PERSONNEL POLICIES & PROCEDURES MANUAL / EMPLOYEE HANDBOOK

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INTRODUCTION:

The Borough plays an important part of the lives of the citizens it serves. The public expects that its business will be conducted to the highest standards. Public service is an honorable and rewarding career that offers many benefits not often found in the private sector.

As a Borough employee, you have certain rights and obligations. Federal and State law as well as Borough policies cover such important areas as discrimination, safety, violence, harassment and conflicts of interest. Employees have a right to a safe workplace free of discrimination, violence, harassment and conflict of interests and have an obligation to conduct themselves consistent with these policies. The Borough has a "no tolerance" policy towards workplace wrongdoing.

This Employee Handbook adopted by the Borough Council discusses these issues and many other Borough personnel policies. You are urged to read this handbook and become acquainted with its contents. By its very nature, a handbook cannot be comprehensive or address all possible situations. For this reason, if you have any questions concerning any Borough personnel policy, contact your supervisor, or if you prefer, your Department Head or Borough Administrator.
Neither this handbook nor any other Borough document, confers any contractual right, either express or implied, to remain in the Borough's employ. Nor does it guarantee any fixed terms and conditions of your employment. The provisions of this Employee Handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Borough Council.
All employees receiving this handbook are required to sign an acknowledgment of receipt. A copy of this receipt will be maintained in your official personnel file.

Lenora Benjamin, Borough Administrator

Signed:_____ **Date:**_____

THE CONTENTS OF THIS HANDBOOK ARE GUIDELINES ONLY AND SUPERCEDE ANY PRIOR MANUAL AND/OR HANDBOOK.

NEITHER THIS MANUAL NOR ANY OTHER GUIDELINES, POLICIES OR PRACTICES CREATE AN EMPLOYMENT CONTRACT.

THE BOROUGH HAS THE RIGHT, WITH OR WITHOUT NOTICE, IN AN INDIVIDUAL CASE OR GENERALLY, TO CHANGE ANY OF ITS GUIDELINES, POLICIES, PRACTICES, WORKING CONDITIONS OR BENEFITS AT ANY TIME.

NO ONE IS AUTHORIZED TO PROVIDE ANY EMPLOYEE WITH AN EMPLOYMENT CONTRACT OR SPECIAL ARRANGEMENT CONCERNING TERMS OR CONDITIONS OF EMPLOYMENT UNLESS THE CONTRACT OR ARRANGEMENT IS IN WRITING AND IS SIGNED BY BOROUGH ADMINISTRATOR.

EMPLOYMENT WITH THE BOROUGH IS AT WILL AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE OR NOTICE BY THE EMPLOYEE OR *THE BOROUGH*.

THIS NOTICE APPLIES TO ALL EMPLOYEES REGARDLESS OF DATE OF HIRE.

CHAPTER I

Employee Manual

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Section 1. Purpose of the Employee Manual

It is the policy of the Borough to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Borough 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 and Council. No person shall be employed or promoted unless there exists a position created by an ordinance adopted by the Borough Council as well as the necessary budget appropriation and salary ordinance.

The Borough Administrator and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Borough Council has appointed the Borough Administrator to implement personnel practices. The Borough Administrator shall also have access to the Borough Attorney and/or Labor Attorney appointed by the Borough Council for guidance in personnel matters.

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

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

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

Section 2. Responsibility or Development and Implementation of Policy and Procedure Manual
Borough Administrator - Personnel Officer Responsible for:

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

Department Head
Responsible for:

A. Implementing existing policies and procedures within their respective departments;
B. Participating in the formulation or modification of policies and procedures; through written recommendations and suggestions to the Borough

Section 3. Management Rights

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

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

Section 4. Relationship of Policy and Procedures Manual to Court Rules and Contracts

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

Section 5. Organization Chart of the Borough of Glen Rock

SEE ATTACHED

Chapter II

Employment

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Section 1. Equal Employment Opportunity Statement

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

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

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

Section 2. Anti-Discrimination Policy

The Borough 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 Borough discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affection or sexual orientation, domestic partnership status, civil union status atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, breastfeeding, liability for service in the United States armed forces, gender identity or expression and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, Borough Administrator, or the Borough Attorney.

Section 3. 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 Borough of Glen Rock does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Borough of Glen Rock will endeavor to make every work environment handicap assessable and all future construction and renovation of the 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 Borough of Glen Rock to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth, breastfeeding, 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 pregnancy, 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 Borough of Glen Rock.

The Borough Administrator shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area of the employee to express breast milk for a child.

All decisions with regard to reasonable accommodation shall be made by the Borough 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 Borough of Glen Rock 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 the Borough of Glen Rock facilities. Any questions concerning proper assistance should be directed to the Borough Administrator.

Section 4. Contagious or Life Threatening Illnesses Policy

The Borough encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The Borough 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 Borough.

The Borough will take reasonable pre-cautions to protect such information from inappropriate disclosure, including the following:

A. Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information;

B. 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; and

C. Information may be disclosed to the Department of Health as required by State or Federal law.

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

Section 5. Safety Policy

The Borough of Glen Rock will provide a safe and healthy work environment and will comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Borough of Glen Rock 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 is grounds for disciplinary action. Any occupational or public unsafe condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Further, any on-the-job accident or accident involving Borough of Glen Rock facilities, equipment or motor vehicles must also be immediately reported to the supervisor or Department Head.

The Borough of Glen Rock 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.

Section 6. Workers Compensation Policy

Employees who suffer job related injuries and illnesses may be entitled to medical, lost income and other compensation under the New Jersey Workers Compensation Act. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the Borough of Glen Rock and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Unless explicitly provided for in a bargaining agreement, the Borough 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.

Section 7. Transitional Duty Policy

The Borough of Glen Rock 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 thirty, (30) workdays, unless approved by the Administrator.
An employee requesting transitional duty, or the Workers Compensation Physician, shall notify the Borough 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 Borough 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 Borough Administrator will decide if it is in the best interest of the Borough of Glen Rock to approve a transitional duty request and will notify the employee of the decision. The Borough of Glen Rock 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 Borough 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 Borough Administrator. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Borough 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 Borough of Glen Rock 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 right under the Americans with Disabilities Act, the Family and Medical Leave Act, Fair Labor Standards Act or other Federal or State Law.

Section 8. Drugs and Alcohol Policy

The Borough 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 Borough 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 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 Borough premises or during work hours by employees is strictly prohibited.

Employees must notify their supervisor within five (5) days of conviction for a drug or alcohol related, 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 Borough 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. Borough 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 Borough'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

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

Section 9. Workplace Violence Policy

The Borough 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 Borough property, at Borough events or under other circumstances that may negatively affect the Borough'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 Borough property or while on Borough 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 Borough will actively intervene in any potentially hostile or violent situation.

Section 10. General Anti-Harassment Policy

It is the Borough 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, affection or sexual orientation, domestic partnership status, civil union status atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), liability for service in the United States armed forces, gender identity or expression and/or any other characteristic protected by law. 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, caricature or representation 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 Borough generally. The Borough 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.

Section 11. Anti-Sexual Harassment Policy

It is the Borough's policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The Borough prohibits sexual harassment from occurring in the workplace or at any other location at which Borough sponsored activity takes place. Sexual harassment of non-employees by our employee 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:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(b) Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual; or

(c) 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 advances toward non-employees, requests for sexual, other verbal, physical or visual conduct of a sexual nature constitute harassment when:

(a) Submission to such conduct is made either explicitly or implicitly in exchange for a benefit:

(b) Submission to or rejection of such conduct by an individual is used as the basis for a decision affecting the individual; or

(c) 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 Borough 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 Borough generally. The Borough 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.

Section 12. "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 acknowledgment 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 Borough 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 Borough 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 Borough 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 an emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion.

See Employee Complaint Policy. Under the law, the employee must give the Borough 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.

Section 13. Employee Complaint Policy

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should to immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Department Head, the Borough Administrator, or the Borough Attorney. Reporting such incidents is encouraged both when an employees 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 said individual, partnership or corporation conducting activities with the Borough or its agents 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.

Section 14. Gifts and Gratuities Policy

No employee, elected or appointed official of the Borough of Glen Rock shall accept, receive or obtain in any manner or fashion any gifts or gratuities from any resident, vendor. Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough of Glen Rock duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to business with the Borough of Glen Rock or any person or firm seeking to influence Borough of Glen Rock decisions.

Incidental meals related to the operation of government are considered to be a routine element of business operation, provided that they are not excessive and in no way intended to influence any decision made or to be made by any employee, elected or appointed official of the Borough of Glen Rock. Employees are required to report to the Borough Administrator any offer of a donation, gratuity, contribution or gift

including meals and entertainment that is in violation of this policy. Failure to comply with this policy may provide a basis for removal from employment or office.

Section 15. 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 Borough time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, Borough Administrator, or the Borough Attorney.

Section 16. Conflict of Interest Policy

Employees including Borough 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 Borough. Violations of this policy will result in appropriate discipline including termination.

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

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

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

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Borough or any person or firm seeking to influence Borough decisions. Meals and other entertainment valued in excess of $50.00 are also prohibited. Employees are required to report to the Borough Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Section 17. Employee Definitions

Full-time Employee: A regular employee appointed to a regular position whose regular hours are the normal work week for the department to which he/she is assigned. A full time employee enjoys all rights and benefits.

Part-Time Employee: A part time employee is one who works less than the normal work week for the department to which he/she is assigned. Part time employees who work 30 hours per week or more are eligible to receive health benefits. Part time employees who work less than 30 hours per week receive no health benefits. State pension benefits are available to part time employees who qualify per State regulations.

Temporary Employee: An employee hired for a period of limited duration for a period of less than one year. Temporary employees are not eligible for fringe benefits.

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

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

Section 18. Recruitment

Recruitment activities will be conducted in accordance with Equal Employment Opportunity policies. The Borough Administrator shall have recruitment responsibility.
Procedure:

A. A request for Personnel (either new, additional, or replacement employees) is submitted by the Department Head to the Borough Administrator.

B. A check of the Personnel application file is made for eligible applicants. Additionally, a notice is posted on a bulletin board in the municipal building.

The notice will be designed to advise presently employed persons of the possibility of their being considered for appointment to any vacant position. The notices shall be placed in all of the above locations for a period of not less than seven (7) days.

Employees and non-employees wishing to apply for an existing job vacancy shall make application directly to the Borough Administrator.

C. Notification of available positions may also be sent to local or county newspapers or any applicable trade publications.

The newspaper advertisement must conspicuously state that the Borough of Glen Rock is an Equal Opportunity Employer and the ad should go in a paper of general circulation.

Section 19. EMPLOYMENT PROCEDURES- Pre-employment Interview and Physical examination and Background Checks

Pre-employment interviews will be conducted in a non-discriminatory manner in accordance with the guidelines issued by the New Jersey Division of Civil Rights.

Procedure

A. Pre-Employment Interviews

An applicant's initial interview is with the Borough Administrator/or Department Head who will discuss the position with the applicant and verify that the applicant possesses the necessary requirements, experience, etc., for the particular position. The Borough Administrator will make a decision concerning hiring the applicant, unless it is a position filled by the Mayor and Council.

B. Physical Examination

The Borough of Glen Rock requires all new full time employees to submit to a physical examination by a certified physician designated by the municipality. Applicants may request an examination by a physician of the same sex as the applicant, the cost for said physical examination shall be borne by the applicant.

C. Criminal Background Checks

Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedures outlined in the Section of this ordinance entitled "Background Checks and Procedures for Candidates, Employees and Volunteers".

D. Background Check

The Borough has contracted with a private agency to perform background checks of all applicants for full time and part time positions and volunteers.

E. Job Offers

The final decision will be made by the Mayor and Council and Borough Administrator after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Borough. 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.

F. Acceptances and Rejections

If the first offer is rejected, the Mayor and Council and Borough 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.

G. 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 Personnel Administrator title. 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.

Section 20. Job Description Policy

A job description including qualifications will be maintained for each position. All job descriptions must be approved by the Borough Administrator.

Section 21. Educational and Experiential Qualifications

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

Section 22. Hours of Work

The official office hours of the Borough of Glen Rock are 8:30 - 4:30, Monday through Friday, The hours of work for employees, including a one hour (1) lunch period, shall be specified by the Borough Administrator. Individual department time schedules may vary according to the needs of that particular department. Collective Bargaining Contracts may specify shift and work schedule and shall be approved by the Borough Administrator. The Borough hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it prior to the signing of any Collective Bargaining Agreement by the Laws and Constitution of the State of New Jersey and of the United States, including, but without limiting the generality of the foregoing, and to determine the work pace, work schedule, work performance, levels and standards of performance of the employee.

Section 23. Dress Code Policy

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

Section 24. Attendance Policy

All employees are expected to be at work and ready to assume their duties at the start of the scheduled workday. Lateness and absence will be tolerated only in or when the Department Head gives prior approval. All absences must be reported to the Department Head prior to the start of your normal workday. The normal hours for administrative departments are 8:30 AM to 4:30 PM. The working hours for other departments may be established by departmental procedures and/or bargaining unit agreements.

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

All unauthorized and unreported absences shall be considered absence without leave; and deduction of pay shall be made for such period of absences.

Absence without leave shall be grounds for immediate dismissal from the Borough.

Procedure:

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

Section 25. Early Closing and Delayed Opening Policy

In the event of potential unsafe or hazardous conditions such as snow and ice storm or hurricanes, the Borough Administrator may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to schedule openings, the Borough Administrator will 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 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 Departments or employees who provide Emergency Services for the Borough of Glen Rock.

Section 26. Lunch Breaks

Employee lunch breaks shall be scheduled by their Department Heads and shall be no longer than one hour unless otherwise authorized by the Borough Administrator. The Borough Administrator shall be responsible for overseeing the staggering of employee lunch times so that offices are covered by staff at all times.

Morning and Afternoon Breaks:

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

Section 27. Returning to Work Following Sickness, Accident or Injury

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

The Borough may require that an employee additionally be examined, at the expense of the Borough, by a Borough or designated physician to establish the employee's ability to return to work.

Procedure:

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

Section 28. Outside Employment

Full-time employees of the Borough of Glen Rock may engage in outside employment if:

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

Section 29. 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 acknowledgment to the Borough Administrator. After review by the Borough Administrator, the form(s) are to be forwarded to the Borough Administrator of employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Borough Administrator.

Section 30. 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 Borough, 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 Borough property at any time.

Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Borough property and at any time during work hours.

Possession, sale, transfer or use of intoxicants or illegal drugs on Borough property and at any time during work hours.

Insubordination.

Entering the building without permission during non-scheduled work hours.

Soliciting on Borough 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 Borough or suppliers' property.

Sleeping on the job.

Carrying weapons of any kind on Borough 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 Borough or supplier property.

Failure to perform duties, inefficiency or substandard performance.

Unauthorized disclosure of confidential Borough information.

Gambling on Borough premises.

Horseplay, disorderly conduct and use of abusive and/or obscene language on Borough 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 person's offense.

Violating any Borough rules or policies.

Conduct unbecoming a public employee.

Violation of Borough policies, procedures and regulations.

Violation of Federal, State or Borough laws, rules, or regulations concerning drug and alcohol use and possession.

Misuse of public property, including motor vehicles.

Unauthorized use of computers, 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 (and Civil Service procedure). In every case involving employee discipline, employees will be provide with an opportunity to respond to charges either verbally or in writing.

In cases of employee misconduct, the Borough 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; Borough Administrator review; written reprimand; suspension; fines, and, dismissal. At the discretion of Borough, 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 Borough guidelines, policies or practices create an employment contract. Employment with Borough may be terminated at any time with or without cause or reason by the employee or Borough.

Section 31. Work Force Reduction Policy

The Borough may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives.

Section 32. Driver's License Policy:

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

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

Any employee performing work which requires the operation of a Borough 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 Borough vehicle shall be subject to possible termination.

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

Section 33. Access to Personnel Files Policy

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

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Borough of Glen Rock premises in the presence of the Personnel Administrator or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualifications 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 Borough of Glen Rock 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 Borough of Glen Rock endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough of Glen Rock will release information contained in personnel or medical records to persons outside the Borough Glen Rock. These circumstances include:

- In response to a valid subpoena, court order of an authorized administrative agency:
- To an authorized governmental agency as part of an investigation of the Borough of Glen Rock's compliance with the applicable law:
- To the Borough of Glen Rock's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Borough of Glen Rock are parties;

- In a workers' compensation proceedings;
- To administer benefits 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."

Section 34. Personnel Records – Changing Vital Information

It is the responsibility of each employee to notify the Borough Administrator promptly, in writing, of any changes of vital information including but limited to the following items:

Name
Address
Telephone Number
Marital Status
Dependent Children
Change in status for health care programs
Change in status for dental coverage
Change of beneficiary on pension or life insurance policies
Change in tax status for tax withholding purposes.

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

Section 35. Personal Action Requests

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

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

-New employees
-Suspensions
-Demotions
-Leave of absence with pay
-Leave of absence without pay
-Leave of absence: extension
-Return from leave
-Salary adjustment
-Termination of employment

-Resigned: good standing
-Resigned: not good standing
-Deceased
-Retirement
-Dismissals
-Release at end of working test period
-New Positions
-Title change
-Position upgrade/downgrade
-Position creation/abolishment
-Recruiting assistance
-Outside employment
-Other; i.e. Family leave act

Procedure:
A. All Personnel Action Requests will be forward to the Borough Administrator for a approval.

Section 36. Seniority

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

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

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

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

Section 37. Retirement

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

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

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

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

Section 38. Resignation and Retirement Policy

An employee who intends to resign must notify the Borough Administrator in writing at least two weeks in

advance, or three months in advance in the case of retirements. The employee will prepare an Employee Action Form showing any pay or other money owed the employee and any retirement benefits if applicable. The Employee Action Form will be forwarded to the payroll department and Borough Clerk for verification. On the last day of work, and prior to receiving the final paycheck, the employee must return their Employee Identification Card, all keys and all equipment. Employees may retain the health benefit card if eligible for retirement health benefits or if they purchase health benefits under COBRA stipulations.

Definition: Resignation is a voluntary action of an employee notifying the Borough of Glen Rock of intent to leave his/her position.

Employees of the Borough of Glen Rock may resign in good standing by giving the Borough Administrator at least 14 days written notice.

Section 39. Dismissal

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

Reasons for dismissal include but are not limited to:

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

Procedure:

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

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

Section 40. Disciplinary Action

Definition: Action taken by the Administrator when an employee violates the provisions of the personnel policy. An employee may be subject to discipline for:

1. Incompetence, inefficiency, of failure to perform duties;
2. Insubordination;
3. Inability to perform duties;
4. Chronic or excessive absenteeism or lateness;
5. Conviction of a crime;
6. Conduct unbecoming a public employee;
7. Neglect of duty;

8. Misuse of public property, including motor vehicles;
9. Discrimination that affects equal employment opportunity, including sexual harassment;
10. Other sufficient cause.

The Administrator's disciplinary action is a formal written reprimand or a suspension or fine of three working days or less.

No grievance appeal procedure is available to an employee for disciplinary action taken of less than three working days in a calendar year.

Disciplinary action taken of 4 days or more in a calendar year may be appealed by the employee to the personnel committee by utilizing the following procedures:

1. A Department Head may recommend to the Borough Administrator that an employee be disciplined when such action is deemed by the said Department Head to be in the best interest of the Borough of Glen Rock. Such discipline recommendation shall be in writing and shall state the reasons for the requested action.

Section 41. Grievance Procedure: Step One:

A. A grievance shall be presented in writing to the Personnel Officer. It must be filed within 30 calendar days from either the date on which the alleged act occurred or the date on which the grievant should reasonably have known of it occurrence. Efforts should be made to resolve the matter informally.

B. All grievances shall:
   1. Specify the particular act or circumstance being grieved;
   2. State the requested remedy; and
   3. Indicate whether the employee is representing himself or herself or the name of the employee's counselor agent.

C. The Personnel Officer shall notify the employee of the scheduled hearing or grievance meeting date within seven days of receipt of the grievance. Such hearing or grievance meeting shall be conducted within 30 days of receipt of the grievance, unless an additional time period is agreed to by the parties.

D. A written decision shall be rendered within 14 days after the conclusion of the hearing or grievance meeting.

E. Lack of response by the Personnel Officer within the periods set forth in (a) and (c) above, unless the parties have consented to time extension, shall be considered negative response.

2. Grievance Procedure: Step Two

A. A grievant may appeal to the Personnel Committee within 10 calendar days of:

1. Receipt of the written decision at step One: or
2. A lack of timely response by the Personnel Officer.

B. The appeal shall be accompanied by material presented at Step One and any written records or decisions from Step One.

C. The Personnel Committee shall notify the employee of the scheduled hearing or grievance meeting date within 10 days of receipt of the grievance.

D. A written decision shall be rendered within 21 days after the conclusion of the hearing or grievance meeting.

E. Lack of response by the Personnel Committee within the periods set forth in (a) and (c) above, unless the parties have consented to a time extension, shall be considered a denial of the grievance appeal.

Section 42. Appeals from Personnel Committee Decisions

A. Minor discipline may be appealed to the Mayor and Council provided any further appeal rights to mechanisms under the agreement are waived.

1. The Mayor and Council shall review the appeal upon a written record or such other proceeding as they direct and determine if the appeal presents issues of general applicability rule, or policy. If such issues or evidence are not fully presented, the appeal may be dismissed and the Mayor and council decision will be a final Personnel Committee decision.

2. Where such issues or evidence under (a) 1 above are presented, the Mayor and Council will render a final administrative decision upon a written record or such other proceeding.

CHAPTER III

Benefits

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Section 1. Holidays

Employees of the Borough of Glen Rock are entitled to paid holidays, not to exceed twelve (12) days. Holidays when the Municipal Building is closed are the following:

New Year's Day

Martin Luther King Day

President's Day

Good Friday

Memorial Day

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Day after Thanksgiving

Christmas Day

Procedure:

A. If a holiday falls on a Sunday, it shall be observed on the Following Monday. If a holiday falls on a Saturday, it shall be observed on the proceeding Friday (unless - otherwise noted by the Borough Administrator).

B. If an official holiday occurs while an employee is on vacation leave, the employee shall not have the holiday changed against vacation time.

C. When necessary to maintain municipal services, an employee is required to work on an official holiday, the employee will be compensated for the time worked at the rate of time and one-half their regular hourly rate.

D. To qualify for holiday pay, employees must work on their regularly scheduled work day preceding and their regularly scheduled work day following the holiday unless they are specifically excused by the Borough Administrator for a valid reason or are on an authorized leave of absence

In order for a part-time employee to be compensated for a holiday, the holiday must fall on the employee's regularly scheduled day to work. Any holidays that fall on a non-work day will not be compensated.

Section 2. Vacation

Policy:

A. Full -time employees of the Borough of Glen Rock will receive annual vacation leave as follows:

Year 1-2	10 days
Year 3-4	11 days
Year 5	12 days
Year 6-7	13 days
Year 8-9	14 days
Year 10	15 days
Year 11	16 days
Year 12	17 days
Year 13	18 days
Year 14	19 days
Years 15 -18	20 days
Years 19 – 20	21 days
Year 21	22 days
Year 22 -23	23 days
Year 24	24 days
Year 25 +	25 days

B. Part time employees will have vacation prorated based on the number of hours worked per week, according to the following formula: # of hour worked per week/35.

Procedure:

A. January 1st following the first anniversary of full-time employment with the Borough of Glen Rock will determine the number of years of service for vacation purposes. The Administrator is given the flexibility of offering up to 12 days for the first year for employees from other governments/businesses who are transferring with more than 10 days' vacation. Employees hired after March 1st in any year will be given one day per month vacation up to a maximum of 10 (or 12 if negotiated) the first year.

B. Requests for vacations shall be made in writing to the Department Head and Borough Administrator. Employees must schedule their vacation with their Department Head and Borough Administrator at least two weeks in advance.

C. Vacations shall be approved by the Borough Administrator or Department Head in accordance with the best interest and needs of the Borough of Glen Rock.

D. Accrued vacation leave shall be compensated for upon the separation of an employee. Only one year of vacation time shall be accrued.

E. Vacation time earned in one year must be used by the end of the following year, since no more than one year of vacation may be accrued. In any calendar year where vacation time or any part thereof is not granted by reason of pressure of municipal business, such vacation time or part thereof not granted shall accumulate and shall be taken during the next succeeding calendar year only and shall be approved by the Borough Administrator.

F. Vacations in excess of two consecutive weeks shall not be granted without the prior approval of the Borough Administrator.

G. Pro-Rated Vacation Upon Retirement – Beginning January 1, 2001, anyone retiring during the first six months of the year will have their vacation prorated by the month retired, and those leaving after July 1st will be entitled to the full year's amount.

Section 3. Sick Time

Definition: Sick time (sick leave) is the absence of an employee from duty due to personal illness.

Full Time Employees:

Employees hired on or before 12/31/12. Full-time employees shall be entitled to fifteen (15) sick days leave when they are unable to report to work due to a personal illness. There shall be a limit of 120 days on the amount of sick leave that can be accumulated.

Employees, from their date of hire, will be provided with an enhanced sick bank upon their 18th anniversary of employment with the Borough and each year thereafter. The sick bank will include all sick time accumulated from year to year since said member's first date of employment, but not to exceed 240 days of earned sick day. Sick days will only be deducted from these accumulated days in those instances where a member exceeds the allotted 15 sick days in any given calendar year. However, no sick leave accumulated under this paragraph is intended to increase compensation due upon retirement to more than one half of the 120 days.

An employee with 10 years of service to the Borough shall be entitled to one – quarter of accumulated sick leave not to exceed 30 days at time of separation due to voluntary resignation.

Employee hired 1/01/13 and after. Full time employees shall be entitled to five (5) days of leave when they are unable to work due to personal illness, after completion of six (6) months of continuous employment. There shall be a limit of thirty (30) days on the amount of sick leave that can be accumulated. No accumulated sick time will be paid upon termination of employment or retirement of the employee.

Part-Time Employees:

Part time employees will have sick days prorated on the number of hours worked per week, based on the following formula: # of hours worked per week/35. No sick time will be accumulated.

Procedure.

1. Employee shall notify the Borough Administrator of an absence due to illness

prior to their normal starting time or as soon thereafter as is reasonably possible.

2. An employee who shall be absent on sick leave for more than three (3) consecutive working days may be required, at the discretion of the Borough Administrator, to submit a medical certificate from a physician substantiating the illness. On the day of return from sick leave, exceeding more than three consecutive work days, or any sick day which immediately precedes or follows a weekend, holiday or vacation day, an employee shall present a medical certificate to the Borough Administrator.

3. Upon request by the Borough Administrator, an employee shall submit a doctor's certificate in the event of an absence by reason of sickness for more than three (3) consecutive days, or any sick day which immediately precedes or follows a weekend, holiday or vacation day. The Borough may require that an employee additionally be examined, at the expense of the Borough, by a Borough designated physician to establish the employee's ability to return to work.

Section 4. Personal Days

All full-time employees are entitled to three (3) personal days each year. Personal days are not cumulative and must be used in the current year. Part time employees do not receive personal days.

Procedure:

A. Requests for Personal Days shall be made in writing to the Department Head at least one (1) week prior to the requested personal day.

B. Requests will be approved providing that they do not unduly conflict with the needs of the Borough of Glen Rock nor scheduling requirements of the Department.

Section 5. Medical Benefit Plan:

A. Participants in the State health Benefits Plan (SHBP), and rules on enrollment and benefits options are available from the benefits Coordinator. Employees who work for 30 or more hours per week are eligible for health benefits. New employees should enroll immediately as there is a several month waiting period before medical coverage benefits becomes effective.

B. Employees hired on or before December 31, 2012 who retire with 25 years of service qualify for paid health benefits for retirees. Prospective retirees should consult the Benefits Coordinator for details.

C. Employees hired after January 1, 2013 will not qualify for paid health benefits upon retirement.

Section 6. Life Insurance

The Borough of Glen Rock shall provide the group life insurance plan available under the New Jersey Public Employees Retirement System.

Section 7. Pension Plan

All permanent employees, appointed or elected officials, earning over $1,500 in a calendar year, must enroll

in the New Jersey Public Employees Retirement System with the exception of non-veteran appointed or elected officials who may elect not to join. Employees and officials have the option to participate in the supplemental Annuity System.

Section 8. Worker's Compensation

See Chapter II – Employment, Section 6.

Procedure:

A. Any time an accident or injury occurs while on the job, an employee shall report the incident to his/her supervisor immediately, no matter how small the injury. In addition, an accident and supervisors report is to be completed and given to the Department Head and/or Borough Clerk immediately after injury.

B. Department Head will transmit the injury form to the Borough Clerk within twenty- four (24) hours. Employees are required to attend all medical and therapy appointments related to the injury. The employee is required to submit to the Borough immediately following an appointment proof of attendance of such. The employee is to notify the Borough of any scheduled appointment immediately upon scheduling. Failure to follow the policy will result in disciplinary action.

C. Compensation for time lost from the job due to an on-the-job injury or job related illness will be handled as follows:

1. Employee will receive normal salary from the Borough of Glen Rock.

2. Employer will receive a compensation check from the insurance company.

D. Continuation of benefits while on Worker's Compensation will be in accordance with N.J. Division of Pensions Employee Benefits Manual.

Unless explicitly provided for in a bargaining agreement, the Borough 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.

Section 9. Unemployment Compensation

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

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

Section 10. Educational Benefits

The Borough of Glen Rock encourages employees to receive job related training and education through

attendance at college courses, seminars and professional conferences directly related to their positions with the Borough.

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

Prior to enrolling or registering in any class, seminar, conference, etc., the employee must first receive approval from the Borough Administrator if said employee will be applying for reimbursement of the cost of said class, seminar, conference, etc.

Section 11. Dental Insurance

The Borough of Glen Rock provides dental insurance coverage for all full- time employees.

Employees will be eligible for participation in the dental program following the completion of three (3) months continuous service with the Borough of Glen Rock.

Section 12. Deferred Compensation Policy

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

Section 13. Flexible Spending Account

The Borough provides a "cafeteria plan" for all employees pursuant to Section 125 of the Internal Revenue Code, including a "Premium Option Plan" (POP) and a Flexible Spending Account (FSA).

CHAPTER IV

Leaves of Absence

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Section 1. Leave of Absence Policy

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

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

Section 2. 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 Borough; 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 Borough reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the Borough Administrator.

Commencing July 1, 2009, family Temporary Disability ("FTD") payments for up to six 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 employees must have worked at least 20 weeks at minimum wages 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 conditions 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. An employee seeking intermittent paid family leave is required to provide the Borough 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 Borough with a regular schedule of days of 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 a close member or his/her family must attend official ceremonies or family support or assistance meeting, 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 service member in the line of duty on active duty that may render the service member 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 service member unable to perform the duties of the service member'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.

Section 3. Military Leave Policy

When a full-time employee (Either permanent or temporary) who is a member of the reserve component of any Untied States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in filed 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 (3) workdays of the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days, (Thereafter, the leave shall be without pay but without loss of time.) or (Thereafter, the employee shall be paid the difference between military salary and the employee's regular salary.) The paid leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

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

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

days, the employee must submit an application for reinstatement within ninety (90) calendar days after completing military duty.

Section 4. Bereavement Leave

Full time employees shall be granted three (3) days off without deduction from pay for a death in an employee's immediate family. "Immediate family" shall be defined as the employee's relatives consisting of spouse, or significant other, civil union partner, child, parent, brother, sister, grandparents or grandchildren and spouse's relatives consisting of spouse, children, mother, father, brother, sister, grandparents, grandchildren; or any other relative of employee and spouse that has been living under the same roof of the employee.

Procedure:

Employees shall immediately notify the Borough Administrator that a death has occurred and of the date of the funeral.

Section 5. Maternity Leave

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

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

Procedure:

A. The employee shall submit a written request for maternity leave, together with verification by her physician to the Borough Administrator four (4) months before the intended leave.

B. The Borough Administrator shall give written notice to the employee that her request for leave of absence for maternity has been approved. Such notification shall indicate the inclusive dates of leave.

C. If an employee desires to return from maternity leave prior to the originally scheduled return date, an employee should submit a written request to the Borough Administrator.

D. When returning to work from a maternity leave, the employee shall submit to the Borough Administrator a medical certificate stating her fitness to resume her normal job duties.

E. If extended leave (more than six (6) months) is required, an employee should submit a written request to the Borough Administrator.

Section 6. Jury Duty Leave

An employee required to serve jury duty shall be paid their regular rate of pay by the Borough. Compensation over $25.00, excluding travel monies, the

employee receives as a juror shall be turned over to the Borough.

Procedure:

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

Section 7. Family Illness Leave

A. Employee hired on or before 12/31/12. In the event of a serious illness in the immediate family, full time employees shall be entitled to three (3) days off without loss of pay once each calendar year. The immediate family included: mother, father, spouse, child, foster child, sister or brother, mother –in-law or father-in-law, including civil union partner.

B. Employees hired 1/01/13 and after. Full time employees shall not be entitled to any family illness leave benefits.

Section 8. New Jersey Family Leave Act

The employee must be employed for at least twelve (12) months for the employer, and must have worked 1,000 base hours in the preceding twelve (12) months.

This will be funded by the employee 100% through a payroll deduction of approximately $0.64 a week.

The New Jersey Family Leave Act permits leave to be taken for:

A. The care of a newly born or adopted child, as long as leave begins within one year of the date the child is born to or placed with the employee; or

B. The care of a parent, child under 18, spouse or partner in a Civil union who has a serious health condition or requiring in-patient care, continuing medical treatment or medical super-vision. The Family Leave Act considers parents to be: in-laws, step-parents, foster parents, adoptive parents, or others having a parent-child relationship with an employee.

C. Permits up to six (6) weeks of paid leave for workers to provide care for a sick family member or care for a newborn or newly adopted child.

D. Allows employee to receive no more than two-thirds of their weekly pay, up to a maximum amount payable.

E. Employee must provide thirty (30) days' notice prior to leave if leave is sought to be with a child after birth or adoption. An employee must provide the employer with prior notice of the leave in a reasonable and practicable manner if the leave is to care for a family member with a serious health condition, unless an emergency or other unforeseen circumstance precludes prior notice.

Section 9. Domestic Violence Leave

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

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

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

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

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

CHAPTER V

Pay Periods and Overtime

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Section 1. Pay 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 two weeks in order to compute payment of the amount due.

The Borough of Glen Rock will not accept responsibility for any employee's personal finances. The Borough will acknowledge judgments against an employee's pay; but will not act as a mediator between the employee and creditors.

Section 2. Pay Period and Payment Distribution

The Borough of Glen Rock distributes pay on a bi-weekly basis for all employees.

Section 3. Separation Pay

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

Procedure:

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

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

Section 4. Overtime

In order to meet the demands of work, employees may be required to work in excess of the hours designated as the normal work week.

Any full-time employee, with the exception of Department Heads, shall be compensated for overtime at the rate of one and one-half times their hourly rate for hours worked over 40.

Procedure:

A. When necessary, overtime will be scheduled and authorized by the Borough Administrator.

B. All authorized overtime will be recorded on weekly time sheets which must be approved by the Borough Administrator or Department Head.

Section 5. Comp time

The Policy of the Borough of Glen Rock is that employee shall not utilize or accrue comp time in the Borough, without the written permission of their Department. Comp Time is time worked and recorded on an official time sheet, and only the employer or Department may request time off in lieu of pay.

Section 6. 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.

Section 7. 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 Borough 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.

CHAPTER VI

Work Rules and Standards

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Section 1. Conference and Seminar Policy

Requests to attend a conference or seminar must be approved by the Department Head and the Borough Administrator. 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.

Section 2. Telephone Usage Policy

Borough telephones are for official business and employees may make a personal call only to inform their family of unexpected overtime. Charges for all other personal calls must be reimbursed to the Borough. The use of hand-held cell phones while driving vehicles or while driving on Borough business is prohibited.

Section 3. Communication Media Policy/Social Media Policy

The Borough's Communication Media are the property of the Borough of Glen Rock 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 Borough, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax. Employees are restricted from accessing or using the company's Communication Media for personal purposes during company time on company equipment without prior authorization from the Administration to do so.

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

The Borough respects the individual privacy of its employees. However, employee communications transmitted by the Borough'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 Borough. The Borough of Glen Rock reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Borough's Communication Media.** By using the Borough's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Borough personnel. The existence of passwords does not restrict or eliminate the Borough's ability or right to access electronic communications. However, pursuant to New Jersey law the Borough cannot require the employee to provide the passwords to his/her personal accounts.

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 Borough of Glen Rock are required to use the assigned municipal email account for ALL Borough business and correspondence. The use of private email accounts for ANY Borough business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on

their personal emails, cell phones, or other personal communication Media, it is also subject to the provisions of the Open Public records Act. However, nothing in this social media policy prevents employees from using his/her own personal Communication Media during the employee's non-working hours to engage or participate in protected concerted activities pursuant to the National Labor Relations Act. Protected concerted activities include when an employee address group concerns with the employer; forms, joins or helps a labor organization; initiates, induces or prepares for group action; or speaks on behalf of or represents other employees. Nevertheless, employees are encouraged to resolve workplace grievances internally by discussing issues with their supervisor and/or the Administration, and are asked to refrain from posting comments or materials on communication Media that can be viewed as malicious, obscene, threating, intimidating, or that could create a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law if the employee chooses to address their grievances using Communication Media.

Employees can only use the Borough's Communication Media for legitimate business purposes. Employees may not use Borough's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough 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. Further, discriminatory remarks, harassment, bullying, threats of violence and similar behavior that is not tolerated in the workplace are also not acceptable through Communication Media, whether same is performed on the Borough of Glen Rock' equipment or on the employee's own personal Communication Media.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Borough. Certain data, or applications that process data, may require additional security measures as determined by the Borough. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

Information security is necessary to protect the Borough of Glen rock's information (data and software) from accidental or intentional unauthorized disclosure, modification, or loss. Information security is managed under guidelines dealing with identification, authentication, authorization, production environment, and ability to audit. All employees should be familiar with such security measures adopted by the Borough.

All employees may access only data for which the Borough has given permission. All employees must take appropriate actions to ensure that Borough's 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. All Borough of Glen rock's data must be stored centrally as required by the Borough of Glen Rock. This provides greater security, and ensures backup of all borough's data is performed.

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 Borough's computing environment.

Employees may not install or remove ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough of Glen Rock, or licensed to the Borough. 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. Workstation settings and configurations and network settings must not be modified by unauthorized employees. Internet security settings must not be changed. The foregoing includes but is not limited to the systems Network ID, IP Address, Gateway and DNS address etc.

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 Borough's communication Media, as-it directly relates to their work and it is in compliances with this policy.

Employees must not reveal or publicize confidential Borough 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 Borough of Glen Rock 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 prior approval of the Borough 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 Borough'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 Borough Administrator. Except in "emergency situations, "Employees are prohibited from taking digital images or photographs with media equipment not owned by the Borough. 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 Borough's Communication Media. If such situation occurs, employee agrees that any images belong to the Borough and agree to release the image to the Borough and ensure its permanent deletion from media device upon direction from the Borough.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the Borough of Glen Rock or on behalf of the Borough, through the use of the Borough Communication Media may be issued unless it has first been approved by the Borough Administration. Specifically, employees are forbidden from using the Borough's Communication Media to impersonate the employer; to make statements on behalf of the employer without authorization; and/or make particular issue. In addition, employees are prohibited from placing posting on the Internet through the employer's communication Media or the employee's own personal media, either during working or non-working hours, and employer-related confidential, sensitive or other employer information of a proprietary nature, including but not limited to employer records or documents, trade secrets, internal reports, tips based on inside information that may be considered insider trading, screenshots of computer stations, pictures of monitors and/or actual documents of the employer, any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incidents or occurrences.

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

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

Employees must respect the laws regarding copyrights, trademarks, rights of public Borough and other third-party rights. Any use of the Borough's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Borough, 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.

If employees choose to identify themselves as a Borough employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Borough of Glen Rock, as such no employee shall knowingly represent themselves as a spokesperson of the Borough post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Borough express views that are detrimental to the Borough mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. Borough employees are encouraged to exercise caution posting photographs of themselves in uniform or in situations where they can be readily identified as Borough employees.

To the extent that employees use social media outside their employment while engaging in protected concerted activities as defined above, employees will not be subject to discipline or retaliation for expressing views, opinions, and/or facts surrounding the Borough's employment policies. For all other communications by employees on personal social media sites in which matters related to the Borough are discussed, employees must add a disclaimer on the front page, stating that the posting does not express the views of the Borough and that the employees are expressing their own 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."** The disclaimer must be placed in a prominent position and repeated for each posting that is expressing an opinion related to the Borough of Glen Rock or the Borough's business, with the exception of postings and social media communications by employees engaging in protected concerted activities. Employees are advised that, if they post information on social media that is in violation of either the terms and conditions of within social media policy or in violations of federal, state or local laws, the disclaimer will not shield them from disciplinary action. However, no retaliation or discipline will result if and when employees are engaging in protected concerted activity, and/or choose to report inappropriate social media activities to the Borough's Administration.

Nothing in these policies is designed to interfere with, restrain or prevent social media communications by the employee engaging in protected concerted activities regarding wages, hours or other terms and conditions of employment pursuant to the National Labor Relations Act. All Borough employees have the right to engage in or refrain from such activities.

Use of Internet

The Borough provides Internet access to its employees in order to make available a vast array of information resources and to allow participation in and access to increasing county and state resources.

Employees must comply with all policies adopted by the Borough of Glen Rock, including by not limited to policies regarding, prohibition of discrimination and harassment and all applicable federal, state and local laws governing the transmission and dissemination of information while accessing the Internet.

Employees who are using Internet may not:

- Use the network to make unauthorized entry into other computational, informational or communication services or resources;
- Distribute unsolicited advertising;
- Invade the privacy of others;
- Make any attempt to damage computer equipment or software;
- Engage in any activity that is harassing or defamatory;
- Use the Internet for any illegal activity, including violation of copyright or other rights of third parties, or in a manner inconsistent with the Borough's tax-exempt status or its proper operation; and/or
- Download unauthorized software, fonts, templates or scripts.

As stated in the Communications policy above the Borough reserves the right to monitor the employee's Internet usage. In additional the Borough has the right to restrict access to specific types of prohibited content through the use of a content filtering system.

Video Surveillance

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

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

The Borough 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 Lenora Benjamin, Borough Administrator is immediately informed of such breach.

Section 4. 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 N.J.S.A. 26:30-46 and 48, the Borough of Glen Rock has adopted a smoke-free policy for all buildings and borough owned vehicles. Disciplinary action will be taken should a Borough Employee be found to be smoking in a Borough vehicle. Borough of Glen Rock facilities will be smoke-free and no employee or visitor will be permitted to smoke anywhere in Borough of Glen Rock buildings, or borough owned vehicles. Employees are permitted to smoke only outside Borough of Glen Rock buildings and such locations as not to allow the re-entry of smoke into building entrances. This policy will be strictly enforced and any employee found in violation will be subject to disciplinary action.

Section 5. Use of Vehicles Policy

Unless an employee receives permission from the Borough Administrator Borough of Glen Rock owned vehicles must be used for Borough business, and all passengers must be on Borough business.

Vehicles assigned to the Police Chief, Director of Public Works, OEM Coordinator, Fire Chief and Assistant Fire Chief may be taken home as part of their job responsibilities subject to change by the Governing Body. Vehicles may be taken home only with advance approval of the Borough Administrator except the Mayor or Chief Operating officer may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Borough vehicle, on a temporary basis, it is to be used only for official business any other use is not permitted. At no time shall children be in the Borough vehicle when responding to an emergency.

Any violation of this policy is cause for disciplinary action.

Section 6. Bulletin Board Policy

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

Section 7. Safety

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

The Borough of Glen Rock will maintain conditions in accordance with the safety provisions of both the New Jersey Department of Health and the New Jersey Department of Labor.

Section 8. Medical, Dental and Other Personal Business Appointments

Employees shall schedule their medical, dental and other personal business appointments outside normal working hours. If necessary that such appointments be scheduled during working hours, employees should utilize a personal day or vacation day for these appointments.

Section 9. Use of Municipal Property

Use of Equipment and Supplies

Employees are responsible for taking care of any equipment assigned to them. Employees of the Borough of Glen Rock shall not remove, or in any way assist in the removal of supplies, materials, goods, or equipment belonging to the Borough from its offices, unless such removal has been authorized by the Borough Administrator.

Employees are not to use equipment, supplies, postage, or other materials of the Borough for personal use.

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

Section 10. Use of Personal Vehicles on Borough Business

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

Procedure:

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

Section 11. Employee Dating Policy:

The Borough of Glen Rock 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 Borough of Glen Rock 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 A0 their immediate supervisor or B) human resources.

For the purposes of this policy, a supervisor/subordinate status, means a situation where on 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 employee 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 the 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 ass 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.

CHAPTER VII

Employee Development

Section 1.	**Training Programs**	**56**
Section 2.	**Educational Policy**	**56**

(See Chapter III, Section 10. "Educational Benefits")

Section 1. Training Programs

The Borough of Glen Rock recognizes that training is an integral function of management and is supported by the Mayor and Council.

Employees are encouraged to obtain job-related training.

Prior to enrollment in a training course or program, it is the responsibility of the employee to request and receive written approval from the Borough Administrator or Department Head.

Section 2. Educational Policy

See Chapter III, Section 10. "Educational Benefits",