obtain clarification.

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

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

Contributions and Honorariums:

Speeches and presentations which are related to City services delivered by City employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the City, not to the individual employee.

An honorarium or contribution for a speech or other presentation made by a City employee to a group outside the City, either during working time or for which the City provided travel expenses, will also be made to the City.

Such contributions and honorariums shall be turned over to the Chief Financial Officer for disposition.

Solicitations:

With the exception of United Way (GCPECC) and other City-approved activities, peddling or soliciting for sale or donation of any kind on City premises during normal working hours is not allowed.

Working hours include the working time of both the employee doing the soliciting or distributing, and the employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas.

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 City time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, City Administrator, Deputy Administrator or the City Solicitor.

Section 1 - Prohibited Activities during Working Hours. An employee shall be subject to discipline up to and including immediate dismissal for violation of these provisions:

a. No officer or employee shall, while on duty during an assigned work shift as an employee of the City:

(1) Request or solicit contributions or anything of value for any political candidate or cause.
(2) Participate in any political campaign by:
(a) Speaking in favor of any candidate or cause.
(b) Distributing literature.
(c) Picketing or demonstrating on behalf of or in opposition to any political candidate or cause.
(d) Organizing, planning or in any other way participating in the administration of any political campaign.

b. No officer, employee or volunteer shall, while on duty and/or in the uniform of the City, or while in or operating any City vehicle, display any badge, button, sign or sticker promoting or opposing any political cause or candidate.

c. No officer or employee of the City shall use public funds, property, or any other instrumentality or thing of value belonging to the City to promote or oppose any political cause or candidate.

d. Nothing in this policy shall be interpreted to prohibit an employee:
(1) From stating any opinion regarding any political issue in ordinary conversation during working hours providing that such a conversation does not interfere with the employee's assigned job duties.

(2) Who does not have direct citizen contact from wearing a pin or button promoting or opposing any cause or candidate.

Section 2 - Coercion, Intimidation of Public Employees. No officer or employee of the City shall use his/her public office or employment for the purpose, or with the effect of:

a. Coercing or intimidating any City employee or employees with respect to contributing to, opposing or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate.

b. Obtaining a benefit as a result of any political activity by:
(1) Intentionally committing an unauthorized act under color of law
(2) Intentionally refraining from performing a duty imposed upon him by law

Employee Evaluation Policy:*

The Department Head will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. After completing the evaluation, the supervisor or Department Head will review the results with the employee and return the form(s) with the signed acknowledgement to the City Administrator. After review by the City Administrator, the form(s) are to be included in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the City Administrator.

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 City, 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 City property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on City property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on City property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on City 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 City or suppliers' property.

- Sleeping on the job.
- Carrying weapons of any kind on City 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 City or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential information.
- Gambling on City premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on City 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 or disorderly persons offense.
- Violating any City rules or policies.
- Conduct unbecoming a public employee.
- Violation of City policies, procedures and regulations.
- Violation of Federal, State or City 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 City believes in corrective action for the purpose of correcting undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances. In every case, employees will be given an opportunity to state the situation from their point of view.

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

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

Resignation Policy:

An employee who intends to resign must notify the Department Head in writing at least two weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two weeks, the employee may not use paid time off except paid holidays. The Department Head will prepare an Employee Action form showing any pay or other money owed the employee. The City 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.

Service Retirement is voluntary termination after having satisfied the age and length of employment requirements of the State of New Jersey Public Employees Retirement System or Police and Fire Retirement System.

Disability Retirement is termination necessitated by an injury or illness which renders the employee incapable of performing his/her usual job. The termination is preceded by a ruling by the appropriate Board of Pensions (P.E.R.S. or P.F.R.S.) verifying the disability and approving the retirement.

Employee-Initiated Resignation is voluntary termination for any reason other than formal retirement. An employee wanting to leave the City in good standing shall provide a written resignation to his/her immediate supervisor at least 14 calendar days prior to the effective date of resignation. The resignation letter should include the reason for leaving as well as the proposed effective date. Two weeks notice is understood to mean that the resigning employee will be available for work during this time so as to aid in the training of a replacement. Failure to provide two weeks advance notice may result in a forfeit of accumulated vacation or personal leave time. Exceptions to the time limit requirement may be granted by the Personnel Officer.

Supervisor-Initiated Resignation is termination requested by the supervisor which permits the employee to resign in lieu of being discharged. A termination of this type occurs only after the supervisor's consultation with the Personnel Officer. An evaluation of the circumstances is conducted, including reasons for the request, supporting documentation, and alternatives. Guidelines are similar to those for discharge.

Discharge is termination of an employee by the City. Refer to the policy on "DISCIPLINARY ACTION".

Probationary Termination is discharge of an employee during the established probationary (introductory employment) period, usually for the inability to meet position/department requirements. A probationary termination occurs only after the supervisor's consultation with the Personnel officer.

Layoff is termination of an employee by the City for lack of work, lack of funds, or other changes that have taken place. A reduction in force is accomplished in accordance with labor contracts, however work schedules should be planned to keep periodic or recurring layoffs to a minimum. In layoff, recall and filling regular job vacancies, the City shall give equal consideration to an employee's ability and performance of the duties required in the job and consideration to an employee's length of continuous service with the City in the classification. In applying this provision, where qualifications, experience and performance are equal, seniority shall govern.

Work Force Reduction Policy:*

The City 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 City Administrator.

Driver's License Policy:*

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

All new employees who will be assigned work entailing the operating of a City 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 or Division Supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate a City vehicle until such time as a valid license is obtained.

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

Any information obtained by the City in accordance with this section shall be used by the City 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.)

SUBJECT: UNION RIGHTS

The City currently recognizes the following unions as the exclusive bargaining representative for the designated employees of the following bargaining units:

1. Public Works-Local #1360 United Food and Commercial Workers Union
2. Police-PBA Local 122
3. Fire-FMBA Local 62

All City employees have a right to belong to an appropriate bargaining unit unless they are exempt as defined by law, or exclusion by union contracts. Additional conditions of membership are described in each labor contract.

Each bargaining unit separately negotiates contracts for its employees with the City. Wages, benefits and conditions of employment of union employees will be provided as specified in the respective labor agreement. Employees are not granted time off with pay to perform union activities unless specifically provided for in the labor agreement. City equipment and facilities are not to be used for union activity unless specifically provided for in the labor agreement or unless approved by the City Council on a one time basis.

SECTION TWO: Workplace Policies

TYPES OF EMPLOYMENT AND ELIGIBILITY FOR BENEFITS

1. **The types of City employment are:**
   a. **Probationary Employee: An employee on a trial status during the initial period of employment. All newly hired City employees are on a probationary status which, unless provided otherwise by union agreement or other documents, extends for ninety (90) days from the date of hire. Probationary periods may be extended under special circumstances.**

   b. **Regular Full-Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which will total no less than 2,080 hours per year for members of the Police and Public Works Departments and 1,820 hours per year for all other departments.**

   c. **Regular Part-Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of less than 30 hours, per week.**

   d. **Temporary Full-Time Employee: An employee whose work assignment is limited in duration to six months or less, and works a shift schedule which on an annual basis would total no less than 1,820 hours.**

   e. **Temporary Part- Time Employee: An employee whose work assignment is limited in duration to six months or less, and works a shift schedule which on an annual basis would total less than 1,820 hours.**

   f. **Intermittent Employee: An employee qualified to work in one or more job assignments who is on call to work at irregular intervals in one or more City departments.**

2. **Employee compensation shall be stated in the Annual Salary Ordinance in terms of annual salary or hourly wage.**

3. **Entitlement to employee benefits shall be as provided in the Annual Salary Ordinance, which provides:**
   a. **Employees classified as regular full-time employees shall receive all employee benefits provided by the City; provided, however, that represented employees shall receive only those benefits provided for by the labor agreement. Probationary employees who, upon successful completion of their probationary periods will be regular full-time employees, shall be entitled to the same benefits as regular full-time employees, subject to applicable eligibility provisions and time periods.**

b. **Regular part-time employees may be entitled to pro rata vacation, holiday, sick leave and bereavement leave benefits; provided, however, that represented employees shall receive only those benefits provided by the labor agreement. Probationary part-time employees who, upon successful completion of their probationary periods, will be regular part-time employees, shall be entitled to the same benefits as regular part-time employees, subject to applicable eligibility provisions and time periods.**

Job Description Policy:*

A job description including qualifications shall be maintained for each position. All job descriptions must be approved by the City Administrator. The City Administrator will make copies available upon request.

The position description does not constitute an employment agreement between the City and employee and is subject to change as the needs of the City and the requirements of the job change.

Examples of duties listed in the position description are intended only as illustrations of the various types of work performed. The omission of specific statements of duties does not exclude them from the position if the work is similarly related or a logical assignment to the position as determined by the City.

Each employee's position description is maintained as part of his/her personnel file. Additional copies of position descriptions may be requested through the Department Head.

Requests for new position titles and job descriptions shall be made by the Department Head to the Personnel Committee and, if approved, will then be maintained by the City Administrator.

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 supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday. **If an employee is unable to report to work, the absence may be charged as vacation or personal leave, or the employee may elect to take this time off without pay.** The normal working hours for City Hall are 8:30 AM to 4:30 PM. The working hours for other departments are established by departmental procedures and bargaining unit agreements.

Early Closing and Delayed Opening Policy:

In the event of unsafe conditions, the City Administrator may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the City Administrator shall notify Department Heads of a 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 or compensating time 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 the Department of Public Works, Police, Fire, Water, Emergency Services or any personnel who may be required to assist in an emergency.

The City Administrator shall be authorized to close City offices to protect the safety and welfare of City employees and the public. In this event employees will receive full pay, and no vacation or personal leave allowances shall be affected.

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. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. With the advance approval of the City Administrator, the City will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action or will be sent home without pay.

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

City owned vehicles shall be used exclusively for City business. **All passengers must be either City Employees or accompanying City Employees on official City business. Without prior written authorization from the Mayor, his/her designee, or the City Administrator, there are no exceptions to this policy, and any violation is subject to disciplinary action including possible suspension or dismissal.**

Unless otherwise designated by this manual, City owned vehicles are not to be taken home under any circumstances, without prior written approval from the Mayor, his/her designee, or the City Administrator. These temporary approvals may include facilitating responses to after-hours emergency calls. When an employee is granted authorization to take home a City vehicle, it is to be used only for official City business; any other use is not permitted. Any violation of this policy constitutes cause for disciplinary action including possible suspension or dismissal.

The following represents the City Employees authorized to take home a City vehicle

- **Police Department: The Chief of Police will have the option to take a City vehicle home for emergency use only. No other employees will have the authority to take home a City vehicle without written prior approval from the Mayor or his/her designee.**
- **Fire Department: The Chief of the Fire Department and the Fire Marshal are authorized to take a City vehicle home for emergency use only. No other employees will have the authority to take home a City vehicle without written prior approval from the Mayor or his/her designee.**

Public Works/Water Department: No employees are authorized to take home a City vehicle without written prior approval from the Mayor or his/her designee. All vehicles will be secured in the PW yard at the end of every shift. On Call, or Duty Call, personnel will report to the PW yard to pick up the assigned vehicle prior to responding to a call. At the completion of any Duty Call, the City vehicle must be immediately returned to the PW yard and secured.

Construction/Code Enforcement/Housing: No employees are authorized to take home a City vehicle without prior approval from the Mayor or his/her designee.

City vehicles are not permitted outside the geographical limits of the City either during or after business hours, without prior written approval from the Mayor or City Administrator. A Pre-approved list of locations where City Employees and vehicles regularly visit will be compiled by the Manager of Public Works and filed in the office of the City Administrator. This list may include landfills, City wells, reservoirs, or water facilities, or other County facilities.

TELEPHONE USAGE POLICY

City phones are to be used for City business and may be used for personal business on a limited basis only.

Telephone calls received during business hours must be held to both a minimum number and time limit and must not interfere with the employee's work.

When a toll call must be placed, the call is to be billed to the employee's home number or collect.

It is the employee's responsibility to ensure that no cost to the City results from their personal telephone calls. The use of hand-held cell phones while driving City vehicles or while driving on City business is prohibited.

Violation of this policy will minimally result in cost reimbursement to the City and may subject the employee to disciplinary action.

Communication Media Policy: *

The City's Communication Media are the property of the City 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 City, such as cell

phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the City. 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 City business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the City's mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the City's local or wide-area networks."

The City respects the individual privacy of its employees. However, employee communications transmitted by the City'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 City. The City reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the City's Communication Media.** By using the City's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by City personnel. The existence of passwords does not restrict or eliminate the City's ability or right to access electronic communications. However, the City 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 City are required to use the assigned municipal email account for ALL City business and correspondence. The use of private email accounts for ANY City business or during business hours is strictly prohibited.

Employees can only use the City's Communication Media for legitimate business purposes. Employees may not use the City's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any City 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 the City. Certain data, or applications that process data, may require additional security measures as determined by the City. 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 City has given permission. All employees must take appropriate actions to ensure that City 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 City'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 City. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the City, or licensed to the City. 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 the Administrator may engage in social media activity during work time through the use of the City'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 City 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 City 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 City Administrator. In addition employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the City'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 City Administrator. -Except in "emergency situations, "Employees are prohibited from taking digital images or photographs, with media equipment not owned by the City. 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 City's Communication Media. If such situation occurs, employee agrees that any images belong to the City and agree to release the image to the City and ensure its permanent deletion from media device upon direction from the City.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the City or on behalf of the City, whether through the use of the City's Communication Media or otherwise, may be issued unless it has first been approved

by the City Administrator. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the City. Such unauthorized communications may result in disciplinary action.

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

All users are personally accountable for messages that they originate or forward using the City'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 City Administrator) is prohibited.

Employees must respect the laws regarding copyrights, trademarks, rights of public City and other third-party rights. Any use of the City's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the City, 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 City's employees, or if they discuss matters related to the City on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the City, 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 City or the City's business. Employees must keep in mind that, if they post information on a social media site that is in violation of City 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. City employees have the right to engage in or refrain from such activities.

Video Surveillance

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

The City's video surveillance camera systems are a significant tool to which the employees of the City will avail themselves in order to complete the goals and objectives of the City. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The City'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 City'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 City.

The City 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 City Administrator is immediately informed of such breach.

USE OF PUBLIC PROPERTY

Unless otherwise stipulated, no employee of the City shall request, use, or permit the use of City-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Authorized personal uses include taking an assigned City vehicle to lunch, within the City limits, on workdays as needed, use of a City copy machine at cost, stopping to run personal errands when the destination point is in conjunction with official or authorized business, and other nominal personal uses as permitted by the Department Head on a case-by-case basis.

No City employee may use City time or property in any manner to promote any political issue or candidate, or to solicit funds for any political purpose or to influence the outcome of any election. With the approval of the City Council, an exception shall be allowed when the subject of an election has received the endorsement and support of the City Council (e.g. cap referendum).

No City employee shall be eligible for appointment or election to any public office when the holding of such office would be incompatible or would substantially interfere with the discharge of official duties.

Discipline. Any employee who is found to be in violation of this policy may be subject to disciplinary action up to and including termination from employment. Depending upon the seriousness of the action, other appropriate civil or criminal sanctions may also be applicable.

Bulletin Board Policy:* (in public areas)

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

Bulletin Board Policy: (in employee areas)

The following considerations should be made for employee bulletin boards:

1. **Place in a spot where there is greatest employee exposure (lunchroom, break room, locker room, near time clock etc.).**
2. **Postings should be attractively arranged.**
3. **Posters, safety committee minutes and other information that becomes dated or worn should be changed periodically.**
4. **A specific safety bulletin board or portion of an existing board should be designated and that spot reserved EXCLUSIVELY for safety material.**
5. **The Safety Committee Chairperson is designated to maintain the bulletin board as recommended above.**

Employee Dating Policy:

The City 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 City 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.

OUTSIDE EMPLOYMENT
Full-time City employees are permitted to engage in outside employment under appropriate circumstances. Outside employment may take place provided:

1. **Prior authorization is obtained. If an employee submits a request for authorization to engage in outside employment, the City shall endeavor to respond to the request within one week. If the employee does not receive a reply within thirty days the request shall be deemed to be granted.**

2. **There is no conflict with the employee's duties. Outside work or employment may not be permitted to interfere with an employee's responsibilities to the City. Absences from City work or tardiness, resulting from outside employment, will be subject to disciplinary action.**

3. **The total amount of employment does not interfere with the employees' ability to perform his/her duties appropriately.**

4. **It is clearly recognized and understood that the employees' primary work responsibility is to the City of Woodbury. In any instance where a conflict shall arise, the employee shall treat the City as her / his primary employer. Any situation where the employee fails to respond to a departmental recall i.e. fire, civil disturbance, hurricane, snow storm or like circumstances may be viewed as abandonment of her / his position.**

5. **No employee while on sick leave or leave of absence without pay shall be elsewhere or otherwise employed or engaged in any outside work or employment whatsoever.**

Nothing herein contained shall prohibit activity on behalf of a labor organization with which the employee may be affiliated.

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:

Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King's Birthday

- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Election Day
    - *At the discretion of the City Administrator, this may be exchanged for a "floating" holiday day during the year. This will be determined at the Re-Organization meeting of City Council, and will affect all employees not covered by another collective bargaining agreement or other contractual agreements
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving (except Sanitation personnel who receive one extra day)
- Christmas Day

A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

Vacation Leave Policy:

Unless otherwise provided by collective bargaining agreement, employees shall, after ninety (90) days continuous service from the last date of hire with the City, accrue vacation time on the following basis:

Regular Employees:
All full-time and part-time permanent employees shall earn vacation on the basis of the following schedule:

One (1) day for each month of service from the date of employment up to and including December 31 next following the date of employment. Total vacation days shall not exceed ten (10) working days in the first year.

After completion of one (1) year through completion of five (5) years 10 days
After completion of five (5) years through completion of ten (10) years 15 days
After completion often (10) years through completion of fifteen (15) years 20 days

After fifteen (15) years of service; the employee shall be entitled to twenty (20) days per year plus one (1) additional day per year for each year of service over fifteen (15) years.
Total vacation days under this rule not to exceed twenty-five (25) vacation days per year.

Calculations of length of service are based on anniversary date of the employees hiring. Vacation leave may not be carried forward into the succeeding year; such time must be used in that year or forfeited.

An employee who terminates employment prior to completion of his or her probationary period has not accrued vacation time, and is therefore not entitled to payment for unused vacation time.

Vacation leave shall be expended in increments of not less than one half (1/2) work day

Vacations shall be scheduled at such times as the Department Head finds most suitable after considering the wishes of the employee and the requirements of the department. All requests for vacation must be approved by the Department Head prior to the commencement of the requested vacation.

Regular part-time employees shall accrue vacation on a pro rata basis and may receive compensation at their regular rate of pay for each hour of vacation earned.

Transfers: If an employee transfers from one department within the City to another, the vacation leave credits shall also be transferred. The established period of determining vacation credit will be from the employee's date of hire.

Vacation credit earned by an employee cannot be transferred to another employee.

Temporary employees shall not earn vacation nor be entitled to vacation upon separation.

Represented employees earn vacation time in accordance with their respective union agreement.

Vacation leave will not accrue while an employee is on leave of absence without pay. Accrued and unused vacation leave may be used to supplement sick leave if the employee has exhausted sick leave accruals.

Paid holidays occurring during vacation are not charged to vacation.

Earned vacation leave, sick leave and personal leave accruals must be exhausted prior to taking an unpaid medical leave of absence.

Upon resignation with proper notice or retirement from City employment an employee shall be paid at the normal rate of pay for his unused vacation leave, provided regular status has been attained. For each full month of employment the employee shall be allowed one-twelfth (1/12th) of the vacation leave to which he would be entitled if his employment were not terminating. If an employee is prevented by injury or illness from working a full month, he shall nevertheless be entitled to vacation leave payment for that month, provided he has accrued sick leave sufficient to cover the remaining days of the month. If, at the time of separation, the vacation time used exceeds the amount accrued, then the employee’s final paycheck will be adjusted so as to reimburse the City for the unearned vacation pay.

If the employee retired or resigned, such employee thereupon shall be entitled to a sum of money equal to his/her former regular compensation for any earned vacation leave time which has not been used; provided however, that an employee who fails to provide at least two weeks advance written notice of resignation, or whose employment is terminated for cause, is not entitled to be compensated for unused vacation leave.

1. **Department Heads are responsible for managing the vacation schedules in their departments and for administering the provisions of this policy.**

2. **The City Administrator shall approve all vacation schedules for Department Heads.**

3. **Vacation approvals by Department Heads shall be made only when the efficiency of City operations will not be adversely affected.**

4. **Unless approved by the City Administrator in advance, a Department Head and next ranking employee cannot take vacations at the same time.**

Personal Leave Policy:

Regular full-time Employees are entitled to **2** personal days per year and any unused days are forfeited at the end of each calendar year.

Employee requests should be made on the proper form to the immediate supervisor. Approval or disapproval shall be recorded by the supervisor on the form and returned to the employee.

Sick Leave Policy:

Employees are entitled to **6** working days of sick leave per calendar year.
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 two 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 the tenth day 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 City may require an employee to be examined by a physician designated by the City to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received.

Unless otherwise provided by collective bargaining agreement, all regular full-time and permanent part-time employees shall be entitled to sick leave as follows:

1. **As used herein, sick leave means paid leave that may be granted to an employee who through sickness or injury becomes incapacitated to a degree that makes it impossible for the employee to perform the duties of the position; who is quarantined (by the board of health) because of exposure to a contagious**

disease, or illness in the immediate family which requires the personal attendance of the employee to insure care for member of the immediate family. The term "immediate family" as referred to herein shall mean father, mother, spouse, civil union partner, child, foster child, brother or sister. Sick leave to care for members of the immediate family will not be approved for extended periods of time.

2. **Eligibility for sick leave benefits shall be granted to all full time employees who have completed one (1) month of continuous and exclusive service to the City from date of hire, with one (1) day sick leave granted for every two months of continuous service (maximum of 6 days per year).**

3. **Thereafter, employees shall be entitled to sick leave with a doctor's note needed to return to work after two (2) or more consecutive days of sick leave taken. A doctor's note will also be necessary after four singular sick leave days taken.**

4. **Sick leave benefits shall apply to bona fide cases of sickness, accidents, doctor or dental appointments, maternity leave, and requests for the employee's presence by immediate family, doctor or clergy due to family illness or emergency.**

5. **Temporary or seasonal employees shall not be eligible for paid sick leave.**

6. **If an employee is unable to report for work due to illness, this fact shall be reported to the department no later than one-half (1/2) hour after the start of the normal workday, or as soon as possible given certain extenuating individual circumstances. The employee must speak directly to a Department Head or supervisor. The employee should also let the supervisor know when he/she expects to return to work. Failure to comply may result in denial of sick leave pay.**

8. **Sick leave shall be rounded off to the nearest half hour. When possible, sick leave should be taken in increments of no less than four (4) hours.**

9. **No sick leave will be given to an employee in excess of the amount earned and available to the employee.**

10. **An employee may utilize vacation time when sick leave has been exhausted.**
11. **All sick, vacation, and personal leave must be exhausted prior to taking an unpaid medical leave of absence. (See section: FAMILY AND MEDICAL LEAVES OF ABSENCE.)**
12. **It is the responsibility of each Department Head to ensure the provisions of this policy are observed. Corrective action should be taken in instances of suspected abuses or misinterpretation of the utilization of sick leave.**
13. **Department Heads will ensure that any sick leave used will be reflected with the submission of time sheets.**
14. **It is the responsibility of the Department Heads to ensure that proper**

accountability of sick leave is kept on all eligible employees. This shall include keeping a record of utilization

TEMPORARY DISABILITY LEAVE

Eligibility for temporary disability benefits shall be granted to all full time employees who have completed one (1) year of continuous and exclusive service to the City from date of hire.

Upon five (5) days of continuous absence due to illness or accidental injury, which is documented by a physician's report, an eligible employee shall return to work with a physician's report stating the employee is capable to resume their duties. Said 5 days will be charged against the employees' sick, vacation or personal leave, or unpaid medical leave of absence. In the event that an employee is not able to resume their duties, the employee shall be eligible to apply for temporary disability leave. All sick, vacation, and personal leave must be exhausted prior to taking an unpaid medical leave of absence. (See section: FAMILY AND MEDICAL LEAVES OF ABSENCE.)

An employee who is on temporary disability or sick leave shall keep his/her supervisor advised on a daily basis as to condition and expected date of return to duty. If requested, the employee shall file a doctor's certificate stating the cause of the absence and the nature of the illness before temporary disability payment is authorized.

Years of Service: At Least	Less Than	Weeks at Full Salary	Weeks at One Half Salary	Total Weeks Coverage
1	2	4	2	6
2	3	4	7	11
3	4	4	12	16
4	5	4	17	21
5	6	8	18	26
6	7	8	23	31
7	8	8	28	36
8	9	8	33	41
9	10	12	34	46
10	15	12	40	52
15	20	14	38	52
20	25	16	36	52
25	30	18	34	52
30 and over		20	32	52

Such benefits shall continue for the period of time of disability. Upon return to employment and service for one (1) continuous year, an employee will re-qualify for full coverage above.

If multiple incidents of "5 days of continuous absences" occur within a 12 month period:

a. **The unused benefits from the schedule above would continue as needed until exhausted.**
b. **The end date of last incident shall be used as the start date for the required "continuous year of service" before an employee will re-qualify for full coverage above.**

The City reserves the right to enroll in the State Disability Benefits (SDI) program, and therefore, cease utilizing the schedule of temporary disability leave listed above.

Bereavement Leave Policy:

Represented employees receive bereavement leave in accordance with the provisions of their applicable collective bargaining agreement.

A non-represented regular full-time or regular part-time employee who has an immediate relative taken by death shall receive up to three work days (24 hours) off with pay as bereavement leave to arrange and/or attend funeral activities.

"Immediate relative" includes spouse or significant other, civil union partner, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, or any person related by blood or marriage residing in an employee's household. Employees are paid for all working days during the Bereavement Leave.

If additional time is necessary, it shall be taken as vacation or unpaid leave, if vacation has been exhausted, with advance authorization by the appropriate Department Head. Time for attendance at funeral of others may be granted without pay.

The employee must notify their immediate supervisor upon making determination to take time off from work.

Employees who fail to return to work on the date specified to the Department Head without receiving an extension are subject to disciplinary action up to and including termination.

The City may request documentation of the necessity for Bereavement Leave, in a given situation.

Jury Duty Policy:

Any regular full-time or part-time employee who is required to serve on a jury, or as a result of official City of Woodbury duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay less any amount received for such service. A probationary employee called will have his/her probationary period extended by the same amount of time as required for serving on jury duty. An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately in order that arrangements may be made to cover the position. The City reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

The employee is responsible to turn over jury or witness fees to the Finance Department, excluding mileage fees.

Time away will not affect vacation, sick leave or personal leave accruals.

Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is accrued vacation or personal leave. Court payments for travel expenses are to be retained by the employee.

The employee may keep any court payment for services performed outside of regularly scheduled work time or performed while on vacation or personal leave.

Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his/her supervisor and to report to work as instructed.

The City may require employees to supply documentation, not only of a subpoena for jury duty, but also a slip from the jury manager verifying actual attendance at jury duty.

Leave of Absence Policy:*

Employees may be granted a personal leave of absence for up to six months at the sole discretion of the City Administrator if the leave does not cause undue operational disruption. The leave must include the use of any accrued vacation and sick leave time **that is eligible for use**, 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 City Administrator may extend a leave of absence for an additional six months, if such extension is considered in the best interests of the City.

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, **provided the employee is not otherwise utilizing compensable time such as sick or vacation leave.** Health benefits may also be impacted. Refer to the City Health Benefits Policy. A personal leave is granted with the understanding that the employee intends to return to work for the City. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have resigned.
No sick leave, holiday, vacation benefits or any other fringe benefits shall accrue while the employee is on leave of absence without pay. The employee's anniversary date shall be adjusted to reflect the length of the absence for the purposes of computing longevity.

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 City; 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 City reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the City Administrator.

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 City 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 City 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:*

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

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

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

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

Employees may take leave on an intermittent basis but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advice 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 City 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 City 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 City shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

Military Leave Policy:*

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, **unless otherwise provided for by collective bargaining agreement.** 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 calendar days after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the City group plan by taking advantage of the COBRA provision. Members of the State administered retirement systems (PERS, PFRS, and Defined Contribution Retirement Program) 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.

SECTION FOUR

Compensation & Employee Benefits Policies:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.
It is the policy of the City and the purpose of this plan to establish a compensation system that will allow the City to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.

A salary ordinance shall be adopted annually by the City Council and shall apply to all employees. Longevity payments may be authorized in the annual salary ordinance.

Employees covered by labor contract shall be compensated as referenced in the collective bargaining agreement. Copies are available for review in the City Clerk's Office.

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 two weeks, with overtime being held back for one to two weeks in order to compute payment of the amount due.

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

If a pay day falls on a holiday, the day of pay shall be the last working day preceding the normal pay day, with the exception of New Year's Day, when payment will be made on the next succeeding business day.

It is the employee's responsibility to maintain current payroll deduction information with the Finance Department. Employees wishing to add or change their payroll deductions should contact the Payroll Office.

Overtime Compensation Policy:

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds $100,000 per year depending upon their job duties. **If an employee is exempt from the provisions of the Act, it will be duly noted in the job description for that position.** 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 City Administrator's prior approval and at the sole discretion of the City Administrator.

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the City 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. Employees will receive overtime compensation in the form of overtime pay at their regular hourly salary.

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-quarter 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-five 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-five hours.
The provisions of the Annual Salary Ordinance shall govern pertaining to the authorization and payment of overtime for non-union employees. Union employees receive overtime pay in accordance with their labor agreement. Department Heads are the authorized authority for the approval of overtime requests. It shall be the responsibility of each Department Head to equitably administer the provisions of this policy within their respective departments. Department Heads shall ensure that all overtime earned is recorded on the employee's time card as it occurs. Department Heads will exercise extreme discretion in the utilization of overtime within their departments. Temporary adjustments in working hours or realignment of duties within the department should be considered as alternatives to the use of overtime. Overtime shall be considered necessary only in emergency situations, wherein additional effort is needed to complete a task which is critical in nature.

Timesheets:

Non-exempt employees are required to accurately record their work time on the designated time record, sign it and return into his/her supervisor. Non-exempt employees and exempt employees are required to report their sick time, vacation time and holiday time on the designated time record. Non-exempt and exempt employees should turn the time record into his/her supervisor.

The supervisor shall review the record for accuracy and approve it and submit it to the designated payroll representative.

Payment for Accumulated Absence:

To the extent that a local ordinance, collective bargaining agreement, or an employment agreement provides for the payment of compensation for pay while absent from work, the City

shall only make such payment if the chief financial officer or Executive Director certifies that such amount is due and that proper documentation establishing that the amount of the accumulated absence has been provided and funds are available to pay. Proper Documentation includes:

- A copy of the agreement, ordinance and/or resolution;
- Documentation of the amount of accumulated absence time; and
- The total value of the compensation due.

Nothing in this section grants employees compensation for absences from work.

Health Insurance Policy:

Regular full-time Employees and their **eligible dependents**, including civil union partner, are provided health insurance coverage administered by an authorized insurer. The City reserves the right to change provider networks, claims agents, and insurance mechanisms (fully insured versus health insurance fund, e.g.). The complete benefit plan is on file in the Payroll office and a Summary Plan Description will be provided to all employees. Benefit levels for non-unionized employees are subject to change at the discretion of the City. **Coverage becomes effective the first day of the month following the successful completion of the first sixty days of employment. Enrollment cards are available from the Payroll Office. It is the employee's responsibility to notify the Payroll Office of any change in dependent status by completing updated enrollment cards.**

Health insurance coverage for employees on a Leave of Absence or who cease City employment will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the **Consolidated Omnibus Budget Reconciliation Act (COBRA)** provision for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of COBRA rights upon being hired. For more information, consult the Payroll Office.

Employees who retire with twenty–five years of service to the City of Woodbury may continue to receive paid health insurance coverage. **All eligible employees hired after January 1st, 2014, will, upon retirement with the City, be eligible for single benefits only.** Employees receiving retiree health benefits must notify the Payroll Office in writing, with proof of enrollment, when they become eligible for Medicare Parts A and B. For more information, consult the Payroll Office.

PRESCRIPTION AND DENTAL PLANS

All non bargaining unit employees, who otherwise qualify for health benefits, are eligible for prescription drug and dental coverage as described in the plan document on file with the City Clerk.

UNEMPLOYMENT COMPENSATION

The City is a covered employer under the Unemployment Compensation law. The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment. The program is financed completely by the City and the employee. To be eligible for unemployment compensation, a voluntary quit must have left employment for a "good cause" reason. Reasons establishing eligibility for unemployment compensation are available from the State Employment Security Office. The City may contest the claim of an employee who quits without "good cause" or who quits for other reasons.

Flexible Spending Account:

Chapter 78, P.L. 2011, the Pension and Health Benefit Reform Law, requires local government and local education employers to offer Section 125 plans to their employees. See the Payroll office for more information regarding the City's Section 125 plan available.

Retirement Policy:

Under State law, all employees must enroll in the New Jersey Public Employees Retirement System or the Police and Fire Fighters Retirement System **or the Defined Contribution Retirement Program** 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 Department Head 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 supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Department Head will **advise the City Administrator of the pending retirement**. A COBRA notification letter will be sent to the employee's home address. 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.

Workers Compensation Policy:

Employees who suffer job related injuries and illnesses may be entitled to medical **treatment**, lost income and other compensation under the New Jersey Workers Compensation Act. The City covers workers compensation benefits through its membership in a joint insurance fund. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the joint insurance fund or the City, and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Unless explicitly provided for in a bargaining agreement, the City will only pay, either directly or through its Workers' Compensation insurer, those benefits that are specifically provided for under the Workers' Compensation Act and will not supplement these benefits with additional benefits pursuant to NJSA 11A:6-8.

Employee Assistance Policy:

United Way maintains a community service hotline telephone number, which can be used by our employees whenever assistance is required by dialing 211. The Addiction Hotline toll-free number is
800-238-2333.

Educational Assistance and Training Policy:

Subject to sufficient funds in the budget and upon approval of the Department Head, employees may apply to the City Administrator for reimbursement of tuition expenses incurred for training or college courses directly related to the employee's work. The City Administrator will be the sole judge of whether a particular course or program is "directly related" to the employee's work. Employees must obtain this determination before enrolling in a course or program.

Employees are encouraged to continue their formal education through participation in off-duty/non-working hours educational programs. Reimbursement for educational expenses incurred by such participation may be granted for job related courses with prior written approval of the City Administrator, provided funds have been budgeted for such reimbursement.

Compensatory time will not be granted for any training or education assistance which occurs outside normal working hours, unless prior written authorization is given by the City Administrator.

The City may pay the tuition cost in advance or Employees may receive reimbursement for up to **100%** percent of the tuition cost for training or college courses that they take on their own initiative. The tuition cost must be repaid if the employee leaves City employment within twenty-four months of **completion of the training**. When enrollment for short training courses or seminars is requested by the City, employees will receive full reimbursement or the City may pay the tuition cost in advance.

Any reimbursement shall only be after successful completion of the course/ program. Successful completion shall be defined as receipt of a certificate of satisfactory completion or a grade of C (2. O grade point) or better in the case of academically rated courses (or attainment of pass in a pass/fail grading system.) Approval for tuition reimbursement shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes.

Request for reimbursement must be made within 30 days following the completion of the course of study. Training reimbursement is generally available to only those employees who have successfully completed the employee's designated probation period.

Consideration of employee requests for tuition reimbursement is dependent upon budgetary constraints and the recommendation of that employee's Department Head. Time spent in attendance at these courses does not count as time worked for purposes of overtime calculation.

Employees who acquire training on their own time and expense are encouraged to notify

the City Administrator so the information can be noted in the employee's personnel file. The City Administrator shall periodically audit training attendance and policy compliance.

Conference and Seminar Policy:

Requests to attend a conference or seminar must be approved by the Department Head. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Department Head 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.

As addressed by this policy, training is defined as any work-related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the City or while the employee is in a paid status with the City. The tuition cost must be repaid if the employee leaves City employment within twenty-four months of **completion of the training**.

1. **It is the policy of the City to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to the City will be more efficient and effective.**

2. **Attendance at training programs will be approved at the Department Head level, except as follows:**
   a. **Attendance at a training program involving out-of-state travel by an employee requires approval by the City Administrator prior to registration.**
   b. **Attendance at any program or course work, the cost of which exceeds $200.00 (in registration, travel, meals and lodging cost) requires approval by the Department Head prior to registration.**

3. **All outside training and conference attendance shall be processed on City Requisition with original receipts attached.**

TRAVEL EXPENSES WHILE ON CITY BUSINESS

It is the policy of the City to reimburse employees for reasonable and necessary expenditures made by employees while on official City business. All expenses must be itemized if applicable. Claims for reimbursement of travel expenses, other than mileage, shall be accompanied by invoices and/or receipts showing proof of payment of such claims.

1. **Overnight Trips must be pre-approved by the City Administrator**
   a. **Lodging. Hotel and Motel expenses will be reimbursed on completion of authorized travel upon submittal of proper claim. A reasonable class of accommodation shall be selected where choice is available. The single rate should be clearly indicated on all receipts.**

b. **Meals. Meal reimbursements for all overnight trips are to be itemized on proper Requisition form. Reimbursement for actual expenses is not to exceed a total of $50/day**

2. **Mileage Allowance.**

   Employees who utilize their personal vehicles on travel assignments will be reimbursed at the rate established under the then existing regulation of the Internal Revenue Service. Each employee who drives a private vehicle on City business must have liability insurance on said vehicle.

   When two or more employees are attending the same seminar, convention, or meeting, carpooling shall be practiced. The actual odometer reading from City Hall to destination and return to City Hall will be used, or the actual mileage traveled, whichever is less.

   If an employee for his or her own convenience travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

   Out-of-State Travel requires prior approval by the City Administrator.

3. **Local Travel and Expenses**
   a. **Local Mileage. No mileage will be paid for commuting from an employee's personal residence to City Hall or a work station.**
   b. **Local Meals. Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the City for a specific purpose, or where the employee's attendance will directly benefit the City. No reimbursement will be allowed for meetings which are of a social nature. The request for reimbursement of local meals should including the following information:**
      (1) Date
      (2) Place
      (3) Meeting Attended
      (4) Specific Reason for Attendance

4. **Parking Fees and tolls will be reimbursed by actual cost and receipts shall be presented.**

   If an employee reimbursement is necessary, the reimbursement will be handled by the Finance Department after the Requisition form is turned in and approved on the Monthly Bill List.

NON-ALLOWABLE EXPENSES

1. **Laundry, cleaning, or valet services (except of trips of over one week duration).**
2. **Tobacco.**
3. **Alcoholic beverages.**

4. **Entertainment.**
5. **Personal telephone calls to home.**
6. **First class travel accommodations when economy or coach class are available.**
7. **Meals and lodging in lieu of other meals and/or lodging the expense of which is included in the Registration fee.**
8. **Fines, forfeitures or penalties.**
9. **Rental vehicles except as pre-approved by the City Administrator.**
10. **Expenses of a spouse or other non-employee.**
11. **Loss or damage to personal property.**
12. **Barber, beauty parlor, shoe shine or toiletries.**
13. **Personal postage.**

SECTION FIVE:

Managerial/Supervisory Procedures:

Employment Procedure:*

- **Recruitment:** The City Administrator **in conjunction with the appropriate Department Head** 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 City Administrator who will distribute notification of the vacancy to all departments. The City 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 City is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. 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 City Administrator or Department Head 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 City 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 the job and also provided the accommodation does not impose an unreasonable hardship on the City.

- **Physical Examinations**: Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the City Administrator may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The City Administrator may require periodic physical 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 City at the expense of the City. All medical records of employees and prospective employees are confidential and are to be maintained by the City Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.

- **Job Offers:** The final decision will be made by the **City Council, or City Administrator in conjunction with the Department Head, as appropriate** 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 City. 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 & City Council **or** City 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 City Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations 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.

Nepotism Procedure:

Unless otherwise provided by law or collective bargaining unit agreements, immediate relatives shall not be hired, promoted or transferred to a regular full-time or regular part-time position where:

- One relative would have the authority to appoint, remove, discipline or evaluate the performance of the other;
- One relative would be responsible for auditing the work of the other; or
- Other circumstances exist that place the relatives in a situation of actual or reasonably foreseeable conflict of interest.

For purposes of this policy, immediate relative includes 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.

Open Public Meetings Act Procedure Concerning Personnel Matters:*

Discussions by the governing body or any body of the City concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session, with the right of the employee to be present, unless 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 any body of the City concerning such matters, the Clerk shall notify the affected person(s) 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.

Processing and Orientation of New Employees Procedure:*

All new regular full-time and regular part-time employees will be scheduled to meet with the P**ayroll Office** and Department Head on their first day for a general orientation. Copies of all forms and acknowledgements must be returned to the City 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 supervisor 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 **3** months or more than **12** months, as determined by the City Administrator. During this initial employment period, the new employee or transferee will be provided with training and guidance from the supervisor. At the end of the initial employment period, the supervisor will conduct an employee evaluation – see Performance Evaluation Procedure. New employees may be discharged at any time during this period if the City Administrator concludes that the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the City Administrator may extend the initial employment period. (Newly hired employees are not eligible for payment of paid time off except holidays until the successful completion of their initial employment period.)

Nothing in the procedure set forth in this section shall alter City's employment at will policy. Employment with City is at will and may be terminated at any time with or without cause or notice by the City or the employee.

RE-EMPLOYMENT

Any former regular employee who resigned from the City in good standing is eligible for re-employment.

Persons interested in re-employment should file a completed City application form with the City Administrator. The individual will then proceed through the regular hiring procedures with other applicants.

An individual re-employed in his/her former position may be paid at the same pay step at the time he/she left the City, provided however, that the re-employment is within 1 year of the previous resignation.

The compensation of an employee re-hired to a position other than the former position will be subject to provisions for new hires.

Vacation eligibility and longevity pay will be based on the total years of service since initial hiring, provided the reinstatement is within 12 months of resignation.

The anniversary date for future pay increases will be revised to coincide with the re-employment date.

The individual's previous personnel file will be re-activated once re-employed by the City provided re-employment is within seven years after the original resignation.

All individuals re-employed by the City must complete a new probationary period.

PROMOTIONS

The City attempts to fill all vacant positions with qualified City employees before advertising to the general public, following a policy of upward mobility whenever feasible and in the best interests of the City.

Employees are encouraged to apply for any vacancy for which they may qualify.

Generally, employees are expected to serve in their current position for at least a year before being considered for a promotion.

Selection of an employee for a promotion (or lateral transfer) is based on past work record, education, knowledge of the job duties, time in service, and the needs of the City.

When considering the promotion (or lateral transfer) of City employees having the same or similar qualifications, the position will be filled after considering the factors listed above.

In cases where only one employee applies for a position and the person's abilities and qualifications are known to the hiring department, the formal selection process may be dispensed with upon concurrence of the City Administrator.

No offer of promotion may be made to any employee prior to completion of the recruitment and selection process. Temporary assignments may be made by the Department Head for a specified time or assignment as necessary. Such appointments are

made on "acting" basis and the employee returns to his or her regular position upon completion of the assignment.

Promotions do not change the person's date of hire. However, the anniversary date for future pay increases will be revised to coincide with the promotion date.

Persons so promoted will be subject to the standard probationary period for the new position, unless specifically waived by the City Administrator. Those who fail the probationary period may re-assume any prior appointment held prior to the promotion unless that position has been filled by a Regular employee (i.e., an employee that has successfully completed the probationary period for that position).

DEMOTIONS

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, etc.) will receive a cut in pay commensurate with the nature of the demotion as determined by the Department Head in consultation with the City Administrator.

Demotions do not change the person's date of hire. However, the anniversary date for future salary increases changes.

No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

An employee being demoted shall be notified two weeks prior to demotion except in emergency situations.

Persons demoted to new positions will be subject to the standard probationary period for the new position, unless specifically waived by the City Administrator.

TRANSFERS

Any current employee (regular part-time or regular full-time) interested in applying for a transfer must file a completed City application form with the City Administrator in accordance with instructions listed on the employment opportunities notice.

If the employee meets the stated requirements for the position he/she will proceed through the regular hiring procedures with all other applicants. Transfers are made only when the City's service will benefit. Generally, employees are expected to serve in their current position for at least one year before being considered for transfers. All else being equal, current City employees will be given priority for open positions.

The personnel file of the transfer applicant will be made available to the department head responsible for filling the open position.

If the current employee is selected, his/her department head will be advised prior to the offer being made to the employee.

If the employee accepts the position, it will be the responsibility of the two department heads, along with the employee, to reach agreement on a transfer date. In the event satisfactory agreement cannot be reached on this matter, it will be forwarded to the City Administrator for a decision. Every effort should be made to accomplish the transfer within two weeks of the offer's acceptance.

The salary offered to the employee must be consistent with the Salary Ordinance. Thus, an employee may receive a reduction in salary.

Transfer employees will serve a probationary period in his/her new position. Transfer employees remain eligible for all fringe benefits included with the previous position.

If the position to which an employee transfers carries benefits different from those of the previous position, the benefits of the new position apply.

Transfers do not change a person's date of hire. However, the anniversary date for future step increases will be revised to coincide with the transfer date.

Transfers may also be initiated by the City in instances where the City's best interests may be served.

Employee Handbook Procedure:*

The City Administrator with the assistance of the Labor Counsel shall draft an Employee Handbook for the approval of the City Council. A separate version of the Handbook will be drafted for part-time and seasonal employees as well as for major bargaining groups if appropriate. Once approved, copies will be distributed **electronically or, upon request, in printed form** and employees will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. The Handbook will be revised and re-distributed whenever there is a significant change in personnel practice or every two years.

Performance Evaluation Procedure:*

Periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as promotion and termination. In addition to day-to-day feedback to the employee, a performance evaluation must be conducted for all employees at least annually. The completed appraisal becomes part of an employee's permanent record.

Performance discussions must also provide employees with guidance regarding their ability to meet job standards. Extraordinary skills or abilities should be recognized in addition to areas for improvement. Supervisors or Department Heads should review future training needs and career planning. The reviewer should also encourage the employee to make suggestions about how the department can improve. The reviewer should ask employees for feedback regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates. Open communication is the key to improvement.

- **Setting the Stage**: The reviewer must create a productive climate for the discussion. In preparing the evaluation form, prior evaluations should be reviewed to identify trends. Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form. The meeting should be private without interruptions in a comfortable environment.

- **Confirm Expectations**: The reviewer should start the discussion of each performance area by reviewing expectations. Ask the employee to confirm the employee's understanding of job requirements. Refer to the job description as appropriate.

- **Rating:** Continue the discussion by giving the employee's rating in each performance area. The supervisor should be prepared to refer to documentation. Employees should be evaluated based on set standards, not as they compare to other employees. It is rare that any person's rating in all areas is either high or low. The evaluation should consider performance during the entire period, not just the recent past. Care should be taken to avoid allowing one aspect of a person's performance to overshadow all other performance factors be it positive or negative. Ideally, each performance area should be evaluated individually based on specific behaviors exhibited.

- **Discussing Future Plans:** This is where the reviewer should turn to the discussion to the future performance and development of the employee. A Counseling Action Plan form must be completed if any item is rated "Needs Improvement" or "Does Not Meet Minimum Standards." Specific performance goals must be established for the next review period along with plans for achieving those goals.

- **Closing the Discussion:** When all performance areas have been discussed, close the discussion by summarizing all of ratings in an overall rating for the review period.

It is crucial that all reviewers complete the evaluation forms with care and with complete candor. Although reviewers are encouraged to set forth areas of strength and utilize tact in presenting criticism, it is important that all performance issues of any significance be addressed thoroughly and in unambiguous terms in the evaluation form, and verbally with the employee.

> *Exceeds Expectations* means consistently exceeds established standards in most areas of responsibility. All requirements must be met and objectives achieved above the established standards.
>
> *Meets Job Requirements* means all job requirements were met and planned objectives accomplished within established standards. There were no critical areas where accomplishments were less than planned.
> *Needs Improvement* means performance in one or more critical areas does not meet expectations. Not all planned objectives were accomplished within the established standards and some responsibilities were not completely met.

Does Not Meet Minimum Standards means performance is unacceptable and important objectives have not been accomplished. Needs immediate improvement.

After completing the evaluation, the reviewer will return the form(s) with the signed acknowledgement to the City Administrator for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the City Administrator.

Disciplinary Action Procedure:*

All employees are expected to meet the City'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 City's policies and procedures and other disciplinary problems.

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

- **Verbal Reprimand:** Depending on the circumstances, the supervisor may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The supervisor will prepare a record of the verbal reprimand including the date, time and what was discussed with the employee. This record must be forwarded to the City Administrator for the employee's official personnel file.

- **City Administrator Review:** Should the supervisor consider the offense sufficiently serious to warrant consideration by the City Administrator, the employee will be so advised and a meeting arranged with the City 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.

- **Written Reprimand:** When a supervisor determines that a written reprimand is appropriate, the situation must be discussed with the City Administrator. The reprimand 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 and may include additional comments. A copy of the written reprimand with the signed

acknowledgement and comments must be forwarded to the City Administrator for the employee's official personnel file.

- **Suspension:** Whenever an employee is recommended for suspension, the City Administrator will make the decision and may seek the advice of the Labor Counsel if appropriate. Suspended Employees may request a hearing under the applicable grievance procedure.

- **Dismissal:** Whenever an employee is recommended for dismissal, the City Administrator will make the decision only after seeking the advice of the Labor Counsel or City Solicitor. There must be a complete review of 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 City Administrator and employee medical information will be maintained in a separate file. At least annually, the City Administrator will review files to make sure they are up-to-date and will follow-up with the Department Heads as necessary.

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.

Department Heads are responsible for the forwarding of documents for inclusion in the Personnel files of those employees assigned to their department. Each employee is responsible for the verification of information contained in the personnel file through

periodic audit. An administration representative must be present when file is audited. All audits or inspection of records by employees shall be scheduled by the Department Head. All audit appointments should be with the City Administrator. The purpose of the audit or inspection is to ensure accuracy and completeness of the file.

Employee Complaint Investigation Procedure:*

Employees have the right to formally or informally report any statement, act, or behavior by a co-employee, supervisor, 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 supervisor, Department Head, or Labor Counsel must report all written or verbal complaints to the City Administrator unless the complaint is against the City Administrator. Upon receipt, the City 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 City Administrator or investigator appointed by the City Administrator will interview the employee. If the employee is reluctant to sign a written complaint, the City 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 City Administrator will seek the advice of the Labor Counsel when planning the investigation. The investigation should be conducted by the Labor Counsel 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 City Administrator will discuss the conclusions with the Labor Counsel or City Solicitor 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 City 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 City Administrator will formulate with the advice of the Labor Counsel 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 City Administrator or payroll office. No employee may issue a reference letter without the permission of the City Administrator. Under no circumstances should any information be released over the phone.

In response to a request for information, the City Administrator or payroll office 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 City is required to release the information by law or (2) the employee or former employee authorizes the City in writing to furnish this information and releases the City from liability.

Continuing Education Procedure:*

The City, in conjunction with the Joint Insurance Fund, will arrange for employment practices seminars at least annually to train all managerial/supervisory personnel. The City 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 City employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure.

Managerial and supervisory 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.

INSURANCE CLAIMS

1. **No employee will discuss matters involving claims against the City.**
2. **All questions pertaining to claims shall be referred to the Claims Coordinator or City Solicitor.**
3. **Claims for damages presented to the City shall be referred immediately to the Claims Coordinator for filing.**

Responsibilities

1. **All City employees must notify their supervisor in the case of incidents involving potential claims immediately. The supervisor must report, in writing, to the Claims Coordinator within 1 day. Items reported should include any property damage occurring during work for the City, no matter how small.**

2. **The Claims Coordinator is responsible for receiving all damage claims against the City and reporting them to the JIF Safety Committee.**

3. **The Claims Coordinator shall:**
   a. **Ensure that any applicable provisions of State law are met, and see that all claims for damages accurately locate and describe the defect or act that caused the injury, reasonably describe the injury and state the time when it occurred, contain the item of damages claimed and be verified by the claimant or a relative of the claimant, attorney or agent of the claimant.**
   b. **Refer claim to carrier within 3 working days and provide informational report to JIF Safety Committee on claim status.**
   c. **Recommend action to JIF Safety Committee within thirty days of receipt regarding claims which fall below deductible limits of existing policies or which are not covered under existing policies.**

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*
- Performance Appraisal*
- Counseling Action Plan*
- Employee Evaluation Checklist*

CITY OF WOODBURY
NOTICE OF PERSONNEL DISCUSSION

To:

_____

Address:

_____

_____

This is to notify you, pursuant to the Open Public Meeting Act, that the **Woodbury City Council** 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 **Woodbury City** 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): _____

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. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
   d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
   e. 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

Your employer has designated the following contact person
to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: Michael Theokas, Administrator

Address: City of Woodbury, 33 Delaware St., PO Box 180

Woodbury, NJ 08096

Telephone Number: (856) 845-1300 ext. 120

This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees 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.

NEW JERSEY DEPARTMENT OF
LWD
LABOR AND WORKFORCE DEVELOPMENT
nj.gov/labor

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. Ofrece información concerniente al engaño o la tergiversación con accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
   d. Ofrece información con respecto a toda actividad que se pueda percibir como delictiva o fraudulenta, toda directiva o práctica engañosa o de tergiversación que el empleado tenga motivos fundados para pensar que pudieran estafar a accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
   e. 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 en cuidado de la salud que tiene motivos fundados para pensar que constituya 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

Su empleador ha designado a la siguiente persona para recibir notificaciones de acuerdo al parafo 2, de la ley (N.J.S.A. 34:19-4):

Nombre: Michael Theokas, Administrator

Dirección: City of Woodbury, 33 Delaware St., PO Box 180
Woodbury, NJ 08096

Número de teléfono: (856) 845-1300 ext. 120

Este aviso se debe exponer a la vista de todos.

Anualmente, patronos con 10 o más empleados, deberán distribuir notificación de esta ley a todos sus empleados.
Si necesita este documento en algún otro idioma que no sea inglés o español, sírvase llamar al (609) 292-7832.

NEW JERSEY DEPARTMENT OF
LWD
LABOR AND WORKFORCE DEVELOPMENT
nj.gov/labor

Right to be Free of Gender Inequity
or Bias in Pay, Compensation, Benefits
or Other Terms and Conditions of Employment

New Jersey and federal laws prohibit employers from discriminating against an individual with respect to his/her pay, compensation, benefits, or terms, conditions or privileges of employment because of the individual's sex.

FEDERAL LAW

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on, among other things, an individual's sex. Title VII claims must be filed with the United States Equal Employment Opportunity Commission (EEOC) before they can be brought in court. Remedies under Title VII may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

The Equal Pay Act of 1963 (EPA) prohibits discrimination in compensation based on sex. EPA claims can be filed either with the EEOC or directly with the court. Remedies under the EPA may include the amount of the salary or wages due from the employer, plus an additional equal amount as liquidated damages.

Please be mindful that in order for a disparity in compensation based on sex to be actionable under the EPA, it must be for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

There are strict time limits for filing charges of employment discrimination. For further information, contact the EEOC at 800-669-4000 or at www.eeoc.gov.

NEW JERSEY LAW

The New Jersey Law Against Discrimination (LAD) prohibits employment discrimination based on, among other things, an individual's sex. LAD claims can be filed with the New Jersey Division on Civil Rights (NJDCR) or directly in court. Remedies under the LAD may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

Another State law, N.J.S.A. 34:11-56.1 et seq., prohibits discrimination in the rate or method of payment of wages to an employee because of his or her sex. Claims under this wage discrimination law may be filed with the New Jersey Department of Labor and Workforce Development (NJDLWD) or directly in court. Remedies under this law may include the full amount of the salary or wages owed, plus an additional equal amount as liquidated damages.

Please be mindful that under the State wage discrimination law a differential in pay between employees based on a reasonable factor or factors other than sex shall not constitute discrimination.

There are strict time limits for filing charges of employment discrimination. For more information regarding LAD claims, contact the NJDCR at 609-292-4605 or at www.njcivilrights.gov. For information concerning N.J.S.A. 34:11-56.1 et seq., contact the Division of Wage and Hour Compliance within the NJDLWD at 609-292-2305 or at http://lwd.state.nj.us.

This notice must be conspicuously displayed.

NEW JERSEY DEPARTMENT OF
LWD
LABOR AND WORKFORCE DEVELOPMENT
nj.gov/labor

Derecho a estar exento de desigualdad o discriminación
de género con respecto al pago, la remuneración, los beneficios
o cualquier otro término o condición de empleo

Las leyes de New Jersey y federales prohíben a los empleadores discriminar contra cualquier persona con respecto a su pago, remuneración, beneficios o cualquier otro término, condición o privilegio de empleo debido a su género.

LEYES FEDERALES

El Título VII de la Ley de Derechos Civiles de 1964 prohíbe la discriminación laboral debido al género de la persona, entre otras cosas. Las reclamaciones acordes al Título VII deben ser presentadas ante la Comisión de Igualdad de Oportunidades en el Empleo de los Estados Unidos (EEOC, por sus siglas en inglés) antes de que puedan ser presentadas ante un tribunal. Entre los recursos legales conforme al Título VII están: una orden que prohíba los actos ilícitos de discriminación, que se pague remuneración con carácter retroactivo, y que se pague por daños compensatorios y punitivos.

La Ley de Igualdad Salarial de 1963 (EPA, por sus siglas en inglés) prohíbe la discriminación con respecto a la remuneración basado en el género de la persona. Las reclamaciones acordes a EPA se pueden presentar ya sea ante la EEOC o directamente antes los tribunales. Entre los recursos legales conforme a EPA están: la retribución de las sumas de salarios o sueldos que el empleador deba, además de una suma adicional equivalente por daños y perjuicios liquidados.

Se le ruega tener en cuenta que para que una reclamación por desigualdad de remuneración basado en el género proceda conforme a la EPA, tiene que ser por el mismo tipo de trabajo en empleos en los que su rendimiento exija las mismas destrezas, el mismo esfuerzo y las mismas responsabilidades, las cuales se realizan en las mismas condiciones de trabajo.

Existen estrictos límites en cuanto al plazo de tiempo del que se dispone para presentar reclamaciones por discriminación laboral. Para mayor información, comuníquese con la EEOC, llamando al 800-669-4000 o en www.eeoc.gov.

LEYES DE NEW JERSEY

La Ley contra la Discriminación en New Jersey (LAD, por sus siglas en inglés) prohíbe la discriminación laboral debido al género de la persona, entre otras cosas. Las reclamaciones conforme a LAD se pueden presentar a la División de Derechos Civiles de New Jersey (NJDCR, por sus siglas en inglés) o directamente ante los tribunales. Entre los recursos legales conforme a LAD están: una orden que prohíba los actos ilícitos de discriminación, que se pague remuneración con carácter retroactivo, y que se pague por daños compensatorios y punitivos.

Otra ley estatal, N.J.S.A. 34:11-56.1 y siguientes, también prohíbe la discriminación respecto a la tasa salarial o el método de pago de salarios al empleado debido a su género. Las reclamaciones conforme a esta ley contra la discriminación con respecto a los salarios se pueden presentar ante el Departamento de Trabajo y Desarrollo de la Fuerza Laboral de New Jersey (NJDLWD, por sus siglas en inglés) o directamente antes los tribunales. Entre los recursos legales conforme a esta ley están: la retribución de las sumas de salarios o sueldos que le deben, además de una suma adicional equivalente por daños y perjuicios liquidados.

Se le ruega tenga en cuenta que conforme a la ley estatal contra la discriminación con respecto a los salarios, no se considera discriminación el hecho de que exista un diferencial salarial entre los empleados basado en otros factores razonables que no sean el género de la persona.

Existen estrictos límites en cuanto al plazo de tiempo del que se dispone para presentar reclamaciones por discriminación laboral. Para mayor información relacionada con las reclamaciones conforme a LAD, comuníquese con NJDCR, llamando al 609-292-4605 o en www.njcivilrights.gov. Para obtener información acerca de N.J.S.A. 34:11-56.1 y siguientes, comuníquese con la División de Cumplimiento de Horarios y Salarios (DWHC), del NJDLWD, llamando al 609-292-2305 o en http://lwd.state.nj.us.

Este aviso se debe exponer a la vista de todos.

NEW JERSEY DEPARTMENT OF
LWD
LABOR AND WORKFORCE DEVELOPMENT
nj.gov/labor

City of Woodbury 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: _____

City of Woodbury

Date: _____

33 Delaware St., Woodbury NJ 08096 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 City 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.

The City 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: **Address:**	**Date started:** **Date left:**	**Work performed/ responsibilities:**
Job Title:	**Starting Salary:** **Final Salary:**	
Reason for leaving:		
Supervisor's name and phone number: **May we contact for a reference: ___Yes ___No**		
Employer: **Address:**	**Date started:** **Date left:**	**Work performed/ responsibilities:**
Job Title:	**Starting Salary:** **Final Salary:**	
Reason for leaving:		
Supervisor's name and phone number: **May we contact for a reference: ___Yes ___No**		
Employer: **Address:**	**Date started:** **Date left:**	**Work performed/ responsibilities:**
Job Title:	**Starting Salary:** **Final Salary:**	
Reason for leaving:		
Supervisor's name and phone number: **May we contact for a reference: ___Yes ___No**		
Employer: **Address:**	**Date started:** **Date left:**	**Work performed/ responsibilities:**
Job Title:	**Starting Salary:** **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 City, 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 City later discovers that information on this form was incomplete, untrue, or inaccurate. I give the City 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 City the right to secure additional job-related information about me. I release the City and its representatives from all liability for seeking such information. I understand that the City is an equal-opportunity employer and does not discriminate in its hiring practices. I understand that the City will make reasonable accommodations as required by the Americans with Disabilities Act and New Jersey Law Against Discrimination. I understand that, if employed, I may resign at any time and that the City may terminate me at any time in accordance with its established policies and procedures. No representatives of the City 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 City 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**

City Official_____ Date_____

This page for City 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	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	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	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	a) Applicant's religious affiliation b) Church, parish, or religious holidays observed by applicant	
Race or Color	a) Applicant's race b) Color of applicant's skin, eyes, hair, etc. c) Driver's license number	
Photographs	a) Photographs with application b) Photographs after interview, but before a hiring	
Age	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	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	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	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	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	a) Show highest grade completed b) Detail your educational background

CITY OF WOODBURY PERFORMANCE APPRAISAL

EMPLOYEE NAME: _____ **SUPERVISOR:** _____

DEPARTMENT/JOB TITLE: _____ **DATE OF HIRE:** _____

PRESENT REVIEW DATE: _____ **LAST REVIEW DATE:** _____ **TIME IN POSITION (YRS.):** _____

Use the Comments section to note goals being appraised and to provide future goals.

Overall Rating (circle)

1 – Does not meet minimum standards 2 - Needs Improvement 3 – Meets Job Requirements 4 – Exceeds Expectations

TRAINING/ JOB KNOWLEDGE: ***Consider knowledge of methods, techniques, procedures, tools, and maintenance of certifications necessary to perform the position.***

☐ Lets certification expire. No desire to improve skills. Insufficient knowledge and understanding of the job.

☐ New in a position and still learning. Often requires additional instruction. Making progress, but not fully proficient. Needs to improve certain skills or job knowledge.

☐ Fully understands job responsibilities. Maintains needed certification. Can operate all equipment required to perform his or her job.

☐ Takes the initiative to improve job through evaluation of job processes. Can lead work group through unusual or unique situations.

Comments:

PERFORMANCE: ***Consider dependability, communication skills, and the quality and quantity of work based on established standards.***

☐ Frequently damages government property and/or equipment. Work not up to expectations.

☐ Needs a better grasp of job. New employee still in learning process, not yet proficient. Not always as productive as expected.

☐ Completely performs job meeting all job standards. Consistently provides quality work requiring minimal revision to correct errors.

☐ Job output continuously above standards and before deadlines. Takes initiative to take on other tasks whenever possible.

Comments:

WORK CONDUCT: ***Consider employee's interest in the position, commendations received, organizational support, personal appearance, and disciplinary actions.***

☐ Frequently or repeatedly receives disciplinary actions and substantiated complaints from the community and co-workers.

☐ Occasionally has disciplinary problems, but is working to correct behavior. Needs to project a positive outlook and pleasant manner.

☐ Never has any discipline problems. Supervisor has complete trust in employee. Always conforms to dress code.

☐ Consistent positive methods and behaviors, which translates into quality work. Has pride in work. Influences others in a positive way.

Comments:

COOPERATION: ***Consider teamwork, or the ability to work with others in a cooperative and productive manner.***

☐ Seldom works well with others. Difficult to work with. Does not promote teamwork. Files unsubstantiated grievances.

☐ Slow to help others. Does not readily accept additional assignments required of job. Lack of tact or consideration for others.

☐ Fully cooperates with co-workers. Accepts new ideas. Helps others. Willing to work overtime as needed.

☐ Continually goes out of way to help co-workers. Learns other job responsibilities to aid in coverage. Fosters teamwork.

Comments:

SAFETY: ***Consider the respect shown for self, co-workers and public.***

☐ Does not adhere to safety rules. Repeatedly reprimanded for safety rule infractions.

☐ Sometimes disregards safety procedures or misuses equipment.

☐ Operates equipment and performs tasks within applicable safety standards. Reports all safety hazards.

☐ Pays special attention to unsafe working conditions. Helps increase awareness of safety issues in work group. Suggests safety improvements.

Comments:

CUSTOMER SERVICE: ***Consider responsiveness to public the needs and requests.***

☐ Responds inappropriately to questions, requests, or situations.

☐ Occasionally does not respond tactfully or completely.

☐ Exhibits courtesy and tact. Answers questions or refers to the appropriate party.

☐ Responds to requests with enthusiasm and a sense of commitment. Always follows through by providing or obtaining complete information.

Comments:

JUDGMENT: ***Consider ability to produce quality work in a cost conscious manner without needing guidance from manager.***

☐ Constantly uses poor judgment occasionally increasing costs. Requires close and constant supervision.

☐ Often afraid to make and take responsibility for decisions. Needs to better identify and communicate problems.

☐ Exemplifies good sense of judgment. Not afraid to make decisions when provided information. Learns from mistakes.

☐ Anticipates potential problems. Takes full responsibility for mistakes. Takes initiative to obtain information.

Comments:

ATTENDANCE: ***Consider absenteeism and punctuality.***

☐ Frequently arrives to work late. Excessive absenteeism beyond allotted time.

☐ Occasionally arrives late. Uses nearly all allotted sick time each year.

☐ Always arrives on time. Takes an average amount of sick time.

☐ Always prepared for work Highly reliable attendance.

Comments:

VOLUNTEER : ***Consider willingness to volunteer at work and in the community.***

☐ Never volunteers to help. Puts down others who do volunteer work.

☐ Usually not interested in volunteering for projects, teams, etc.

☐ Willing to volunteer if asked to volunteer.

☐ Actively seeks opportunities to volunteer at both work or in the community.

Comments:

DIRECTING WORK: ***Consider planning, organizing, problem solving, leadership, and supervisory skills.***

Does this person have supervisory responsibilities?

[ ] All the time as part of job requirement.

[ ] Supervises on an as needed basis.

☐ Continually fails as a supervisor. Lack of leadership, planning, and organizational skills. Unit does not achieve objectives. Does not treat subordinates fairly.

☐ New supervisor and still learning. Making progress, but not fully proficient. Having trouble making leap from co-worker to supervisor.

☐ Fully proficient and competent leader. Delegates when needed. Solves problems and makes decisions. Is in complete control of department and sets an example.

☐ Goes out of way to help subordinates. Consistently treats all employees fairly. Develops highly effective work plans. Assumes responsibility for solving problems.

Comments:

EMPLOYEE COMMENTS:

I have reviewed the appraisal and discussed its contents with my supervisor.

EMPLOYEE SIGNATURE: _____ **DATE:** _____

SUPERVISOR SIGNATURE _____ **DATE:** _____

City of Woodbury 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: _____

City Administrator Signature: _____Date:_____

City of Woodbury EMPLOYEE EVALUATION CHECKLIST

☐ **BE PREPARED**

- Know the objectives and goals of the meeting.

☐ **TIME AND PLACE**

- Choose a quiet, private spot with as few interruptions as possible.

☐ **CONDUCTING THE INTERVIEW**

- Create a positive environment and help the employee feel at ease.
- Give balanced feedback, both positive and negative, but start with the positive.
- Focus on the job, NOT the person.
- Ask questions and allow the employee to provide feedback.
- When discussing areas for improvement, discuss methods and objectives for improving.
- Discuss possibilities for advancement, the employee's aspirations and professional development necessary to be a candidate for such future positions.

☐ **CONCLUSION**

- Summarize and review the important points of the discussion.
- Restate the action steps that have been recommended and provide a time frame for completion.
- Make sure employee reviews the appraisal and provides comments.
- Have employee sign the acknowledgement that the employee has read the appraisal (does not signify agreement with the content).

☐ **FOLLOW-UP**

- Follow-up with the employee to see how plans are proceeding within the given time frames.
- Offer the employee assistance in achieving objectives and encourage discussion of successes and obstacles.

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

In accordance with (Local Unit Type and Name) 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 (local unit type) 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

_____
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 City'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 City Administrator. I understand that the City is an "at will" employer and consistent with applicable Federal and State law (as well as applicable bargaining unit agreements), employment with the City is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the City has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states the City'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 the City 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 City Administrator.

Date: _____

Signature: _____

Print Name: _____

Department: _____