

**RESOLUTION R235-2021**

**WASHINGTON TOWNSHIP  
GLOUCESTER COUNTY**

**RESOLUTION ADOPTING AN AMENDED EMPLOYEE POLICIES AND  
PROCEDURES MANUAL FOR THE TOWNSHIP OF WASHINGTON**

**WHEREAS**, the Township of Washington's insurance carrier TRICO JIF requires updated personnel policy manuals every two years; and

**WHEREAS**, the Policies and Procedures Manual for the Township of Washington was updated June 23, 2021; and


**WHEREAS**, the Township Administration and Township Solicitor have recommended certain additional revisions to the Manual; and

**WHEREAS**, the revised proposed manual is hereto included as Attachment A to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Washington, County of Gloucester, State of New Jersey, that the Employee Policies and Procedures Manual shall be amended as provided for in Attachment A and is hereby adopted as amended in accordance therewith.

**BE IT FURTHER RESOLVED** that a copy of the Employee Policies and Procedures Manual be distributed to all current Township employees and a copy shall remain on file in the office of the Township Clerk.

TOWNSHIP OF WASHINGTON

By:   
Sean Longfellow, Council President

I, Christine Ciallella, do certify this to be a true copy of Resolution **R235-2021** adopted by the Township of Washington, Gloucester County, at a regular meeting held on September 1, 2021 and shall take effect immediately.

By:   
Christine Ciallella, RMC  
Township Clerk

| Members    | Motion | Second | Ayes | Nays | Abstain | Absent | Recuse |
|------------|--------|--------|------|------|---------|--------|--------|
| DellaPia   |        | X      | X    |      |         |        |        |
| Williams   |        |        | X    |      |         |        |        |
| Bennett    | X      |        | X    |      |         |        |        |
| Dougherty  |        |        | X    |      |         |        |        |
| Longfellow |        |        | X    |      |         |        |        |

# **ATTACHMENT A**

# Township of Washington

## *Policies and Procedures Manual*

Updated August 2021

## TABLE OF CONTENTS

| <u>Policy</u>                                        | <u>Page<br/>Number</u> |
|------------------------------------------------------|------------------------|
| Introductory Statement                               | 12                     |
| Nature of Employment                                 | 13                     |
| Receipt for Personnel Policies and Procedures Manual | 14                     |
| Employee Relations                                   | 14                     |

**SECTION ONE**  
**POLICIES RELATING TO EMPLOYEE RIGHTS AND OBLIGATIONS**

| <b><u>Policy</u></b>                                                             | <b><u>Page Number</u></b> |
|----------------------------------------------------------------------------------|---------------------------|
| Equal Employment Opportunity Policy                                              | 15                        |
| Anti-Discrimination Policy                                                       | 15                        |
| Americans With Disabilities Act Policy/New Jersey Pregnant Worker's Fairness Act | 16                        |
| Contagious or Life-Threatening Illnesses Policy                                  | 17                        |
| Safety Policy                                                                    | 17                        |
| Accident Review and Prevention Panel                                             | 18                        |
| Temporary Transitional Duty                                                      | 19                        |
| Workplace Violence Policy                                                        | 21                        |
| General Anti-Harassment Policy                                                   | 22                        |
| Anti-Sexual Harassment Policy                                                    | 22                        |
| "Whistleblower" Policy                                                           | 24                        |
| Employee Complaint Policy                                                        | 24                        |
| Alcohol and Drug Free Workplace Policy                                           | 25                        |
| Access to Personnel Files Policy                                                 | 44                        |
| Conflict of Interest Policy                                                      | 45                        |
| Political Activity Policy                                                        | 46                        |
| Membership in Outside Organizations                                              | 46                        |
| Employee Discipline Policy                                                       | 46                        |

|                             |    |
|-----------------------------|----|
| Progressive Discipline      | 48 |
| Resignation Policy          | 48 |
| Return of Property          | 49 |
| Work Force Reduction Policy | 49 |
| Driver's License Policy     | 49 |
| Changing Vital Information  | 50 |

**SECTION TWO**  
**WORKPLACE POLICES**

| <b><u>Policy</u></b>                         | <b><u>Page<br/>Number</u></b> |
|----------------------------------------------|-------------------------------|
| Job Description Policy                       | 51                            |
| Employment Categories                        | 51                            |
| Attendance Policy                            | 52                            |
| Work Schedules                               | 52                            |
| Employee Conduct and Work Rules              | 53                            |
| Energy Efficiency and Waste Reduction Policy | 54                            |
| Early Closing and Delayed Opening Policy     | 54                            |
| Meal Periods                                 | 55                            |
| Personal Appearance                          | 55                            |
| No Smoking Policy                            | 56                            |
| Use of Equipment and Vehicles                | 56                            |
| Telephone/Cell Phone Usage Policy            | 57                            |
| Solicitation                                 | 59                            |
| Communication Media Policy                   | 59                            |
| Township Social Media/Website Comment Policy | 63                            |
| Use of Internet                              | 68                            |
| Video Surveillance Policy                    | 69                            |

|                                  |    |
|----------------------------------|----|
| Bulletin Board Policy            | 70 |
| Employee Dating Policy           | 70 |
| Identification Card Policy       | 71 |
| Outside Employment               | 72 |
| Security Policy                  | 72 |
| State Residency Requirement      | 73 |
| Non-Disclosure                   | 73 |
| Children in the Workplace Policy | 74 |
| Pets in the Workplace Policy     | 74 |



**SECTION THREE**  
**PAID AND UNPAID TIME OFF POLICIES**

| <b><u>Policy</u></b>                | <b><u>Page Number</u></b> |
|-------------------------------------|---------------------------|
| Holidays                            | 76                        |
| Travel Expenses                     | 77                        |
| Vacation                            | 77                        |
| Personal Days                       | 79                        |
| Sick Leave                          | 79                        |
| Leave Usage                         | 81                        |
| Fitness for Duty                    | 82                        |
| Bereavement Leave                   | 82                        |
| Jury Duty                           | 83                        |
| Witness Duty                        | 84                        |
| Leave of Absence                    | 84                        |
| Donated Leave Program               | 85                        |
| Family and Medical Leave Act Policy | 87                        |
| Domestic Violence Leave Policy      | 91                        |
| Military Leave Policy               | 98                        |
| Pregnancy-Related Absences          | 99                        |
| HIPAA Compliance                    | 99                        |

**SECTION FOUR**  
**COMPENSATION & EMPLOYEE BENEFITS POLICIES**

| <b><u>Policy</u></b>                 | <b><u>Page Number</u></b> |
|--------------------------------------|---------------------------|
| Timekeeping                          | 100                       |
| Paydays                              | 100                       |
| Severance Pay                        | 100                       |
| Pay Advances                         | 101                       |
| Administrative Pay Corrections       | 101                       |
| Pay Deductions and Setoffs           | 101                       |
| Overtime                             | 102                       |
| Employee Benefits                    | 102                       |
| Health Insurance                     | 103                       |
| Waiver of Health Benefit Coverage    | 104                       |
| Worker's Compensation Insurance      | 105                       |
| Benefits Continuation (COBRA)        | 105                       |
| Educational Assistance/Seminar Leave | 106                       |

**SECTION FIVE**  
**MODEL MANAGERIAL/SUPERVISORY PROCEDURES**

| <b><u>Policy</u></b>                                                       | <b><u>Page Number</u></b> |
|----------------------------------------------------------------------------|---------------------------|
| Employment Procedures                                                      | 107                       |
| Background Checks and Procedures for Candidates, Employees, and Volunteers | 111                       |
| Employment Reference Checks                                                | 113                       |
| Open Public Meetings Act Procedure Concerning Personnel Matters            | 113                       |
| Processing and Orientation of New Employees Procedure                      | 114                       |
| Initial Employment Procedure                                               | 114                       |
| Employee Handbook Procedure                                                | 114                       |
| Performance Evaluation Procedure                                           | 115                       |
| Disciplinary Action Procedure                                              | 116                       |
| Employment Termination                                                     | 117                       |
| Security Inspections                                                       | 118                       |
| Personnel File Procedure                                                   | 119                       |
| Employee Complaint Investigation Procedure                                 | 119                       |
| Requests for Employment Verification and Reference Procedure               | 120                       |
| Continuing Education Procedure                                             | 121                       |

**SECTION SIX**

**Policy**

**Page Number**

Examination of Public Records

122

Immigration Law Compliance

122

**SECTION SEVEN**  
**MODEL FORMS**

| <b><u>Form</u></b>                                                                                                                          | <b><u>Page<br/>Number</u></b> |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| Notice of Personnel Discussion                                                                                                              | 124                           |
| Employee Complaint Form                                                                                                                     | 125                           |
| Sample Notice Concerning “Whistleblower” Act                                                                                                | 127                           |
| Application for Employment                                                                                                                  | 128                           |
| NJ Division of Civil Rights Guide on Pre-Employment Inquires                                                                                | 132                           |
| Performance Appraisal                                                                                                                       | 134                           |
| Counseling Action Plan                                                                                                                      | 139                           |
| Employee Evaluation Checklist                                                                                                               | 141                           |
| Fingerprint and Background Check Consent Form for Employees,<br>Job Applicants, and Volunteers That May Work or Have Contact<br>with Minors | 142                           |
| Employee Information Change Form                                                                                                            | 143                           |
| Applicant Relative Disclosure Form                                                                                                          | 144                           |
| Application for Family and/or Medical Leave (FMLA) and/or<br>New Jersey Family Leave (NJFLA)                                                | 146                           |
| Return to Work Medical Certification                                                                                                        | 148                           |
| Harassment Complaint Form                                                                                                                   | 149                           |
| Witness Statement Form                                                                                                                      | 153                           |
| Reasonable Suspicion Testing Checklist                                                                                                      | 155                           |

## **INTRODUCTORY STATEMENT**

It is the policy of the Township of Washington to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Township of Washington 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.

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

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

**To the maximum extent permitted by law, the employment practices the Township 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. As such, the Township of Washington shall have the right to terminate an employee at any time and for any reason, with or without notice, and will comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.**

**ACKNOWLEDGMENT OF AT-WILL EMPLOYMENT**

**This Manual is not and shall not be construed to be an express or implied contract of employment between any employee and Washington Township, nor shall the Manual be interpreted as a contract or guarantee of any type of continuous employment. No binding promises of any kind are contained in this Manual. It is not intended, nor shall it be construed, as a contract of employment for any period of time. No person is authorized to provide any employee with an employment unless the contract or special arrangement concerning terms or conditions of employment unless the contract is signed by the Mayor and Business Administrator. Further, the policies which follow may be changed from time to time, with or without notice, as the Township deems appropriate.**

**All employees are employed at will except an employee that has an individual written employment or collective negotiations agreement or an employee who may avail themselves of rights under applicable State and/or Federal law. At will employees may resign at any time with or without notice or cause (subject to the resignation provisions herein) and the Township retains the absolute right to terminate any at-will employee at any time with or without notice or cause except as provided by applicable law or collective negotiations agreement.**

**I hereby acknowledge and understand the foregoing.**

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**SUPERSESSSION CLAUSE**

**This Manual supersedes all previously issued handbooks, manuals, and other written and oral directives.**

Appointments: Pursuant to the provisions of N.J.S.A 40:69A-95, et seq., the appointment of Department Heads is vested with the Mayor with the advice and consent of Council. All appointments other than Department Heads and those which may have unique statutory provisions or appointment are made **IN WRITING BY THE MAYOR**, with the exception of the following positions, which are appointed by the Township Council as provided in N.J.S.A 40:69A-43, et seq.: Township Auditor and Township Clerk.

**RECEIPT FOR PERSONNEL POLICIES AND PROCEDURES MANUAL**

I acknowledge that I have received a copy of the Township of Washington’s Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my Supervisor or the Business Administrator. In addition, I understand that this manual states the Township of Washington’s policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with Township of Washington for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified, or terminated at any time.

Please sign and date this receipt and return it to the Business Administrator.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Department: \_\_\_\_\_

**EMPLOYEE RELATIONS**

The Township of Washington believes that the work conditions, wages, and benefits it offers to its employees are generous and competitive with those offered by other employers in this area and in government. If employees have concerns about work conditions, they are encouraged to voice these concerns to their Supervisors.

Employees should be aware that the Mayor practices an “open-door” policy, however, that is not meant to circumvent the chain of command and requests, complaints, and concerns should go through their Supervisors and the proper chain of command.

Our experience has shown that when employees deal openly and directly with Supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the Township of Washington amply demonstrates its commitment to employees by responding effectively to employee concerns.



**SECTION ONE**  
**POLICIES RELATING TO EMPLOYEE RIGHTS AND OBLIGATIONS**

**EQUAL EMPLOYMENT OPPORTUNITY**

**Revised 4/26/21**

The Township of Washington is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) and all other applicable state or federal laws. Under no circumstances will the Township of Washington discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by state or federal law. Accordingly, decisions regarding 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, Director of Personnel, the Chief Administrative Officer, or any other supervisor with whom they feel comfortable, using the complaint procedure set forth in the Policy Against Harassment set forth in this Manual.

Any employees with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of management through the complaint procedure set forth in the Policy Against Harassment set forth in this Manual.

**ANTI-DISCRIMINATION POLICY**

**Effective Date: 7/1/98**

**Revision Date: 11/9/16**

**Revised: 10/18**

The Township of Washington is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) as amended by the New Jersey Pregnant Worker's Fairness Act (LAD). Under no circumstances will the Township of Washington discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion, or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective

employee feels they have been treated unfairly, they have the right to address their concern with their Supervisor, or if they prefer their Department Head, Business Administrator, or the Solicitor.

## **AMERICANS WITH DISABILITIES ACT POLICY/NEW JERSEY PREGNANT WORKER'S FAIRNESS ACT**

**Effective Date: 7/1/98**

**Revision Date: 10/18**

In compliance with the Americans With Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Township of Washington does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Township of Washington will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans With Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

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

The Business 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 for the employee to express milk for the child. All decisions with regard to reasonable accommodation shall be made by the Business Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans With Disabilities Act does not require the Township of Washington to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

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

## **CONTAGIOUS OR LIFE-THREATENING ILLNESS POLICY**

**Effective Date: 7/1/98**

**Revision Date: 3/23/06**

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

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

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

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

## **SAFETY POLICY**

**Effective Date: 7/1/98**

**Revision Date: 3/23/06**

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

The Township of Washington 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.

## **ACCIDENT REVIEW AND PREVENTION PANEL**

**Effective Date: 5/26/11**

Safety is a top priority for the Township of Washington. The Township of Washington works to provide a safe and healthful work environment for employees, customers, and visitors.

This section of the Policies and Procedures Manual implements an Accident Review and Prevention Panel to ensure that all facts surrounding all accidents are obtained to that appropriate loss control and safety procedures are established to best prevent accidents in the future.

Every Supervisor of the Township of Washington is required to complete a First Accident Report within twenty-four (24) hours of the accident. The Supervisor must interview the employee(s) involved in the accident and the Supervisor and employee(s) must sign the First Accident Report.

The JIF Fund Commissioner shall review all First Accident Reports to determine which reports will be further reviewed by the Accident Review and Prevention Panel.

The Accident Review and Prevention Panel shall be comprised of the following members:

- Township Fund Commissioner
- Township Solicitor
- Township Worker's Compensation Claims Coordinator
- Township Director of Municipal Services
- Representative of Township Police Department

The Panel will review the First Accident Report, interview appropriate witnesses, including injured employee(s) if any, and review Township of Washington's policies and procedures. The Panel will implement an interview questionnaire to be used in all reviews that must be signed by the witnesses/employee(s). The Panel will prepare a written report detailing the accident, root causes, findings, and recommendations for prevention of future similar accidents. The Panel shall meet every other month.

Corrective actions will be recommended, implemented, and monitored. All Township policies and procedures continue to apply, including the Township of Washington's ability to discipline employees who violate this policy or any other Township of Washington policies.

## **TEMPORARY TRANSITIONAL DUTY**

**Effective Date: 7/1/98**

**Revision Date: 8/20/08**

It is the purpose of this Policy to establish the authority for temporary transitional duty assignments and procedures for granting temporary transitional duty to employees of the Township of Washington. The Chief of Police will establish a separate Transitional Duty Policy in conjunction with the Washington Township Police Department Manual of Rules and Regulations, Attorney General Guidelines, and the Collective Bargaining Contracts. This policy will only apply to sworn law enforcement personnel and civilian employees of the Washington Township Police Department.

Temporary transitional duty assignments, when available, are for employees who, because of duty related injury, illness, or disability, are temporarily unable to perform their regular assignments, but who are capable of performing temporary transitional duty. Therefore, it is the policy of the Township of Washington that eligible employees will be given an opportunity to work in temporary transitional duty assignments where available and consistent with this policy.

For purposes of this policy, any employee of the Township of Washington suffering from a duty related medically certified illness, injury, or disability requiring treatment of a licensed health care provider and who, because of injury, illness, or disability, is temporarily unable to perform the regular assignment, but is capable of performing temporary transitional duty, is eligible for a temporary transitional duty assignment.

### **General Provisions**

1. There is no guarantee that a temporary transitional duty position will be available.
2. The temporary transitional assignment may or may not be within the employee's normal job description.
3. Temporary transitional duty positions are limited in number and variety.  
Therefore, assignments may be changed at any time if deemed in the best interest of the employee or the Township of Washington.
4. This policy in no way affects the privileges or employees under provisions of the Fair Labor Standards Act, Americans With Disabilities Act, or other applicable Federal or State law.
5. Assignment to temporary transitional duty shall not affect an employee's pay status, pay increases, promotion, retirement benefits or other employee benefits.
6. No specific position shall be established for use as a temporary transitional duty assignment, nor shall any existing position be designated or used exclusively for employees on temporary transitional duty.
7. Temporary transitional duty assignments are strictly temporary and normally will not exceed twenty (20) days in duration. After twenty (20) days, employees on temporary transitional duty who are not capable of returning to their original duty assignment shall:

- a. Request, in writing, to the Township of Washington Business Administrator, an extension of transitional duty with a note from the employee's treating physician setting forth the specific medical reasons for the requested extension;
  - b. Be re-evaluated by a Township of Washington approved attending physician or certified health care provider;
  - c. Pursue other options as provided by Federal and/or State law.
8. Employees on temporary transitional duty are prohibited from engaging in outside employment.
9. Employees may not refuse temporary transitional duty assignments that are supported by and consistent with the recommendations of a Township of Washington approved attending physician or certified health care provider.

### **Temporary Transitional Duty Assignments**

1. Decisions on temporary transitional duty assignments shall be based upon the availability of an appropriate assignment given the applicant's knowledge, skills and abilities, availability of temporary transitional duty assignments, and the physical limitations imposed on the employee.
2. Employees may be assigned to positions with a different pay status, but shall retain pay classification and related benefits of the position held prior to their assignment to temporary transitional duty.

### **Request for an Assignment to Temporary Transitional Duty**

1. Requests for temporary transitional duty assignments shall be submitted to the employee's immediate Supervisor and forwarded to the Business Administrator. Requests must be accompanied by a statement of medical certification to support a requested reassignment, which must be signed by the treating physician. The request must include an assessment of the nature and probable duration of the disability, prognosis for recovery, nature of work restrictions, and an acknowledgement by the health care provider of familiarity with the temporary transitional duty assignment and the fact that the employee can physically assume the duties involved.
2. The request for temporary transitional duty, along with the required medical documentation, shall be forwarded to the Township of Washington Business Administrator.
3. An employee requesting temporary transitional duty may be recommended for such assignment by submission of a request from the employee's immediate Supervisor. Such a request must be accompanied by an evaluation of the employee conducted by a competent medical authority expressing the need for temporary transitional duty or by a request/order for a medical or psychological fitness-for-duty examination. The Township of Washington Business Administrator shall make the determination as to transitional duty status, and said determination shall be final.
4. The employee(s) selected for temporary transitional duty assignment shall be notified of the assignment by the Department Head or his or her designee within a reasonable amount of time before the beginning of the temporary transitional duty assignment, and said notice shall be promptly confirmed in writing and forwarded to the Business Administrator.

## **Pregnant Employees**

1. Pregnant employees are eligible for temporary transitional duty assignments as available, and as appropriate, to their physical capabilities and well-being.
2. Where appropriate temporary transitional duty assignments are unavailable, pregnant employees are eligible for other forms of leave, including medical, disability, or family leave (FMLA) as provided by State and Federal law.
3. On a monthly basis, pregnant employees shall submit a physician's medical report that documents:
  - a. The employee's physical ability to perform the present assigned duties;
  - b. The physician's appraisal that the type of work being performed will not injure the employee or the child;
  - c. Any recommended duty restrictions or modifications, including temporary light duty.
4. Pregnant employees shall be permitted to continue working on regular duty or temporary transitional duty assignments as long as they present monthly physician reports or until such time as a physician recommends that work be curtailed.

## **WORKPLACE VIOLENCE POLICY**

**Effective Date: 7/1/98**

**Revised: 10/18**

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

Prohibited conduct includes:

- Causing or attempting to cause physical injury to another person;
- Making threatening, abusive, hostile, or obscene remarks or actions;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on Township of Washington property or while on Township of Washington business, except with the authority of the Chief of Police; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

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

## **GENERAL ANTI-HARASSMENT POLICY**

**Effective Date: 10/18**

It is the Township of Washington's policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, pregnancy, genetic information, disability (including AIDS or HIV infection), gender identity or expression, liability for service in the United States Armed Forces, and/or any other characteristic protected by law. Harassment of non-employees by our employees is also prohibited. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings or images, and other similar verbal, written, printed, or physical conduct.

If an employee is a 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 a 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. The Township of Washington cannot resolve a harassment problem unless it knows about it. Therefore, it is the responsibility of all employees to bring those kinds of problems to attention of the appropriate officials so that steps are taken to correct them.

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

## **ANTI-SEXUAL HARRASMENT POLICY**

**Effective Date: 7/1/98**

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

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



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

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

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

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

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

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

Notification by employee to appropriate personnel of any harassment problem is essential to the success of this policy and the Township of Washington generally. The Township of Washington 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.

## **“WHISTLEBLOWER” POLICY**

**Effective Date: 3/23/06**

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. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written acknowledgement that the employee received this letter will be included in the employee’s official personnel file. The annual notice must contain the name of the person who is designated to receive written notification of policies or practices that might violate CEPA. This right will also be communicated in the Employee Handbook. All complaints will be taken seriously and promptly investigated.

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

- Disclosing or threatening to disclose to a Supervisor, Department Head, the Business Administrator, other Official, or to a public body, as defined in the Conscientious Employee Protection Act (N.J.S.A. 34:19-1 et seq.) an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before, any public body conducting an investigation, hearing, an inquiry into any violation of law, or 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 Business Administrator. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. See Employee Complaint Policy. Under the law, the employee must give the Business Administrator a reasonable opportunity to correct the activity, policy, or practice. The administration of whistleblower complaints is not subject to the limitations in the Grievance policy.

## **EMPLOYEE COMPLAINT POLICY**

**Effective Date: 7/1/98**

**Revision Date: 10/18**

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to their Supervisor, or, if they prefer, or do

not think that the matter can be discussed with their Supervisor, they should contact the Department Head, the Human Resources Director, the Business Administrator or Solicitor. Reporting of such incidents is encouraged both when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint Form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their Supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

No employee will be penalized in any way for reporting a complaint in good faith. 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.

Members of the public and volunteers may also make complaints to a Supervisor, a Department Head, the Human Resources Director, the Business Administrator, or Solicitor. Any and all complaints by those individuals should be referred to the Human Resources Director for further action.

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 the persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report of an incident.

## **ALCOHOL AND DRUG-FREE WORKPLACE POLICY**

**Effective Date: 7/1/98**

**Revised: 6/2021**

*All applicants for positions that require a CDL license and all employees whose job requires them to possess a CDL license shall be excluded from this Alcohol and Drug-Free Workplace policy. Instead, these employees are governed by Federal and State regulations, as well as the attached CDL Drug and Alcohol Testing Policy (Appendix A). Employees hired with the understanding that they must obtain a CDL license will be covered under this Alcohol and Drug-Free Workplace Policy until they obtain their CDL license.*

## **DRUG-FREE WORKPLACE**

The Township of Washington is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This is considered a Health & Safety Policy of the Township of Washington. This Policy highlights the Township of Washington's New Jersey Drug-Free Workplace Policy. The Township of Washington's Designated Employer Representative (DER) is the Human Resources Officer. The Alternative DER is Business Administrator.

The Township of Washington recognizes the prime importance to the Township of Washington of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the adverse effects of substance abuse. While the Township of Washington has no intention of intruding into the private lives of its employees, the Township of Washington does expect employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's substance abuse. Ultimately an employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Township of Washington has a duty to safeguard its employees and the public from the risk of harm from employees who work under the influence of alcohol and drugs. Similarly, employees who are working under the influence, and employees who know that a fellow employee is working under the influence, owe such a duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability. All employees and contractors are responsible and accountable for ensuring that they, and their employees, are not under the influence of alcohol or drugs when carrying out work for the Township of Washington. Managers and supervisors are responsible for taking appropriate action where they identify individuals who are at work while under the influence of alcohol or drugs. They should also take appropriate action to protect the health and safety of individuals who may be affected.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable. However, to the extent this policy may conflict with a current collective bargaining agreement (CBA), the CBA shall prevail.

All testing information is considered confidential information by the Township of Washington and will be maintained in a separate file along with the employee's medical records, separate from other personnel files. An employee has the right to inspect and obtain a copy of his or her drug test results. Drug testing information will only be released to those employees of the Township of Washington with a job related need to know, the DER and Alternate DER, to defend against any administrative action brought by the employee against the Township of Washington, in grievance or arbitration proceeding under the terms of a collective bargaining agreement, in a court of law under subpoena, as released by the employee in writing, the MRO, Township of Washington insurers, rehabilitation programs and as otherwise required by law. Our Drug-Free Workplace Policy does not tolerate the abuse of drugs or alcohol in the workplace. Understand that this Policy prohibits illegal drug use on or off the job. We encourage any employee suffering from a substance abuse problem to seek help. If you need help, we can direct you to a Substance Abuse Professional (SAP) for a confidential evaluation and referral for substance abuse treatment if necessary. Notice of the Township of Washington's New Jersey Drug-Free Workplace testing will be

provided on vacancy announcement and is posted in conspicuous locations on Township of Washington premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Township of Washington safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment, except to the extent this policy may conflict with a current collective bargaining agreement (CBA), which CBA shall prevail. The Township of Washington has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers employees of governmental entities*. Applicant testing will begin immediately and sixty (60) days after the effective date of Township of Washington, all employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

## **WHO DO WE TEST?**

All employees performing safety-sensitive functions, and all final applicants for positions where safety-sensitive functions are performed, and all other employees where reasonable suspicion exists. All DOT regulated employees are also subject to testing under this policy. Using the criteria below, the following positions have been classified by the Township of Washington as safety-sensitive. Elected officials who are not otherwise classified as employees are not subject to testing under this Policy.

## **SAFETY-SENSITIVE CLASSIFICATIONS**

Safety-sensitive employees are those employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Positions which have been found to be safety-sensitive include firefighters, emergency medical technicians, law enforcement officials who carry firearms, fire and police dispatchers, 911 operators, heavy machinery operators, forklift operators, bus drivers, some (but not all) transportation workers, pipeline operators, gas meter repairmen, jail officers, and those involved in security functions. All Department of Transportation (DOT) regulated employees are determined to be safety-sensitive by those regulations. Unless an employee comes under drug testing regulations of some federal agency, each position, job classification or department, should be individually evaluated to determine whether the employee is safety-sensitive in accordance with the above guidelines.

## **HOW DO WE TEST?**

Drug and alcohol testing is done through chemical analysis which determines without question if a person has drugs or alcohol in his or her system and in conformity with regulations of the New York Department of Health, New Jersey Department of Health, or CLIA. Specimens subject to testing include urine, breath, hair, oral fluids, or blood. Specimen collections, chain of custody and drug and alcohol tests will be in substantial compliance with the U.S. Department of Transportation (DOT) procedures if applicable to the type of specimen being tested. To ensure accuracy, urine lab test procedures shall include a preliminary

drug screening, two highly sophisticated scientific tests including adulterant detection, and are reported to an independent certified Medical Review Officer prior to being released to the Township of Washington. Observed urine collections will only be conducted with the consent of the donor, and the observer will be by a person whose gender matches the donor's gender as identified by the donor at the beginning of the observed collection. Observed collections will be conducted in a professional manner that minimizes discomfort to the donor, and a medical professional may serve as the monitor, regardless of gender. The Medical Review Officer may recommend the collection of an alternate specimen (e.g., oral fluid) when a donor is unable to provide a sufficient amount of urine specimen at the collection site. The MRO will verify that chain of custody procedures were adhered to, use of a certified laboratory and that the test results were valid. The Township of Washington provides reasonable accommodations to employees and/or applicants in the alcohol and drug testing program whose physical condition prevents them from producing a urine specimen suitable for testing. You may contact the DER if you wish to make an accommodation request. In accordance with Township of Washington policy, a test result reported by the laboratory as a negative dilute urine test is not considered a negative test but subjects the donor to immediate retesting; and a second negative dilute urine test will render an applicant ineligible for hire and current employees, where a negative test is required, not currently fit for duty. FDA approved on-site screening devices may be utilized with all initial positive results confirmed by laboratory testing.

All positive initial tests are confirmed by GC/MS at established DOT cut off levels. An Alcohol content of 0.04 or higher using a DOT approved alcohol screening device, or breath alcohol device, is classified as a positive test. The drugs tested for may include all or some of the following: (1) Amphetamines; (2) Cannabinoids; (3) Cocaine; (4) Phencyclidine (PCP); (5) Opioids, designer drugs, or a metabolite of any of the above substances and mind-altering synthetic narcotics or designer drugs, or impairing effect medications or substances, taken by employees working in a safety-sensitive classified position, in order for the employer to fulfill its duty to provide a safe place to work as a safety rule. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

### **WHAT IF YOU TEST POSITIVE?**

The Medical Review Officer will contact you confidentially to give you an opportunity to discuss your results before reporting them to the Township of Washington as a verified positive. You may discuss the result with the MRO up to seventy-two (72) hours after a positive result and ask questions of the MRO about prescription and non-prescription medications, rebut or explain the test results to the MRO, and provide supporting documentation. During this 72-hour period, any applicant or employee may request that their split specimen be tested at a second laboratory and if positive, they will be responsible for that expense and that cost may be deducted from their paycheck, depending upon the result and, if negative, the employee will be reimbursed by the Township of Washington for the cost of the test and any lost time. Under federal regulations, the MRO has the discretionary authority to notify the Township of Washington that an employee is temporarily medically disqualified from the performance of safety-sensitive work during this evaluation period and also has the duty to notify the Township of Washington if the employee is taking an impairing effect medication. A positive drug or alcohol test is classified as willful misconduct and a violation of the Township of Washington's Policy. Any employee who tests positive, or refuses to be tested, may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, for gross misconduct connected with work, and violation of a safety rule for those employees working in a safety-sensitive position and/or forfeit

eligibility for Worker's Compensation benefits *N.J. Stat. Ann. § 34:15-7* if post-accident and may adversely affect an employee's eligibility to receive Unemployment Compensation benefits. Any applicant made a conditional offer that tests positive, or refuses to be tested, will be denied employment or have their offer withdrawn.

### **WHAT IF YOU FAIL TO FOLLOW SAFETY GUIDELINES?**

Often times, impairment from drugs or alcohol will cause an employee to fail to adhere to safety guidelines and other common sense safe working practices. Failure to wear a seatbelt, failure to use Township of Washington provided or required safety equipment, failure to follow safety guidelines, or removal (or disabling) of a safety guard will be willful misconduct connected with work, and subject the employee to discipline, up to and including discharge for violation of Township of Washington Policy.

### **WHAT ABOUT IMPAIRING EFFECT MEDICATIONS OR SUBSTANCES?**

Any employee working in a safety-sensitive position as defined by Township of Washington Policy is required, as a safety rule, to pre-duty disclosure that they are taking or using ANY impairing effect prescription, including medical marijuana, over-the-counter medications, mind altering synthetic or designer drugs or other substance which may have an effect on performance of safety-sensitive duties. This includes medical and recreational Marijuana, the use of which the Township of Washington, for safety reasons, will not be able to accommodate employees working in safety-sensitive positions. However, for employees who are qualifying medical marijuana cardholders reporting to work in those states which have statutory anti-discrimination against the use of medical marijuana laws, qualifying employees, and applicants, may request a reasonable accommodation by contacting the DER and such request will be considered. If the fact that the employee is taking or using an impairing effect medication or substance is not disclosed pre-duty by a safety-sensitive employee and the employee tests positive, is otherwise determined to be taking or using such, or is determined by the MRO to be a potential safety risk due to taking or using an impairing effect medication or substance, that employee will be subject to discipline, up to and including termination, for violation of this safety rule. If disclosure is made, the Township of Washington reserves the right to send the employee for a Fitness-for-Duty evaluation to evaluate the medication or substance and its effects on the performance of safety-sensitive duties. In advance of testing, employees are encouraged to have their own doctor make an individualized assessment of any safety-related risks of the medications or substances which they are taking or using, providing the doctor a copy of their job description and having the doctor render an opinion on the safety-related risks. The employee need not disclose to the Township of Washington the medication or medical condition involved to fulfill the disclosure obligation of this Policy. All information provided will be kept separate from personnel files and in a confidential manner. The MRO, or another Medical Professional selected by the Township of Washington, will make the final determination on the safety-related risks of any particular medication or substance.

### **WHAT IF AN ADULTERANT IS FOUND?**

The use of an adulterant (something added to a specimen to attempt to hide drug use) is considered a refusal to test and a violation of the Policy. The same would be true if you attempted to substitute a specimen. Any employee who is found to have violated this Policy by attempting to defraud a drug or alcohol test may be subject to appropriate disciplinary action, up to and including termination for willful

misconduct connected with work, or withdrawal of a job offer. No last chance opportunity is available under such a circumstance. It is a criminal offense to substitute or adulterate a test specimen. It also is a criminal offense in New Jersey to manufacture, sell, give away, or possess any device or substance designed or commonly used to substitute or adulterate a test specimen. *N.J. Stat. Ann. § 2C:36-10*. The MRO may declare a urine specimen to be adulterated or substituted based on the laboratory report.

## **WHAT IF I REFUSE?**

A refusal to provide a specimen for testing, unless the MRO agrees a medically valid reason exists for your inability, will be considered willful misconduct connected with work. Such willful misconduct connected with work will cause an applicant's offer to be withdrawn and will subject an employee to immediate termination for cause. Under New Jersey law, unemployment compensation benefits may not be available in such a circumstance. Failure to report for specimen collection within a reasonable time, two (2) hours, of being directed to do so is also classified as a refusal under the Township of Washington Policy.

## **DRUG EDUCATIONAL INFORMATION**

Attached to this Policy you will find drug educational information to assist you in recognizing the impairing effects of drug use. The Township of Washington will conduct employee education of substance abuse education and awareness and supervisor training on how to recognize signs of abuse, how to document and collaborate signs of employee substance abuse, and how to refer substance abusing employees to the SAP.

## **WHAT IF YOU HAVE A SUBSTANCE ABUSE PROBLEM?**

The Township of Washington will provide support for employees who need support and help with alcohol or drug dependency via confidential Employee Assistance Program (EAP) and/or Substance Abuse Professional (SAP) or Medical/Occupational Health support services. Employees who proactively seek treatment will be treated sympathetically and in a confidential manner. In certain cases, this may require a transfer to other duties (e.g. where a person is working in a safety critical role) while the individual is receiving treatment. However, the fact that an employee is seeking or undergoing treatment will not be a defence to a charge of wilful misconduct if the employee reports for work under the influence of alcohol or drugs. Our Policy encourages any employee with a drug or alcohol problem to voluntarily and confidentially seek help through our EAP/SAP program. Coming forward after you have been notified to report for testing is not considered a voluntary report. For confidential help with a substance abuse problem, contact the DER or the EAP/SAP. Counseling and rehabilitation for alcohol or substance abuse is available through the EAP/SAP, and may also be available under the health and welfare benefit program for employees, *only to the extent of the current benefits package*. The Township of Washington will assume no direct financial responsibility for counseling or rehabilitation costs of an employee, not covered by the EAP/SAP. Any costs in addition to or in excess of any available health benefits are the employee's responsibility. A list of state and national **Substance Abuse Resources** is a part of this Policy.



## WHAT ABOUT A LAST CHANCE OPPORTUNITY?

No last chance opportunity is available to a probationary, part time or temporary employee, or in the case of refusal, attempted adulteration, substitution, switching, tampering with, or diluting of a specimen or attempt to defraud a drug test. Employees who receive an EAP/SAP evaluation favorable for rehabilitation may be offered a last chance agreement which will subject the employee to unannounced follow-up testing for up to 12 months, together with other educational and counseling requirements as recommend by the EAP/SAP. A negative return to duty test is required to be placed back on active duty. A positive test, refusal or failure to comply with any term of the last chance agreement during this follow-up period will subject the employee to immediate termination.

## WHY AND WHEN DO WE TEST?

- Pre-employment: Drug testing will be performed on all final applicants for safety-sensitive positions, or who transfer into a safety-sensitive position, as a condition of their employment.
- Routine Fitness-for-Duty: Safety-sensitive employees may be required to submit to a drug test as part of a routine Fitness-for-Duty examination and may be based on a particular job classification.
- Reasonable Suspicion: All employees will be required to submit to a drug and/or alcohol test if the Township of Washington has a reasonable suspicion that an employee is under the influence of drugs or alcohol, which adversely affect or could adversely affect the employee's job performance. Employees selected for testing shall be suspended until a negative drug/alcohol screen or laboratory test result is received. If a negative result, the employee will not suffer a loss of pay.
- Post-Accident/Incident Testing: Testing of a safety-sensitive employee may be conducted under any of the following circumstances: 1) the employee involved in the incident/accident was actively engaged in the activity which objectively could have caused or contributed to the injury or damage; or 2) the employee was operating, controlling, or repairing any machinery, tool, device, equipment or vehicle that was involved in the incident/accident; or 3) the employee's action or inaction was likely a contributing factor to the incident/accident or cannot be completely discounted as a contributing factor based on current info; or 4) testing is being conducted as part of the Township of Washington's Post Incident/Accident Investigation related to possible Workers' Compensation Disqualification; or 5) testing is being conducted for other non-injured employees whose actions, or inaction, could have contributed to the incident/accident as part of a root cause investigation; or 6) post-accident drug testing is required by the Workers' Compensation Carrier or Fund.
- Random: Employees in safety-sensitive positions are subject to random drug testing. Those subject to testing are randomly selected, using scientifically valid methods, from a "pool" of covered employees. Non-DOT safety-sensitive employees may be included in a Non-DOT testing "pool." DOT regulated employees should only be placed in a DOT testing "pool."
- Rehabilitation/Follow-up: An employee who has voluntarily requested rehabilitation prior to a positive drug test may be subject to unannounced drug and/or alcohol testing under a work continuation agreement, to determine whether he or she is under the influence of alcohol or drugs after successful

completion of the rehabilitation program. The testing will be without notice in conjunction with a referral for treatment.

## **POLICY PROHIBITIONS**

Employees, applicants and Contractors for the Township of Washington are strictly prohibited from engaging in the following conduct:

1. With respect to illegal drugs, employees and applicants violate this Policy by engaging in the following conduct, whether or not during work time or on Township of Washington premises or property and are subject to discipline up to and including discharge, or rejection of the application for employment, or cancellation of contractual agreements:
  - a. Testing positive in a confirmed drug or alcohol test, or refusing to be tested.
  - b. Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs or drug paraphernalia on Township of Washington premises or property, including Township of Washington-owned or leased vehicles, or vehicles used for Township of Washington purposes.
  - c. Having possession of, being under the influence of, testing positive for, or being in close proximity to persons using illegal drugs, or otherwise having in one's system illegal drugs.
  - d. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing illegal drugs. In addition, the Township of Washington will refer such matters to the appropriate police authority.
  - e. A conviction or plea of guilty relative to any criminal drug offense occurring in the workplace. All employees must notify Township of Washington in writing of any criminal drug conviction no later than five (5) calendar days after such conviction. Drug use off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardise the health or safety of other employees, the public or the Township of Washington's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the-job drug offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Township of Washington and other factors related to the impact of the employee's conviction on the Township of Washington.
  - f. Abuse of prescription drugs which includes exceeding the recommended prescribed dosage or using others' prescribed medications. Such prescriptions brought to work should remain in the original labeled container and show both the prescribing doctor's name and the prescription's expiration date.

g. Switching, tampering with, diluting, or adulterating any specimen or sample collected under this Policy, or attempting to do so.

h. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, drug testing, medical or physical tests or examinations, when requested or conducted by Township of Washington or its designee, is a violation of Township of Washington Policy and may result in disciplinary action up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

i. Failure to advise pre-duty the Township of Washington of the use of a prescription or over-the-counter drug which may alter the employee's ability to safely perform the essential functions of his or her job.

j. Failure of an employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of drugs.

k. We strictly prohibit employees from using hemp products, which some within the medical community have indicated may cause a positive marijuana test result. We will not generally consider use of hemp products a valid medical explanation for a positive marijuana test result.

2. With respect to alcohol, employees violate this Policy by engaging in the following conduct during work time or on Township of Washington premises or property:

a. Bringing and/or storing (including in a desk, locker, automobile, or other repository) alcohol on Township of Washington premises or property, including Township of Washington owned or leased vehicles, or vehicles used for Township of Washington purposes.

b. Having possession of, being under the influence of, testing positive for or having in one's system, alcohol. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing alcohol. *Exceptions to the policy concerning alcohol consumption or possession may be made only upon the prior explicit approval of senior management for specifically identified circumstances.*

c. A conviction or plea of guilty relative to any criminal alcohol offense occurring in the workplace. All employees must notify Township of Washington in writing of any criminal alcohol conviction not later than five calendar days after such conviction. Alcohol use off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardize the health and safety of other employees, the public or Township of Washington equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the-job alcohol offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's

record with the Township of Washington and other factors related to the impact of the employee's conviction on the Township of Washington.

d. Switching, tampering with, or adulterating any specimen or sample collected under this Policy, or attempting to do so.

e. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, alcohol testing, medical or physical tests or examinations, when requested or conducted by Township of Washington or its designee, is a violation of Township of Washington Policy and may result in disciplinary action, up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

f. Failure of employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of alcohol.

### **HOW CAN YOU HELP?**

- I. If you are doing drugs – STOP!
- II. If you need help – ASK!
- III. If you know someone at work who is doing drugs – TAKE ACTION!
- IV. Don't let someone else's drug or alcohol problem be the cause of an ON THE JOB INJURY!

Only with your help can we truly have a safe, pleasant, and productive environment at the Township of Washington.

**Township of Washington  
Municipal Building  
523 Egg Harbor Road  
Sewell, NJ 08080  
(856) 589-0520  
(856) 582-0069**

## Drug Educational Information

### Alcohol (Depressant)

**Common Forms:** Beer, wine, hard liquor

**How Used:** Oral ingestion, patterns of use vary.

**Desired Effect:** People drink to relax, to socialize, as a part of a religious ceremony, for the control of physical and emotional pain, or for a variety of other reasons. Its depression of the central nervous system is progressive and continuous. It is a mood-modifying drug that usually provides a temporary feeling of mild euphoria and stimulation. This is a result of the initial depression of the higher centers of the brain which control inhibition. The more you drink, the more sedated you then become.

**Time in body:** Depends on many factors, such as body size, amount of alcohol consumed within an hour, and other individual factors. Performance is affected in relation to the amount consumed. Generally, a medium-sized person eliminates the equivalent of one drink per hour. However, "hangover" effects of alcohol have been documented for as long as 14 hours after consuming an intoxicating dose, well after the blood alcohol levels have returned to zero.

**Observable effects:** Staggering gait  
Slurred speech  
Odor of alcoholic beverage  
Shaky hands  
Poor eye-hand coordination  
Slowed reaction time  
Eyes react slowly to light - wears sun glasses

**Work behavior:** Arrive late, leave early, mis-outs  
Neglect of physical appearance  
Restlessness  
Tremors (hands, face, fingers, lips tongue)  
Slurred speech  
Uninhibited - makes inappropriate remarks

**Material Indicators:** Empty liquor bottles, cans, often in paper bags  
Flasks, sometimes disguised as other things

**Slang Terms** Booze, juice, hooch, grape, eye-opener, hair-of-the-dog, brew, suds, etc

### Amphetamines (Amphetamine and Methamphetamine)

#### Stimulant

**Common forms:** Amphetamine - usually capsules or white, flat, double-scored pills. Methamphetamine - white or granular powder, often packaged in aluminum foil or plastic bags.

**How used:** Orally, sniffed up the nose, or injected.

**Desired effects:** Most commonly sought after effects include euphoria, postponement of fatigue, increased energy, alertness and feelings of personal power. Repeated or chronic use often causes a strong dependence reaction and a schizophrenic loss contact with reality. Users coming off the drug experience extreme fatigue-induced sleep ("crash"), often followed by continued fatigue and depression.

**Time in body:** Injection or sniffed up the nose; "rush" felt within 1 minute. Orally, effects felt within about ½ hour. Single doses detectable for about 48 hours.

**Observable effects:** Dilated pupils. Flushed face, rapid respiration, profuse sweating. Hyper-excitability, talkativeness, restlessness. "Stereotypic" behavior often seen: person engages in repetitive tasks or mannerisms for extended periods of time. In large doses, inability to concentrate, confusion, panic.

**Work behavior:** Try to do job beyond competence level. Impaired ability to operate equipment. Takes chances, risks.

**Material Indicators:** Pills, capsules, white powder, granular crystals  
Foil wrapped tubes, baggies. Hypodermics and paraphernalia for injections

**Slang terms:** Defies, bennies, speed, crank, ice, crystal, white crosses, black beauties

### **Cocaine - A Stimulant**

**Common forms:** Cocaine - White crystalline powder. Free-base cocaine (crack) - white granular "rocks"

**How used:** Cocaine--usually snorted up the nose through a straw or from a "coke spoon" after being chopped to a fine powder with a razor blade. "Crack" -- freebase cocaine--is a processed version which is vaporized in a pipe and inhaled. Either form may also be injected.

**Desired effect:** Most commonly sought after effects are euphoria, stimulation, postponement of fatigue and feelings of personal power. The "high" lasts approximately one hour, with a "down" follow-on period. Psychological and physical dependence to "crack" after one to two uses; dependency to snorted coke takes longer to develop.

**Time in Body:** Single doses detectable for 12-24 hours

**Observable effects:** Dilated pupils. Talkativeness, restlessness. Sniffing, runny nose, irritated or bloody nose. Dramatic mood swings, from "down" to "up" in minutes. Sense of power sometimes manifested in aggressiveness

**Work issues:** Frequent trips "to the restroom"—secluded place. Frequent sick-outs and unexplained absences. Hyper-excitability and over-reaction to stimulus. Isolation/withdrawal from friends and activities. Financial problems--borrows, steals and/or sells to support habit. Insomnia, restlessness, lack of sleep

**Material Indicators:** Small folded paper envelopes (bindles), plastic bags, small vials used to store drug. Razor blades, mirrors, cut off straws, coke spoons. Small glass pipes, and heat sources used to volatilize crack.

**Slang terms:** Coke, snow, toot, crack, blow, happy dust, "C"

## Marijuana

**Common forms:** Dried green-brown flowers and leaves of the hemp (cannabis) plant--also as compressed tar like lumps (hashish) and sometimes as an oil to be spread on cigarettes (hash oil).

**How used:** Generally smoked in hand-rolled cigarettes (joints) or a small pipe, sometimes eaten in baked goods or steeped to make a tea.

**Desired effects:** Effects are somewhat dependent on the user and potency of the plant. Low doses tend to produce a dreamy state of relaxation and euphoria with changes in sensory perceptions (usually intensified) and alteration in thought formation and expression. Higher doses intensify these reactions with fragmentation of thought, memory impairment, shortened attention span, and illusions of insight. Marijuana currently sold on the street is 10 times more potent today than in past years.

**Time in body:** Marijuana dissolves in body fat cells and is detectable for extended periods of time--up to seven (7) days for occasional users and four (4) weeks or longer for chronic users

**Observable effects:** Red bloodshot glassy eyes (users often wear dark glasses and use eye drops to combat). Poor muscular control. Rambling, disconnected speech patterns. Euphoria--as laughing out of context. Getting "hung up" - i.e., going into the bathroom to comb your hair and coming out two hours later. Distinctive odor in air and/or on clothing.

**Work issues:** Lack of attention, vision and auditory changes, and poor muscular control. Inability to respond to emergencies and sudden situational changes. Frequent sick-outs and mis-outs. Lackadaisical "I don't care" attitude about person and work. Chronic health problems for frequent users--persistent cough, fatigue, frequent sickness.

**Material indicators:** Baggies of green-brown vegetable matter; rolling papers; small pipes (for marijuana) and very small pipes (for hashish); "roach clips" to hold the burned end of the marijuana cigarette; "roaches" discarded on the floor or in ash trays; distinctive odor of marijuana in the air.

**Slang terms:** Dope, grass, reefer, weed, ganja, pot, etc.

## Opioids (Morphine and Codeine)--Narcotic Depressants

**Common forms:** Street forms are pills, liquids and powders. Morphine is derived from opium. Opium dissolved in alcohol, containing 10% morphine, is legally available in many states as "paregoric."

Morphine and codeine are widely used medicinally. Morphine is a naturally occurring alkaloid, and is also found in products containing poppy seeds. Heroin is a semi-synthetic derivative of morphine.

**How used:** Opium is usually smoked. Codeine is most commonly taken orally. Heroin and morphine are injected; powders can be snorted; cigarettes can be dipped in paregoric and smoked.

**Desired effects:** Most commonly effects include euphoria, relief from pain, and a feeling of dissociated well-being. Low maintenance doses allow the addict to function on a daily basis. The heroin user experiences a "rush" described as a very pleasurable whole-body reaction lasting 5-10 minutes, followed by several hours of mental and physical relaxation.

**Time in body:** Single doses are usually detectable for 48-72 hours.

**Observable effects:** Pinpoint pupils. Sweating, nausea, vomiting in novice users. "Nodding off"--the head drooping toward the chest, then bobbing up. Overly calm, detached facial expression. Confusion, mental dullness and slurred speech. Needle marks over veins.

**Work issues:** Increased sick-outs, mis-outs. Lack of interest in work, no attention to detail. Sharing of needles brings a high risk of contracting hepatitis and/or AIDS. High cost of the addiction may lead to borrowing money, stealing and selling (on or off the premises).

**Material indicators:** Foil or paper "bindles" for holding the drug. Charred spoons or bottle caps, used to cook the drug. Multiple burned matches used to cook the drug. Needles, syringes, eye droppers used for injection. Balloons or prophylactics used to hold drug. Bloody tissue papers, blood on shirt sleeves.

**Slang terms:** Heroin, dope, smack, shit, hard stuff, "H", china, monkey dust, china white, etc.

## **Phencyclidine (PCP)**

**Common forms:** Pills, liquid, powder, and PCP cigarettes

**How used:** Usually smoked with tobacco or marijuana, but may be injected, swallowed, eaten or snorted.

**Desired effects:** Users report desirable feelings of immobility, numbness, and detachment. Other sought-after effects include feelings of strength, power, and invulnerability, a dream-like detachment from reality (often coupled with lack of coordination).

**Time in body:** Usually detectable 1- 8 days, but chronic users may test positive for several weeks following the last dose.

**Observable effects:** Low doses: Sedated, euphoric, uncoordinated behavior. Wide mood swings. Sparse and purposeless speech. Muscle rigidity and jerky eye movements (nystagmus).

**High doses:** Coma-like states with muscle rigidity and staring, half-closed eyes. Sudden stimuli may send the user into a psychotic state, with extreme agitation, violent behavior, abnormal strength, and inability to speak or comprehend.

**Work issues:** Wide mood swings, unpredictable behavior, aggressive. Tremendous liability in the work force.

**Material indicators:** Cigarettes that look as if they have been wet. Crystals, liquids or powders in small vials. Folded aluminum foil or paper packets.

**Slang terms:** PCP, angel dust, hog, dust, DOA, shermans, sherms, peace pills, dummy, etc.



# Substance Abuse Professionals

## NATIONAL RESOURCES

|                                                                                                |                 |
|------------------------------------------------------------------------------------------------|-----------------|
| A2Z Alcohol & Drug Abuse-Addiction .....                                                       | 1-800-274-2042  |
| Al-Anon/Alateen Family Group Headquarters.....                                                 | 1-800-356-9996  |
| Alcoholics Anonymous World Service .....                                                       | 1-212-870-3400  |
| American Council on Alcoholism Helpline .....                                                  | 1-800-527-5344  |
| 800 Cocaine--An Information and Referral Hotline.....                                          | 1-800-262-2463  |
| Nar-Anon Family Group Headquarters .....                                                       | 1-310-547-5800  |
| Narcotics Anonymous .....                                                                      | 1-818-773-9999  |
| National Association of Alcoholism (NAADAC).....                                               | 1-800-548-0497  |
| <a href="http://www.naadac.org">www.naadac.org</a> Fax: .....                                  | 1-800-377-1136  |
| National Association of Addiction Treatment Professionals.....                                 | 1-717-581-1901  |
| <a href="http://www.naatp.org">www.naatp.org</a>                                               |                 |
| National Council on Alcoholism and Drug Dependence, Inc. ....                                  | 1-212-269-7797  |
| <a href="http://www.ncadd.org">www.ncadd.org</a>                                               |                 |
| Hope Line (24-hour affiliate referral).....                                                    | 1-800-NCA-CALL  |
| Center for Substance Abuse Prevention's Workplace Hotline.....                                 | 1-800-WORKPLACE |
| National Clearinghouse for Alcohol & Drug Information .....                                    | 1-800-729-6686  |
| Center for Substance Abuse Prevention's Drug Information,<br>Treatment & referral Hotline..... | 1-800-662-HELP  |
| (Spanish-Espanol).....                                                                         | 1-800-66-AYUDA  |

**TOWNSHIP OF WASHINGTON  
ALCOHOL AND DRUG-FREE WORKPLACE POLICY  
NEW JERSEY NON-DOT**

**NOTICE TO ALL EMPLOYEES AND APPLICANTS**

**DRUG-FREE WORKPLACE**

The Township of Washington is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This Policy highlights the Township of Washington's New Jersey Drug-Free Workplace Policy. The Township of Washington's Designated Employer Representative (DER) is the Human Resources Officer. The Alternative DER is the Business Administrator.

The Township of Washington recognizes the prime importance to the Township of Washington of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the effects of substance abuse. While the Township of Washington has no intention of intruding into the private lives of its employees, or preventing them from taking the medicine that they may need to stay safe and healthy, the Township of Washington does expect employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's alcohol or drug use. Ultimately an employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Township of Washington has a duty to safeguard its employees and the public from the risk of harm from employees who work under the influence of alcohol and drugs. Similarly, employees who know that a fellow employee is working under the influence, owe a similar duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable.

Notice of the Township of Washington's New Jersey Non-DOT Drug and Alcohol testing will be provided on vacancy announcement and is posted in conspicuous locations on Township of Washington premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Township of Washington safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment. The Township of Washington has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers employees of governmental entities*. Applicant testing will begin immediately and sixty (60) days after the effective date of June 26, 2021, all employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

**TOWNSHIP OF WASHINGTON**

**Township of Washington**  
**Active Employee Certificate of Receipt [DFW01]**

I do hereby certify that I have received and read the New Jersey Drug-Free Workplace Policy, which explains the Township of Washington 's adherence to New Jersey Laws. I have had the terms and conditions of the Township of Washington 's Drug and Alcohol Testing policy explained to me relative to screening or tests by the Township of Washington, for the purpose of determining the presence of, and content of, any or all of the following substances under circumstances as set forth in the Township of Washington's Policy:

- |                 |                        |
|-----------------|------------------------|
| 1. Amphetamines | 4. Phencyclidine (PCP) |
| 2. Cannabinoids | 5. Cocaine             |
| 3. Opioids      |                        |

Testing may also include a metabolite of any of the above substances and mind-altering synthetic narcotics or designer drugs. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

I understand that any employee who tests positive, or refuses to be tested, may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, and/or forfeit eligibility for Worker's Compensation benefits *N.J. Stat. Ann. § 34:15-7* if post-accident and may adversely affect an employee's eligibility to receive Unemployment Compensation benefits.

**POSITIVE DRUG OR ALCOHOL TEST, OR REFUSAL CONSEQUENCES:**

- 1) Classified as a positive test or refusal to test**
- 2) Discharge from employment**
- 3) Possible disqualification from Workers' Compensation Benefits**
- 4) Possible disqualification from Unemployment Compensation Benefits**

I also understand that it is not the purpose of this test to identify any disability I may have and that all activities will be conducted in accordance with ADA regulations.

I also understand that the Township of Washington and/or its designated representative will collect specimens for testing for the purpose of determining the presence of, and content of, drug and alcohol substances, as well as to obtain results from any alcohol or drug test administered post-accident by law enforcement and release of the results of said tests to the Township of Washington, its DERs, to the Township of Washington's Medical Review Officer, and as set forth in the Policy.

Employee Printed Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Printed Name: \_\_\_\_\_ Witness Signature: \_\_\_\_\_

**(This form is to be signed by employee and retained in personnel file.)**

**Township of Washington  
Pre-Employment Substance Testing  
Consent and Release Form [DFW02]**

I do hereby certify that I have been given notice of the Township of Washington's pre-employment substance abuse testing policy; that I have been provided with access to a copy of the Township of Washington's New Jersey Drug-Free Workplace Policy and have been made a conditional offer of employment. I hereby freely and voluntarily consent to submit to tests as shall be determined by the Township of Washington in the selection process of final applicants for employment, for the purpose of determining the presence of, and content of, any or all of the following substances:

- |                 |                        |
|-----------------|------------------------|
| 1. Amphetamines | 4. Phencyclidine (PCP) |
| 2. Cannabinoids | 5. Cocaine             |
| 3. Opioids      |                        |

Testing may also include a metabolite of any of the above substances and mind-altering synthetic narcotics or designer drugs. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

I agree that the employer representative, collection site, physician, or clinic may collect these specimens for screening or testing and may screen them or forward them to a testing laboratory for analysis.

I further agree to and hereby authorize the release of the results of said tests to the Township of Washington, its DERs, and to the Township of Washington's Medical Review Officer and its agents as provided in the Policy.

I understand that a negative test is a pre-condition of employment with the Township of Washington and that refusal to submit to testing, or a positive test result will result in the rejection of my application, or the rescinding of a conditional offer of employment. I also understand that it is not the purpose of this screen or test to identify any disability I may have and that pre-employment screening and testing activities are conducted in compliance with ADA requirements.

I further agree that a reproduced copy of this pre-employment consent and release form shall have the same force and effect as the original and shall continue while my application is being considered and during any post-consideration proceedings. I have carefully read the foregoing and fully understand its contents. I acknowledge that my signing of this consent and release form is a voluntary act on my part and that I have not been coerced into signing this document by anyone.

Applicant: Print name: \_\_\_\_\_ SS# \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date \_\_\_\_\_

Witness Printed Name: \_\_\_\_\_ Witness Signature: \_\_\_\_\_

**TOWNSHIP OF WASHINGTON  
ACKNOWLEDGMENT OF CONSEQUENCES OF  
REFUSAL TO PARTICIPATE IN DRUG TESTING [DFW03]**

I, \_\_\_\_\_, an employee of Township of Washington, acknowledge that I am refusing to report for Drug and Alcohol testing in accordance with the requirements of Township of Washington's New Jersey Drug-Free Workplace Policy. I am aware that I am in violation of the Policy. I am aware that I am subject to certain adverse consequences as a result of my choice.

**REFUSAL CONSEQUENCES:**

- 1) Classified as a refusal to test**
- 2) Possible Discharge from employment**
- 3) Possible Disqualification from Workers' Compensation Benefits**
- 4) Possible Disqualification from Unemployment Compensation Benefits**

**I have read this Acknowledgment of Consequences of Refusal to Participate in Drug Testing and understand it.**

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Address (city, state, zip)

**(If employee refuses to sign, please have two witnesses sign below)**

\_\_\_\_\_  
Witness 1 Signature

\_\_\_\_\_  
Witness 2 Signature

\_\_\_\_\_  
Witness 1 Address (city, state, zip)

\_\_\_\_\_  
Witness 2 Address (city, state, zip)

## **ACCESS TO PERSONNEL FILES POLICY**

**Effective Date: 7/1/98**

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

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Township of Washington premises in the presence of the Business Administrator or a designated Supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion, or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employee may add to the file their versions of any disputed item.

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

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

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

## **CONFLICT OF INTEREST POLICY**

**Effective Date: 7/1/98**

**Revision Date: 11/9/16**

Employees, including the Township of Washington Officials, must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Township of Washington. Violations of this policy will result in appropriate discipline, including termination.

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

A potential or actual conflict of interest occurs whenever an employee, including a Township of Washington Official, is in a position to influence a Township of Washington decision that may result in a personal gain for the employee or an immediate relative, including a spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household. Employees are required to disclose possible conflicts so that the Township of Washington 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 Business Administrator or the Solicitor to obtain clarification.

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

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

## **POLITICAL ACTIVITY POLICY**

**Effective Date: 7/1/98**

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using Township of Washington time, supplies, or equipment in any political activity. Any violation of this policy must be reported to the Supervisor, Department Head, or Business Administrator.

## **MEMBERSHIP IN OUTSIDE ORGANIZATIONS**

**Effective Date: 7/1/98**

It shall be the policy of the Township of Washington that any employee who is involved with any outside organization will participate in the organization on their own time.

This applies to any professional, recreational, or organized labor group; the only exception being when the employee is the direct representative of the Union that his/her particular title is represented by. An employee being a voluntary member of any group or organization other than the unit that represents their title for the purpose of negotiations shall participate in the group on their own time and at their own expense.

Any employee serving as a representative of a Collective Bargaining Unit shall participate on Township of Washington time only as outlined in their particular Bargaining Agreement.

## **EMPLOYEE DISCIPLINE POLICY**

**Effective Date: 7/1/98**

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

- Falsification of public records, including attendance and other personnel records;
- Failure to report absence;
- Harassment of co-workers and/or volunteers and/or visitors;
- Theft or attempted theft of property belonging to the Township of Washington, fellow employees, volunteers, or visitors;
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
- Fighting on Township of Washington property;
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Township of Washington property and at any time during work hours;
- Possession, sale, transfer, or use of intoxicants or illegal drugs on Township of Washington property and at any time during work hours;



- Insubordination;
- Entering the building without permission during non-scheduled work hours;
- Soliciting on Township of Washington premises during work time. This includes, but is not limited to, distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.;
- Careless waste of materials or abuse of tools, equipment, or supplies;
- Deliberate destruction or damage to Township of Washington or suppliers' property;
- Sleeping on the job;
- Carrying weapons of any kind on Township of Washington premises and/or during work hours, unless carrying a weapon is a function of your job duties;
- Violation of established safety and fire regulations;
- Unscheduled absence and chronic or excessive absence;
- Chronic tardiness;
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;
- Defacing walls, bulletin boards, or any other Township of Washington or supplier property.
- Failure to perform duties, inefficiency, or substandard performance;
- Unauthorized disclosure of confidential Township of Washington information;
- Gambling on Township of Washington premises;
- Horseplay, disorderly conduct, and use of abusive and/or obscene language on Township of Washington 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 Township of Washington rules or policies;
- Conduct unbecoming a public employee;
- Violation of Township of Washington policies, procedures, and regulations;
- Violation of Federal, State, or Township of Washington laws, rules, or regulations concerning drug and alcohol use and possession;
- Misuse of public property, including motor vehicles;
- Unauthorized use of computers, Internet, and email;
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion, or suspension or fine exceeding five (5) working days. Minor discipline includes a formal, written reprimand, or a suspension or fine of five (5) working days or less. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

In cases of employee misconduct, the Township of Washington 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 order to correct undesirable behavior, Supervisors and Managers may utilize the following corrective tools: counseling/verbal reprimand; Business Administrator's review; written reprimand; suspension; fines; and dismissal. At the discretion of the Township of Washington, 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.

## **PROGRESSIVE DISCIPLINE**

**Effective Date: 7/1/98**

**Revision Date: 3/23/06**

The purpose of this policy is to state Township of Washington's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace.

The Township of Washington strives to maintain fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. A primary purpose of any disciplinary action, depending upon the infraction, is to correct and address the problem, prevent recurrence, and prepare the employee for satisfactory service in the future, if termination does not result from the misconduct.

Disciplinary action may call for any of four steps – counseling/verbal reprimand, written reprimand, suspension with or without pay, or termination of employment – depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Further, some of the steps of progressive discipline could vary based on a particular Collective Negotiations Agreement.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Discipline Policy includes examples of conduct that may result in immediate suspension or termination of employment. However, the items listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

## **RESIGNATION POLICY**

**Effective Date: 7/1/98**

Resignation is a voluntary act initiated by the employee to terminate employment with the Township of Washington. Although advance notice is not required, the Township of Washington requests at least two (2) weeks written resignation notice from all employees.

Prior to an employee's departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

## **RETURN OF PROPERTY**

**Effective Date: 7/1/98**

Employees are responsible for items issued to them by the Township of Washington or in their possession or control such as the following:

- Equipment
- Identification badges
- Keys
- Manuals
- Pagers
- Cellphones
- Protective equipment
- Security passes
- Tools
- Uniforms
- Vehicles
- Written materials

All Township of Washington property must be returned by employees on or before their last day of work. Where permitted by applicable laws, the Township of Washington may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Township of Washington may also take all action deemed appropriate to recover or protect its property.

## **WORK FORCE REDUCTION POLICY**

**Effective Date: 7/1/98**

The Township of Washington may institute layoff actions for economy, efficiency, or other regulated reasons, but will first consider voluntary alternatives. (Seniority, lateral, or other re-employment rights for employees will be determined by the Business Administrator.)

## **DRIVER'S LICENSE POLICY**

**Effective Date: 7/1/98**

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

All new employees who will be assigned work entailing the operating of a Township of Washington 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 employees' drivers' licenses through visual and formal Department of Motor Vehicles review checks shall be made by Department Heads or Supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate a Township of Washington vehicle until such time as a valid license is obtained.

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

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

## **CHANGING VITAL INFORMATION**

**Effective Date: 5/4/21**

It is the responsibility of each employee to notify the human resources official and the payroll office promptly, in writing, of any changes of vital information including but not limited to:

- 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
- Persons to notify in case of emergency

Changes may be accomplished by completing and filing an Employee Information Change Form with the human resources official and by completing the necessary insurance and pension forms with the payroll office. When necessary, the payroll office will provide the employee with additional proper forms to change beneficiary, income tax deductions, etc.

**SECTION TWO**  
**WORKPLACE POLICIES**

**JOB DESCRIPTION POLICY**

**Effective Date: 7/1/98**

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

**EMPLOYMENT CATEGORIES**

**Effective Date: 7/1/98**

It is the intent of the Township of Washington to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Township of Washington.

Each employee is designated as either NONEXEMPT or EXEMPT from Federal and State wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of Federal and State laws. EXEMPT employees are excluded from specific provisions of Federal and State wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Township of Washington management.

In addition to the categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or probationary status and who are regularly scheduled to work Township of Washington's full-time schedule. Generally, they are eligible for Township of Washington's benefit package, subject to terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or probationary status and who are regularly scheduled to work less than thirty-two (32) hours per week. While they do receive all legally mandated benefits (such as Social Security and Workers' Compensation Insurance), they are ineligible for all of Township of Washington's other benefit programs.

PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the Township of Washington is appropriate. Employees who satisfactorily complete the probationary period will be notified of their new employment classification.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as Workers' Compensation Insurance and Social Security), they are ineligible for all Township of Washington's other benefit programs, including paid time off.

## **ATTENDANCE POLICY**

**Effective Date: 10/18**

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the Supervisor gives prior approval. All absences must be reported to the Supervisor prior to the start of the normal workday. The normal working hours for administrative departments are 8 AM to 5 PM and may be revised during summer hours which are generally Memorial Day through Labor Day. The working hours for other departments are established by departmental procedures and Bargaining Unit Agreements.

To maintain a safe and productive work environment, Township of Washington expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Township of Washington. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Due to the nature of their positions and long-standing Township of Washington practice, the Business Administrator and Director of the Department of Law are exempt from this policy provided they meet the duties of their positions as provided by statute and Township ordinance.

## **WORK SCHEDULES**

**Effective Date: 7/1/98**

**Revised: 10/18**

The normal work schedule for all 5-day 32-hour employees is 6.5/6.0 hours a day, 5 days a week. The normal work schedule for all 4-day employees is 8 hours a day, 4 days a week. The normal work schedule for all 5-day 40-hour employees is 8 hours a day, 5 days a week. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

**Overtime may not be worked unless approved in advance by a Supervisor.**

**Work from home is not permitted unless approved by both the Mayor and the Business Administrator (Department Head approval is insufficient).**

Employees shall receive two 15-minute breaks, one during the first half of the shift and one during the second half of the shift. Breaks shall be scheduled in the discretion of the Department Head.

Due to the nature of their positions and long-standing Township of Washington practice, the Business Administrator and Director of the Department of Law are exempt from this policy provided they meet the duties of their positions as provided by statute and Township ordinance.

## **EMPLOYEE CONDUCT AND WORK RULES**

**Effective Date: 7/1/98**

**Revision Date: 3/8/06**

To ensure orderly operations and provide the best possible work environment, Township of Washington expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property;
- Working under the influence of alcohol or illegal drugs;
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace;
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property;
- Insubordination or other disrespectful conduct;
- Violation of safety, health, or fire rules;
- Smoking in prohibited areas;
- Sexual or other unlawful or unwelcome harassment;
- Possession of dangerous or unauthorized materials, such as explosives or fire arms in the workplace;
- Excessive absenteeism or any absence without notice;
- Unauthorized use of telephones, mail system, or other employer-owned equipment;
- Unauthorized disclosure of business "secrets" or confidential information;
- Unsatisfactory performance or conduct;
- Falsification of public records, including attendance and other personnel records;
- Failure to report to workday on days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;

- Entering the building without permission during non-scheduled work hours;
- Sleeping on the job;
- Chronic tardiness;
- Gambling on Township of Washington premises;
- Horseplay, disorderly conduct and use of abusive and/or incitement of others to delay or restrict their work effort;
- Conviction of a crime;
- Violating any Township of Washington rules or policies;
- Violation of Federal, State, or Township of Washington regulations concerning drug and alcohol use and possession;
- Misuse of public property, including motor vehicles;
- Other sufficient cause.

## **ENERGY EFFICIENCY AND WASTE REDUCTION POLICY**

**Effective Date: 11/9/16**

**Revision Date: 7/12/17**

The Township of Washington strives to improve energy efficiency and reduce waste, conserve resources, and reduce operational cost in the office environment. To that end, employees are encouraged to perform their work in manners that are energy- and cost-efficient and environmentally responsible. Employees are expected to implement the following practices when possible:

- Turn off lights when rooms are not in use and at the end of the workday
- Turn off computers when they are not in use for extended periods and at the end of the workday
- Print documents as little as possible, using digital records and files to the greatest extent feasible
- Print and copy documents in black and white, rather than in color
- Print and copy documents in double-sided format
- Sort recyclable office waste and non-recyclable trash to appropriate disposal containers

In addition, employees are encouraged to identify and implement other practices that conserve energy and resources wherever reasonable.

## **EARLY CLOSING AND DELAYED OPENING POLICY**

**Effective Date: 7/1/98**

**Revised: 10/18**

At times, emergencies such as severe weather, fires, power failures, or earthquakes can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid. Employees who are on leave during an emergency (e.g., sick, vacation, etc.) will not be paid for the emergency time off.



In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off.

## **MEAL PERIODS**

**Effective Date: 7/1/98**

**Revised: 8/18**

All full-time employees are provided with one (1) meal period of one (1) hour unpaid time in length each workday to be scheduled at the discretion of the Department Head, not to include the first or last hour of the workday. The lunch break must be taken at designated lunch times. A day is recognized as eight hours of work time. Employees who fail to return on time from lunch breaks will be subject to disciplinary action.

Employees are not allowed to switch lunch hours for late arrival or end-of-day early leave unless approved by both the Mayor and the Business Administrator (Department Head permission is not sufficient).

## **PERSONAL APPEARANCE**

**Effective Date: 7/1/98**

**Revised: 10/18**

The Township of Washington expects employees to dress appropriately in business casual attire.

Because our work environment serves customers, professional business casual attire is essential. Customers make decisions about the quality of our products and services based on their interaction with you.

Consequently, business casual attire includes suits, pants, jackets, shirts, skirts, and dresses that, while not formal, are appropriate for a business environment.

Examples of appropriate business attire include a polo shirt with pressed khaki pants, a sweater and a shirt with slacks, a jacket with skirt or slacks and a blouse or a sweater with a skirt or pants. Pantsuits and sports jackets also fit the business casual work environment if they are not too formal.

Jeans, t-shirts, shirts without collars and footwear such as flip flops and sneakers are not appropriate for business casual attire. A fancy shoe or sandal is permitted, although appearance should be neat and clean. On Fridays, employees are allowed to “dress down” in casual attire, including jeans, shirts without collars, and sneakers, but not including flip flops or inappropriate attire. Casual dress should still be modest and appropriate for a business setting. On Fridays, we expect that your attire, although casual, will exhibit common sense and professionalism as it should every other day of the week.

Employees are not permitted to wear anything that other employees might find offensive or that might make coworkers uncomfortable. This may include: transparent clothing items, clothing with holes exposing skin, low-cut blouses, and other revealing clothing. This also includes clothing with profane

language statements or clothing that promotes causes that include, but are not limited to, politics, religion, sexuality, race, age, gender, and ethnicity.

Employees who wear business attire that is deemed inappropriate in the workplace, will be addressed on an individual basis and subject to disciplinary action, up to and including termination.

The Township's goal is to provide a workplace environment that is comfortable and inclusive for all employees. The Township expects that business attire, although business-casual, will exhibit common sense and professionalism. Employees are expected to demonstrate good judgment and professional taste and must use courtesy towards coworkers and the public.

The Township of Washington will accommodate an employee whose religion requires him/her to keep his/her head covered or to wear a religious item unless doing so would impose an undue hardship on the Township

### **NO SMOKING POLICY**

**Effective Date: 7/1/98**

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Township of Washington has adopted a smoke-free policy for all buildings. Township of Washington facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Township of Washington buildings. Employees are permitted to smoke only outside Township of Washington buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Township of Washington and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

### **USE OF EQUIPMENT AND VEHICLES POLICY**

**Effective Date: 7/1/98**

**Revision Date: 3/23/06**

Any employee whose work requires the operation of Township of Washington vehicles must hold a valid Driver's License. Unless an employee receives permission from the Mayor or Business Administrator, Township of Washington owned vehicles shall be used only on official business and all passengers must be on Township business.

Vehicles may be taken home only with the advance approval of the Mayor or Business Administrator. The Mayor or Business Administrator may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Township of Washington vehicle, it is to be used only for official Township of Washington business; any other use is not permitted. At no time shall children be in the Township of Washington vehicle when responding to an emergency. Any violation of this policy constitutes cause for disciplinary action.

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

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the Supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possibly injury to employees or others. The Supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

## **TELEPHONE/CELL PHONE USAGE POLICY**

**Effective Date: 10/18**

### **Use of Personal Communication Devices**

Township of Washington recognizes that cell phones and personal communication devices have become valuable tools in managing our professional and personal lives. However, use of these devices in the workplace can raise a number of issues involving safety, security, and privacy. Therefore, the Township of Washington has adopted the following rules regarding the use of personal communication devices in the workplace during working hours:

- Except in cases of emergency, employees should conduct personal business during lunch breaks and other rest periods. This includes the use of personal communication devices (including cell phones) for personal business (including personal phone conversations and text messages, personal e-mails, and use of the Internet for personal reasons). Employees should be considerate of their co-workers and keep ring tones and alerts on vibrate or silent while at work. Phone calls made during an employee's lunch break or rest period should be made away from the employee's desk or work station so as not to disturb co-workers. Minimal or incidental use is permitted (e.g., child confirming safe arrival at home after school).
- When attending a meeting with customers, clients, co-workers, employees should turn off or silence their cell phones and personal communication devices. Except in extraordinary

circumstances (e.g., family emergency), employees may not respond to personal calls during a meeting. It is not proper practice to be on a cell phone in an area where a resident may approach area/counter for customer service.

- Employees are prohibited from using a device's camera to take photographs in the workplace. Phones and other devices with cameras or recording capabilities are strictly prohibited in all work areas that contain proprietary information or confidential documents (specific information may be included about work areas where cameras are prohibited). Camera phones and other devices with photographic or recording capabilities may not be brought into restrooms, locker rooms, or other private areas in the workplace.
- Making discriminatory or harassing comments to co-workers via any electronic means of communication is prohibited. This includes offensive messages, photos, or images that are sexual in nature or that are offensive to a person based on his or her race, color, religion, national origin, gender, sexual orientation, disability, or any other characteristic protected by federal, state, or local law. The Township of Washington's policies on professional conduct, discrimination, and harassment apply to all electronic communications to its employees, customers, clients, and vendors.

#### Use of Cell Phones while Driving:

The Township of Washington encourages the safe use of cellular telephones by employees who use them to conduct business for the Township of Washington. The use of cell phones while performing the actual act of driving Township of Washington vehicles or while driving on Township of Washington business is prohibited. Driving a vehicle requires all senses to focus on the act of driving so it can be accomplished safely.

Employees who use cellular phones while on company business, should not make or receive business calls while driving. If an employee receives a business phone call while driving, the employee should allow the phone call to go to a message on the phone and then stop the vehicle in a proper parking area to return or make the call.

Employees who use cell phones while driving from one place to another, must keep business conversations brief while stopped, and must stop the vehicle and park in a proper parking area. Employees should remember, the primary purpose of operating the vehicle is to go from your place of employment to a destination to accomplish a preset task for the Township of Washington.

Employees who are faced with an emergency, such as a traffic accident or car trouble, may find it necessary to make a phone call. Again, stop the vehicle and park in a safe parking area to use the cell phone.

Charges, if any, for personal calls may require reimbursement to the Township of Washington.

Violation of this policy may result in disciplinary action, up to and including termination of employment.

## **SOLICITATION**

**Effective Date: 7/1/98**

**Revision Date: 3/23/06**

In an effort to ensure a productive and harmonious work environment, persons not employed by the Township of Washington may not solicit or distribute literature in the workplace at any time for any purpose.

The Township of Washington recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during work time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

In addition, the posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- Affirmative Action statements
- Employee announcements
- Internal memoranda
- Job openings
- Policies
- Procedures
- Meetings
- Special Events

If employees have a message of interest to the workplace, they may submit it to the Personnel Director for approval. All approved messages will be posted by the Personnel Director.

## **COMMUNICATION MEDIA POLICY**

**Effective Date: 7/1/98**

**Revision Date: 11/9/16**

The Township of Washington's Communication Media are the property of the Township of Washington and, as such, are to be used primarily for legitimate business purposes. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the Township of Washington, 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 Township's communication media for personal purposes without prior authorization from a Supervisor to do so.

All data stored on and/or transmitted through Communication Media is the property of the Township of Washington. For purposes of this policy, "Data" includes "electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Township of Washington business purpose, regardless of who creates, processes or maintains the data,

or whether the data is processed manually or through any of the Township of Washington's mainframe, midrange or workstations, servers, routers, gateways, bridges, hubs, switches and other hardware components of the Township of Washington's local or wide-area networks".

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

All email, voicemail, and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (N.J.S.A. 47:1A-1). Employees of the Township of Washington are required to use the assigned municipal email account for ALL Township of Washington business and correspondence. The use of private email accounts for ANY Township of Washington business or during business hours is strictly prohibited. Employees are 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 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 addresses 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, threatening, intimidating, or that could create a hostile work environment on the bases of race, sex, disability, religion, or any other status protected by law if the employee chooses to address their grievances using Communication Media.

Employees may not use Township of Washington's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Township of Washington 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 (local unit type's) 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 Township of Washington. Certain data, or applications that process data, may require additional security measures as determined by the Township of Washington. 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 Township'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 Township.

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

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

Employees may not install or modify ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Township of Washington. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Township of Washington, or licensed to the Township of Washington. 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 (where applicable) must not be changed. The foregoing includes, but is not limited to the systems Network ID (or Computer Name), IP Address, Gateway, and DNS addresses etc.

The Township of Washington encourages employees to share information with co-workers and with those outside the Township of Washington for the purpose of gathering information, generating new ideas, and learning from the work of others to the extent such sharing is permitted by the Township of Washington. Social media provides inexpensive, informal, and timely ways to participate in an exchange of ideas and information. 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 Business Administrator may engage in social media activity during work time through the use of the Township of Washington's Communication Media, provided that it is directly related to their work and it is in compliance with this policy.

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

No Township of Washington employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Mayor or Business 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 Township of Washington'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 Mayor or Business Administrator. Except in "emergency situations", employees are prohibited from taking digital images or photographs with media equipment not owned by the Township of Washington. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Township of Washington's Communication Media. If such situation occurs, employee agrees that any images belong to the Township of Washington and agree to release the image to the Township of Washington and ensure its permanent deletion from the media device upon direction from the Township of Washington.

No media advertisement, electronic bulletin board posting, or any other posting communication accessible via the Internet about the Township of Washington or on behalf of the Township of Washington, whether through the use of the Township of Washington's Communication Media or otherwise, may be issued unless it has first been approved by the Business Administrator. Under no circumstances may information of a confidential, sensitive, or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Township of Washington. Such unauthorized communications may result in disciplinary action. Specifically, employees are forbidden from using the Township's Communication Media to impersonate the employer; to make statements on behalf of the employer without authorization; and/or to make statements that can be construed as establishing what the employer's official position or policy is on any particular issue. In addition, employees are prohibited from placing or posting on the Internet through the employer's Communication Media or the employee's own personal media, either during working or non-working hours, any 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 on the Internet through use of the Township of Washington's Communication Media will display on the Township of Washington's return address, any information posted on the Internet must reflect and adhere to all of the Township of Washington's standards and policies.

All users are personally accountable for messages that they originate or forward using the Township of Washington'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 Mayor or Business Administrator is prohibited.

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

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

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

## **TOWNSHIP SOCIAL MEDIA/WEBSITE COMMENT POLICY**

**Effective: 10/18**

### Purpose

This policy sets forth guidelines for the establishment and use by the Township of Washington ("Township") of all social media sites (including, but not limited to Facebook, Instagram, and Twitter) as a means of conveying the Township of Washington-related information to its residents, employees, and visitors. For purposes of this policy, "social media" is understood to be the content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet.

Examples of social media include Facebook, blogs, RSS, YouTube, Second Life, Twitter, LinkedIn, Instagram, and others. For purposes of this policy, “comments” include information, articles, pictures, or other information posted by any person or entity other than the Township.

### Scope

This policy shall apply to all Municipal agencies and departments, as well as any affiliated government or non-government agency or official permitted by the Township to post on Township social media sites.

### General Policy

1. The establishment and use by any municipal department of the Township’s social media sites are subject to approval by the Business Administrator or his/her designees. All Township social media sites shall be administered by Washington Township’s Information Technology (“IT”) staff or designated third party provider.
2. The Township social media sites should make clear that they are maintained by the Township and that they follow this Social Media Policy.
3. Wherever possible, the Township social media sites should link back to the official Township website for forms, documents, online services, and other information necessary to conduct business with Washington Township.
4. The Township shall designate an employee or volunteer to monitor content (the “Social Media Coordinator”) on the Township social media sites to ensure adherence to both this Social Media Policy and the interests and goals of the Township. Washington Township has the right and will restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Any content removed based on these guidelines will be retained by the Social Media Coordinator pursuant to the applicable Township retention policy, including the time, date, and identity of the poster, when available.
5. These guidelines must be displayed to users or made available by hyperlink.
6. The Township will approach the use of social media tools as consistently as possible, enterprise wide.
7. The Township website at [www.twp.washington.nj.us](http://www.twp.washington.nj.us) will remain the Township’s primary and predominant internet presence.
8. The Township social media sites and this Policy are subject to all applicable federal and NJ laws and regulations, including the Open Public Records Act, as well as applicable record retention requirements.
9. Any content maintained in a social media format that is related to the Township’s business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
10. Employees representing the Township’s government via its social media sites must always conduct themselves as a representative of the Township and in accordance with all its policy.

## Comment Policy

1. As a public entity, the Township of Washington must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The intended purpose behind establishing the Township social media sites is to disseminate information from the Township, about Washington Township, to its residents, employees, and visitors.
3. Comments containing the following inappropriate forms of content shall not be permitted on The Washington Township social media sites and are subject to removal and/or restriction by the Township Administrator or his/her designees:
  - a. Comments not related to the original topic, including random or unintelligible comments;
  - b. Profane, obscene, violent, or pornographic content and/or language, or sexually suggestive or links to such materials. Any image or link containing minors or suspected minors in sexual situations will be reported to law enforcement.
  - c. Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, or national origin, marital status, status regarding public assistance, physical or mental disability or sexual orientation;
  - d. Defamatory or personal attacks;
  - e. Threats to any person or organization;
  - f. Comments in support of, or in opposition to any political campaigns or ballot measures;
  - g. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
  - h. Postings in violation of any federal, state, or local law or social media company rules and regulations;
  - i. Encouragement of illegal activity;
  - j. Information that may tend to compromise the safety or security of the public or public systems; or
  - k. Content that violates legal ownership interest, such as a copyright. The Township does not permit or allow copyright infringing activities and/or infringement of intellectual property rights on its website or social media sites and will remove all content and submissions if properly notified that such content and/or Submission infringes on another's intellectual property rights.
  - l. Private contact information such as names, addresses, and phone numbers no matter how easily obtained elsewhere.
  - m. Photographs or videos.
  - n. Personal information of a person other than the poster.
  - o. Spamming or repetitive content.
  - p. Comments from children under 13 cannot be posted in order to comply with the Children's Online Privacy Protection ACT. By posting on a Township social media site, users acknowledge that they are at least 13 years old.
4. A comment posted by a member of the public on any Township social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or

agreement by, the Township, nor do such comments necessarily reflect the opinions or policies of the Township.

5. Any attempt to hack or otherwise compromise the Township's internet or social media sites will be reported to law enforcement and the perpetrator will be denied access to the sites.
6. The Township reserves the right to deny access to its social media sites for any individual who violates the Township's Social Media Policy, at any time and without prior notice.
7. Municipal Departments shall monitor their social media sites for comments requesting responses from the Township and for comments in violation of this Policy.
8. When a Township employee responds to a comment, in his/her capacity as a Township employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself, or other Township employees.
9. All comments posted to any Township Facebook site are bound by any applicable terms and conditions Facebook's Statement of Rights and Responsibilities, located at [www.facebook.com/terms.php](http://www.facebook.com/terms.php), and the Township reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action. All Township policies are applicable to interactions on the social media sites when acting in the official capacity and representing the Township.
10. No "friending" or other special relationship between a Township employee and a third person is permitted.
11. Social media sites are not to be used for making any official communications to the Township, for example, reporting crimes or misconduct, reporting dangerous conditions, giving notice required by any statute ordinance or regulation (e.g., notice of claim). Prominent notice of this paragraph shall be displayed on every Township social media site, along with the appropriate contact information for submitting such a communication.

#### Breach of Policy

1. Breach of this Policy by any Township employee may result in disciplinary action up to and including dismissal. Any evidence of such occurrence shall be immediately referred to the Business Administrator for review and prompt corrective action if confirmed.
2. Disciplinary action may be taken regardless of whether the breach is committed during working hours, and regardless of whether our equipment or facilities are used for the purpose of committing the breach.
3. Any member of staff suspected of committing a breach of this policy will be required to cooperate without investigations, which may involve handing over relevant passwords and login.
4. Staff may be required to remove internet postings which are deemed to constitute a breach of Policy, as determined by the Township Administrator, subject to applicable archiving and retention requirements.
5. Any Township social media site created, administered, or maintained by a Township employee or volunteer remains the property of the Township, including all the followers and friends generated by the site. If the person who created the site leaves the employment of the Township, they must relinquish everything related to the site, including usernames and passwords.

Terms of Use Disclosure (to be posted on all Township Social Media Sites)

A. Information Disclaimer

By visiting this site, you understand and agree that the Washington Township government site is provided "AS IS". Washington Township government makes every effort to provide accurate and complete information on this website. The information contained herein is not official nor in any way shall it be deemed to constitute legal notice where such legal notice is required by law. The information contained in this site is provided as a service and convenience to people needing information about the Township of Washington government. Portions of the information on this site may be incorrect or not current. Township of Washington government, its officers, employees, or agents shall not be liable for damages or losses of any kind arising out of or in connection with the use or performance of information, including but not limited to, damages or losses caused by reliance upon the accuracy or timelines of any such information or damages incurred from the viewing, distributing or copying of those materials.

B. Linking Policy

Links TO External Sites

The Township of Washington government site contains links to outside websites. These websites are not owned, operated, controlled, or reviewed by the Township of Washington government. These links are provided solely as a courtesy and convenience to you, the visitor.

The Township of Washington government, its officers, or employees, exercise no control over the organizations, views, accuracy, copyright or trademark, compliance or the legality of the material contained in these outside websites. The Township of Washington government, its officers, or employees, do not sponsor, endorse, or approve the information, content, proceeds, materials, opinions, or services contained on such outside websites. The visitor proceeds to these outside websites at his/her own risk. The Township of Washington government specifically disclaims any and all liability from damages, which may result from the accessing of a third-party site, which is linked to the Township of Washington government website or from reliance upon only such information.

C. Endorsement Disclaimer

Reference in this website to any specific commercial products, processes, or services, or the use of any trade firm or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by the Township of Washington government or its officers, employees, or agents.

D. Copyright and Trademark Limitations

Township of Washington government makes no warranty that materials contained herein are free of copyright or trademark claims or other restrictions or limitations on free use or display. Making a copy of such material may be subject to copyright or trademark laws.

#### E. Use of Material from this Site

The Township of Washington government has made the content of these pages available to the public and anyone may view, copy, or distribute *Township of Washington government information* found here without obligation to the Township of Washington government for non-commercial, personal use only, unless otherwise stated on particular material or information to which a restriction on free use may apply.

The design of this site, original graphics, and original content are all copyrighted by the Township of Washington and may not be re-engineered, distributed, modified, transmitted, re-used, reposted, or duplicated without the express written permission of the Township of Washington in each instance. All requests to use any part of the original design, code, graphics or content of this site should be made via e-mail to the Township Administrator.

#### F. Unauthorized Modifications

Unauthorized attempts to modify or otherwise alter any information or image stored on any Township of Washington government website may result in criminal prosecution.

### **USE OF INTERNET**

**Effective: 10/18**

The Township 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 Township, including, but not limited to policies regarding prohibition of discrimination and harassment and all applicable federal, state, and local laws, including laws governing the transmission and dissemination of information while accessing the Internet.

Employees who are using the 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 Township'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 Township reserves the right to monitor the employee's Internet usage. In addition, the Township has the right to restrict access to specific types of prohibited content through the use of a content filtering system.

## **VIDEO SURVEILLANCE POLICY**

**Effective Date: 7/1/98**

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

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

No employee is permitted to view, continually watch, search, copy, or otherwise use one of the Township of Washington's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission from the designee of the Township of Washington.

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

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

## **BULLETIN BOARD POLICY**

**Effective Date: 7/1/98**

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

## **EMPLOYEE DATING POLICY**

**Effective Date: 11/9/16**

**Revised: 5/4/21**

The Township of Washington strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

### Procedures:

1. During working time and in working areas, employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
2. During non-working time, such as lunches, breaks and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on the Township of Washington premises, whether during working hours or not.
4. Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate provisions of the Township of Washington disciplinary policy which may include counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
6. Supervisors, managers, executives or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor or the Department Head. This disclosure will enable



the Township of Washington to determine whether any conflict of interest exists because of the relative positions of the individuals involved.

7. Where problems or potential risks are identified, the Township of Washington will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.

8. In some cases, other measures may be necessary such as transfer to other positions or departments.

9. Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.

10. Continued failure to work with the Township of Washington to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination. The organization's disciplinary policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.

11. The provisions of this policy apply regardless of the sexual orientation of the parties involved.

12. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.

13. Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should make their feelings known to the human resources official or other designated individual.

## **IDENTIFICATION CARD POLICY**

**Effective Date: 2/28/08**

The purpose of this policy is to establish a form of recognition of the Township of Washington's employees by positively identifying them with a Township of Washington issued "ID Badge". The badge will be recognizable by picture, style, and information. This policy will also set reasonable guidelines for the issue, wearing, maintenance, replacement, and return of the ID card.

Identification cards are the express property of the Township of Washington and are considered to be a uniform item. The card design will be the Township of Washington's Business Administrator's decision. The front will have, at a minimum, a picture of the employee, the department assigned, and position or title of the said employee. Each employee will be issued: 1 ID card with 1 lanyard with a breakaway clasp (Police Department), or with 1 lanyard with J-hook or retractable badge holder (all clerical staff) or, 1 retractable badge holder (Municipal Services).

All employees will wear the ID card in a visible location when performing the duties of their capacity during or after normal working hours. ID cards will be kept in a clean and neat fashion. ID cards will be replaced periodically to maintain the integrity and overall appearance of the badge. If an ID card is

damaged or lost, a memo to the Business Administrator will be needed to replace the missing card. The memo must be routed through the Department Head. The Township of Washington will replace the lost ID card. The Township of Washington will replace one (1) lost ID card in a one (1) year period of issue free. Any further cards lost within the period will be at the employee's expense of \$5.00 per card. Cards replaced because of normal wear and tear will be at no charge to the employee.

ID cards that are lost or misplaced, will be returned to the employee when found or turned in. When the employment of an employee is terminated, the employee must return the ID card to their department. If the ID card is not surrendered, the employee's final pay will be withheld until the Township of Washington is in receipt of the card.

## **OUTSIDE EMPLOYMENT**

**Effective Date: 7/1/98**

Employees may hold outside jobs as long as they meet the performance standards of their job with the Township of Washington. All employees will be judged by the same performance standards and will be subject to the Township of Washington's scheduling demands, regardless of any existing outside work requirements.

If the Township of Washington determines that an employee's outside work interferes with performance of the ability to meet the requirements of the Township of Washington as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Township of Washington.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Township of Washington for materials produced or services rendered while performing their jobs for the Township of Washington.

## **SECURITY POLICY**

**Effective: 5/4/21**

The Employer makes every effort to provide for employees' safety and security while at work. The Employer, however, does not accept responsibility for the protection of employees' personal property. The Employer is not liable for loss or damage to personal property.

The Employer maintains a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the Employer prohibits the possession, transfer, sale, or use of such materials on its premises. The Employer requires the cooperation of all employees in administering this policy. Desks, lockers, other storage devices, and Employer vehicles may be provided for the convenience of employees, but remain the sole property of the Employer. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the Employer at any time, either with or without prior notice. The Employer may conduct video surveillance of

Employer property to, among other things, identify safety concerns, detect theft, and discourage or prevent acts of harassment and workplace violence. Additionally, the Employer may monitor employee e-mails.

Security is everyone's responsibility. If any employee sees or suspects that an individual is breaching security, it is the employee's responsibility to notify his or her supervisor or Department Head immediately. In the event a serious incident occurs, employees must report it to their Department Head promptly. The following are examples of serious incidents that should be reported immediately:

1. Any accident which results in the injury of a third party while on the premises.
2. Any incident in which physical force is either used by or against an employee.
3. Any incident which involves a crime, or an attempt to commit a crime, such as robbery or the theft of money.
4. Any incident in which a serious unfavorable reaction from the public might be expected.
5. The loss of Employer keys.
6. Any other incident, which an employee believes is of a nature that it should be brought to the attention of the Department Head without delay.

Employees are encouraged to make any reports, in writing, so that they may be properly addressed by the Employer.

#### **STATE RESIDENCY REQUIREMENT**

**Effective: 5/4/21**

Every employee shall have his/her principal place of residence in the State of New Jersey. New hires shall have one year from the time of taking office, employment or position to satisfy the requirement of principal residency. Failure to satisfy this requirement shall render the employee unqualified for holding office, employment or position with the Employer.

If, however, an employee holds an office, employment, or position with the Employer as of Sept. 1, of 2011 (the effective date of P.L.2011, c.70), but does not have his or her principal residence in this State on that effective date, he/shall will not be subject to the residency requirement while that employee continues to hold office, employment, or position without a break in public service of greater than seven (7) days.

#### **NON-DISCLOSURE**

**Effective Date: 7/1/98**

The protection of confidential Township of Washington information is vital to the interests and the operation of the Township of Washington. Such confidential information includes, but is not limited to, the following examples:

- Confidential personnel information
- Labor relations strategies

- Pending projects and proposals
- Any police-related matters that employees may have access to

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose Township of Washington confidential business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

## **CHILDREN IN THE WORKPLACE POLICY**

**Effective Date: 8/26/21**

This policy establishes guidelines and procedures governing children in the workplace at the Township of Washington. These policies and procedures are necessary to avoid decreased employee productivity due to distractions and disruptions of employees in the performance of their job duties, to reduce personal and property liability to the Township of Washington, to protect the welfare and safety of employees' children, and maintain a professional work environment.

This policy does not apply to children who are participating in authorized programs and activities such as Honor Award Programs or Take Our Daughters and Sons to Work Day.

Children are not permitted at the workplace as a result of daycare difficulties during normal business hours because of the legal liability of permitting such a practice. Supervisors should be liberal in granting leave to employees who need to make emergency day care arrangements when unforeseen problems arise.

Employees are not permitted to bring ill children to the workplace under any circumstances.

Employee requests for leave or time off to bond with a newborn child, or care for a child, should be made under the appropriate leave/time off policy.

## **PETS IN THE WORKPLACE POLICY**

**Effective Date: 8/26/21**

The Township of Washington is responsible for assuring the health and safety of all employees. In keeping with this objective, the Township of Washington does not permit employees to bring their household pet(s) to work. Animals may pose a threat of infection and may cause allergic reactions in other employees, which can cause interruptions to their ability to work effectively. Some employees may feel threatened or be distracted by the presence of animals. In addition, the Township wishes to prevent pets from fouling the office space or damaging Township of Washington property. This policy is necessary to avoid liability to the Township of Washington should an employee or visitor be bitten or injured by a pet brought to work.

An employee who requires the help of a service animal will be permitted to bring a service animal to the workplace, provided that the animal's presence does not create a danger to others and does not impose an undue hardship upon the Township of Washington.

Under the Americans with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

**SECTION THREE**  
**PAID AND UNPAID TIME OFF POLICIES**

**HOLIDAYS**

**Effective Date: 7/1/98**

**Revision Date: 1/23/13**

The Township of Washington will grant holiday time off to all employees on the holidays listed below:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Good Friday (Friday before Easter)
- Memorial Day (last Monday in May)
- Juneteenth (June 19)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- Veterans' Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas (December 25)
- Day after Christmas

The Township of Washington will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees
- Probationary employees

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday unless the employee is out on approved time off. If an employee takes off dock-time (no paid time available) or is out on disciplinary action (suspension) at time of holiday, holiday pay will be forfeited.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied and employee will not be charged with the sick or vacation time off.

Four (4) day (Monday to Thursday) employees are eligible for FLOATING HOLIDAYS, which occur when a regularly scheduled holiday falls on a Friday. The employee is entitled to take the holiday as a FLOATING HOLIDAY which is scheduled at the discretion and with the permission of the department Supervisor, as is all scheduled time off. FLOATING HOLIDAYS must be used as full days only. FLOATING HOLIDAYS must be used within the current year or they will be relinquished. Under no circumstance may they be carried over into the next year.

## **TRAVEL EXPENSES**

**Effective Date: 7/1/98**

The Township of Washington will reimburse employees for mileage expenses incurred while on assignments away from the Township of Washington. All travel must be approved in advance by the Business Administrator.

When approved, the actual cost mileage directly related to accomplishing business travel objectives will be reimbursed by the Township of Washington.

The only expenses that will be reimbursed are:

- Mileage costs for use of personal cars, only when a Township of Washington vehicle is not available.

Mileage will be reimbursed at the current Federal rate.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate Supervisor. Vehicles owned, leased, or rented by Township of Washington may not be used for personal use without prior approval.

When travel is completed, employees should submit mileage expense reports within thirty (30) days.

Abuse of this mileage expense policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

## **VACATION**

**Effective Date: 7/1/98**

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time four (4) day employees
- Regular full-time five (5) day employees
- Regular part-time employees
- Probationary employees

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. However, before vacation time can be used, a waiting period of ninety (90) calendar days must be completed. After that time, probationary employees can request use of earned vacation time, including that accrued during the waiting period.

Paid vacation time can be used in minimum increments of one (1) hour. To take vacation, employees should request advance approval from their Supervisors. Requests will be reviewed based on a number of factors, including department needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of the vacation. It does not include overtime or any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, employees may carry one (1) week of unused time forward to the next benefit year. Under no circumstances is there any financial reimbursement to active employees for unused vacation time.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work. However, if the Township of Washington, in its sole discretion, terminates employment for cause, forfeiture of unused vacation time may result.

Permanent part-time employees in certain positions working over twenty (20) hours per week, but under thirty-two (32), are entitled to two (2) vacation days of five (5) hours each for a total of ten (10) hours per year. Part-time employees may not carry any time over from year to year. Part-time employees paid through grant monies are not entitled to any vacation time.

Full-time employees not covered by a separate Bargaining Agreement earn paid vacation leave on January 1<sup>st</sup> of each calendar year in accordance with the following schedule: (NOTE: Employees who began employment prior to July 1<sup>st</sup> will be considered as having completed the year of service; those beginning July 1<sup>st</sup> and after will wait until the next year for credit; *with the exception being an employee who will be completing his **first** year by September 30<sup>th</sup>; that employee will be credited with **two (2) weeks** that second calendar year*).



|                                                        | <u>40 Hour Employees</u> | <u>32 Hour Employees</u> |
|--------------------------------------------------------|--------------------------|--------------------------|
| First year of service (July 1 <sup>st</sup> and after) | 0 hours per year         | 0 hours per year         |
| First year of service (by June 30 <sup>th</sup> )      | 40 hours per year        | 32 hours per year        |
| Completed first year of service (by 9/30)              | 80 hours per year        | 64 hours per year        |
| Completed five years of service                        | 120 hours per year       | 96 hours per year        |
| Completed ten years of service                         | 160 hours per year       | 128 hours per year       |
| Completed twelve years of service                      | 168 hours per year       | 136 hours per year       |
| Completed sixteen years of service                     | 176 hours per year       | 152 hours per year       |
| Completed seventeen years of service                   | 184 hours per year       | 160 hours per year       |
| Completed eighteen years of service                    | 192 hours per year       | 168 hours per year       |
| Completed nineteen years of service                    | 200 hours per year       | 176 hours per year       |
| Completed twenty years of service                      | 208 hours per year       | 184 hours per year       |

*Under no circumstance will unearned vacation time be advanced to any employee.*

### **PERSONAL DAYS**

**Effective Date: 7/1/98**

**Revision Date: 1/15/99**

All full-time regular employees, not covered by a separate Bargaining Agreement, will receive three (3) personal days per year. Four (4) day per week employees and five (5) day, forty (40) hour per week employees will be entitled to twenty-four (24) hours per year and five (5) day, thirty-two (32) hour per week employees will be entitled to eighteen (18) hours per year.

Any new employees beginning employment prior to July 1<sup>st</sup> will be entitled to three (3) days the first year of employment. Any employee who leaves employment of the Township of Washington prior to the end of a year will be entitled to pro-related personal hours based on the number of months of employment. Likewise, any employee having used the balance of his/her personal time who leaves employment before the end of a calendar year will be responsible for reimbursement/deduction of the pro-rated time from their final paycheck.

Personal time may be used in not less than hourly increments. Personal time must be requested and approved according to Township of Washington guidelines for approving paid time off.

### **SICK LEAVE**

**Effective Date: 7/1/98**

**Revision Date: 4/26/21**

*[This policy is drafted in accordance with New Jersey's Earned Sick Leave Law and shall apply only to employees who do not receive paid sick leave with full pay pursuant to any other law, rule, or regulation of this State, or who are covered under an applicable collective negotiations agreement.]*

For every 30 hours worked, an employee shall accrue one hour of sick leave. An employee may accrue or use in any year, or carry forward from one year to the next, no more than 40 hours of earned sick leave.

The Employer permits an employee, pursuant to N.J.S.A. § 34:11D-3(a), to use the earned sick leave accrued for any of the following instances:

- (1) Time needed for diagnosis, care, or treatment of, or recovery from, the employee's own mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- (2) To aid or care for a family member during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
- (3) If an employee or a family member are a victim of domestic or sexual violence, and are obtaining services from a designated domestic violence agency or other victim services organization, medical attention, legal services, counseling, or are relocating due to the domestic or sexual violence;
- (4) Closure of an employee's workplace, or of the school or place of care of an employee's child, due to an epidemic or public health emergency, or because of the issuance by a public health authority of a determination that the presence of the employee or their family member in the community would jeopardize the health of others; or
- (5) If an employee needs to attend a school-related conference, meeting, function or other event requested or required by an administrator, teacher, or other professional school staff member responsible for the education of the employee's child, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

In regard to the above, the Employer requires three (3) days' notice for any foreseeable use of leave. If the use of leave is unforeseeable, the employee should notify the Employer as soon as practicable of their need to use same. Should an employee need to use three (3) or more consecutive days of leave, said employee must provide the Employer with reasonable documentation that the leave is being taken for one of the purposes permitted above. Reasonable documentation shall be as defined in N.J.S.A. § 34:11D-3(b).

An employee is eligible to use the earned sick leave beginning on the 120th calendar day after the employee starts work. The employee may subsequently use earned sick leave as soon as it is accrued.

An employee who exhausts all paid sick leave in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year.

The following benefit will be paid to the terminated employee:

- Any employee having worked longer than one (1) year, and not covered by a separate Bargaining Agreement, will receive sick pay for any accumulated sick time at one hundred percent (100%) of their then hourly rate.
- Any employee discharged for cause is not eligible to receive the above sick pay benefit.

## Regular Full-Time Employees and Probationary Employees

Eligible regular full-time employees and probationary employees will accrue sick leave benefits at a rate of ten (10) hours per month for the forty (40) hour per week employee and eight (8) hours per month for the thirty-two (32) hour per week employee. Sick hours are credited at the completion of the month.

Employees can request use of paid sick leave after completing a waiting period of ninety (90) calendar days from the date they become eligible to accrue sick leave benefits. Paid sick leave can be used in minimum increments of one (1) hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household or is in a position to need the care of the employee or as required by applicable law.

Employees who are unable to report to work due to illness or injury should notify their direct Supervisor before the scheduled start of their workday, if possible. The direct Supervisor must also be contacted on each additional day of absence. If an employee is absent for three (3) or more days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for the other sick leave absences as well and may be required as a condition to receiving sick leave benefits. Before returning to work from a sick leave absence of thirty (30) calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation.

Full-time employees not covered by a separate Collective Bargaining Agreement will be eligible for a Township sick-time buy back at 100% of total sick leave. The employee must have a bank of thirty (30) unused sick days before being eligible for sick-time buy back by the Township. The employee may sell back full days up to a maximum of twelve (12) days. Payment shall be received no later than December 15<sup>th</sup> of each year. The request for Township buy back must be made by December 1<sup>st</sup> of each year.

Unless precluded by this policy (e.g., part-time employees), unused sick leave time will be allowed to accumulate indefinitely. See policy on EMPLOYMENT TERMINATION for payment of accumulated sick leave at employment termination.

Sick leave benefits are intended solely to provide protection in the event of illness or injury, and may not be sued for any other absence unless required by applicable law.

## **LEAVE USAGE**

**Effective Date: 8/26/21**

Utilization of vacation, personal days, and sick leave is the employee's responsibility to manage throughout the year. No exceptions will be made. Leave usage must be requested and approved according to the Township of Washington guidelines for approving time off.

**Employees Covered under a Collective Bargaining Agreement – The employment details set out in this policy work in conjunction with, and do not replace, amend or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with the Employer. Wherever employment details in this policy differ from the terms expressed in a collective bargaining agreement with the Employer, the specific terms of the collective bargaining agreement will control.**

**FITNESS FOR DUTY**

**Effective Date: 7/1/98**

**Revised: 10/18**

When an employee is out on extended sick leave, illness, unpaid family leave, or Worker’s Compensation Injury Leave, the Township of Washington may require a physical examination by the Township of Washington Physician of Record to be performed at the Township of Washington’s expense, to determine whether or not an employee will be able to perform his job according to the requirements of his position.

If it is determined that the employee is not able to perform in his capacity, the Township of Washington will not allow the employee to return to that position. The Township of Washington will attempt to place the employee in an alternative position if such a position is available and the employee is considered to possess the ability to perform such job. The Township is also committed to complying with all Federal and State laws governing accommodations and anti-discrimination.

**BEREAVEMENT LEAVE**

**Effective Date: 7/1/98**

**Revised: 10/18**

In the event of the death in the immediate family of a full-time, regular, or probationary employee, except those employees covered under a separate Collective Bargaining Agreement, the employee may be granted a leave of absence with pay. Such a leave of absence must be contiguous with the event(s) surrounding the loss.

The following is a schedule of leave of absence with pay:

| <b><u>Relative:</u></b>                       | <b><u>5-Day Employee</u></b> | <b><u>4-Day Employee</u></b> |
|-----------------------------------------------|------------------------------|------------------------------|
| Aunt/Uncle                                    | 1 Working Day                | 1 Working Day                |
| Grandmother/Grandfather                       | 2 Working Days               | 2 Working Days               |
| Father/Mother-In-Law<br>Brother/Sister-In-Law | 5 Working Days               | 4 Working Days               |

|                                     |                 |                 |
|-------------------------------------|-----------------|-----------------|
| Mother/Father/Step<br>Mother/Father |                 |                 |
| Brother/Sister                      | 7 Working Days  | 6 Working Days  |
| Spouse/Son/Daughter                 |                 |                 |
| Grandchild/Step Child               | 15 Working Days | 12 Working Days |

Employees are also granted an additional 15 days paid leave to care for a minor in the event of a death of a relative, which may be taken sporadically, with Supervisor approval, in a three-month period following the date of death. In the event of the death of any other relative, accumulated sick leave may be utilized with the approval of the Business Administrator. Proof of the death and relationship may be required at the Township of Washington’s discretion.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their Supervisor’s approval, use any available paid leave for additional time off as necessary.

**JURY DUTY**

**Effective Date: 7/1/98**

The Township of Washington encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees who have completed a minimum of ninety (90) calendar days of service in an eligible classification may request up to two (2) weeks of paid jury duty leave over any two (2) year period.

Jury duty pay will be calculated on the employee’s base pay rate times in the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their Supervisor as soon as possible so that the Supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either the Township of Washington or the employee may request an excuse from jury duty if, in Township of Washington’s judgment, the employee’s absence would create serious operational difficulties.

The Township of Washington will continue to provide health insurance benefits until the end of the month in which the unpaid jury duty leave begins. At that time, employees will become responsible for the full

costs of these benefits if they wish coverage to continue. When the employee returns from jury duty, benefits will again be provided by the Township of Washington according to the applicable plans.

Benefit accruals such as vacation, sick leave, or holiday benefits will be suspended during unpaid jury duty leave and will resume upon return to active employment.

For days which the employee is paid for jury duty, employee is required to hand in jury duty payment from the courts to the Township of Washington.

## **WITNESS DUTY**

**Effective Date: 7/1/98**

The Township of Washington encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed, or otherwise requested to testify as witnesses by the Township of Washington, they will receive paid time off for their entire period of witness duty. Employees will be granted a maximum of eight (8) hours of paid time off to appear in court as a witness at the request of a party other than the Township of Washington. Employees will be paid at their base rate and are free to use any remaining paid leave benefits (such as vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the employee's Supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

## **LEAVE OF ABSENCE**

**Effective Date: 7/1/98**

**Revised: 10/18**

Employees may be granted a personal leave of absence for up to six (6) months at the sole discretion of the Business Administrator if the leave does not cause undue operational disruption. The leave must include the use of any accrued vacation, sick leave time, personal time, and, if applicable, leave time under the FMLA or NJFLA, 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 Business Administrator may extend a leave of absence for an additional six (6) months, if such extension is considered in the best interest of the Township of Washington.

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 (2) weeks in any month will not receive holiday pay, and will not accrue personal leave, sick leave, or vacation time for that month. Health benefits may also be impacted. Refer to the Township of Washington's Health Benefits Policy. A personal leave is granted with the understanding that the employee intends to

return to work for the Township of Washington. If the employee fails to return within five (5) business days after the expiration of the leave, the employee shall be considered to have resigned.

## **DONATED LEAVE PROGRAM**

**Effective Date: 4/26/21**

The Employer will permit employees to voluntarily donate accrued benefit time, including sick and/or vacation days, to a fellow employee of the Employer who has exhausted their own earned leave as a result of a catastrophic health condition or injury suffered by themselves or an immediate family member which is expected to require a prolonged absence from work. The Donated Leave Program will be administered in such a manner as to ensure the goals of the program are met without interfering with any employee's rights to privacy as otherwise protected by Federal or State law, rules or regulations.

Eligibility. A permanent full-time employee shall be eligible to receive donated sick or vacation leave if the employee:

1. Has completed at least one year of continuous service;
2. Has exhausted all accrued sick, vacation, personal, compensatory and administrative leave as well as all sick leave injury benefits, if any;
3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined in writing for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave; and
4. Either:
  - a) Suffers from a catastrophic health condition or injury;
  - b) Is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or
  - c) Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).

### Definitions.

"Catastrophic Health Condition or Injury" shall mean:

- With respect to an employee, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his or her mental or physical health or the health of the employee's fetus and requiring the care of a physician who provides a medical verification of the need for the employee's absence from work for sixty (60) or more work days.
- With respect to an employee's immediate family member, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his or her mental or physical health and requiring the care of a physician who provides a medical verification of the need for the family member's care by the employee for sixty (60) or more work days.

"Immediate Family Member" shall mean: Father, mother, father-in-law, mother-in-law, spouse, domestic partner, child, son-in-law, daughter-in-law, grandparent, grandchild, brother or sister. Any interpretation of this definition shall be made in the sole discretion of the Chief Administrative Officer.

"Leave Recipient" shall mean an employee who is desirous of accepting leave time accrued and donated by fellow employees.

"Leave Donor" shall mean an employee who is desirous of providing, without compensation, accrued sick, vacation, or personal days to a fellow employee dealing with a Catastrophic Health Condition or Injury.

Procedure.

1. Written Request - An employee may submit a request, in writing, to their Department Head or the Chief Administrative Officer to participate in the Donated Leave Program either as a Leave Recipient or Leave Donor. A supervisor may submit a request to receive time on behalf of an employee unable to make the request.

2. Medical Verification - The employee requesting the employee's acceptance as a Leave Recipient shall submit to the Employer medical verification, signed by a physician licensed by the State of New Jersey, concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be. The medical verification required for the receipt of donated leave shall include the nature and anticipated duration of the catastrophic health condition or injury, or the donation of an organ. The same medical documentation set forth above will be required whether applying for donated leave to care for one's self or immediate family member.

3. Notice - Upon approval by the Chief Administrative Officer, the Department Head or Supervisor shall, with the Leave Recipient's consent, post or circulate the employee's name along with those of other eligible employees in a conspicuous manner to encourage the donation of leave time. If the employee is unable to consent to this posting or circulation, the employee's family may consent on his or her behalf.

Participation Requirements.

1. Leave Recipient must receive at least five (5) sick days or vacation days or a combination thereof from one or more leave donors to participate in the donated leave program.

2. Leave Recipient may not collect temporary disability benefits (TDI) or worker's compensation insurance benefits while utilizing time donated.

3. Leave Recipient is limited to a lifetime maximum of two-hundred and sixty (260) donated sick days or vacation days and shall not receive any such days on a retroactive basis.

4. Leave Donors shall have remaining at least twenty (20) days of accrued sick leave if donating sick leave and at least twelve (12) days of accrued vacation leave if donating vacation leave.

5. Leave Donor shall donate only whole sick days or whole vacation days and may not donate more than thirty (30) such days to any one recipient.

6. Leave Donor shall not revoke the leave donation.



7. While using donated leave time, the Leave Recipient shall accrue sick leave and vacation leave under the normal Employer policies and shall be entitled to retain such leave upon his or her return to work.
8. Upon a Leave Recipient's return to work or separation from employment for any reason, any unused, donated leave shall be returned to the Leave Donors on a prorated basis upon the Leave Recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that the leave time shall not be returned.
9. Upon retirement, the Leave Recipient shall not be granted supplemental compensation on retirement for any unused days which he or she had received through the leave donation program.
10. An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving the voluntary donation, receipt or use of donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.
11. Upon receipt of a request to donate time, the human resources official will verify that the Leave Donor is eligible to donate time and said Department will deduct appropriate time from the Leave Donor.
12. Leave Recipients may use donated leave in one-half day or whole day increments. Recipients may return to work on a part time, or intermittent basis, and remain eligible for the program as long as they do not exceed two-hundred and sixty (260) days in a lifetime.
13. An incident is considered closed when the recipient is medically cleared to return to work without restrictions.
14. If the recipient returns to work or otherwise terminates employment, the remaining balance of unused donated leave must be equally returned to all donors in whole day increments only. Partial day increments will not be restored to the donor nor remain credited to the recipient.
15. An illness or injury of an immediate family member requiring an employee's absence from work to provide care must meet the same criteria applicable to an employee's own medical necessity.

## **FAMILY AND MEDICAL LEAVE ACT POLICY**

**Effective Date: 7/1/98**

**Revision Date: 3/23/06**

**Revised: 4/26/21**

In accordance with the federal Family and Medical Leave Act (“FMLA”), the Township of Washington provides eligible employees with up to twelve (12) weeks of unpaid medical and family leave during any twelve (12) month period and up to twenty-six (26) workweeks to care for a Covered Service member. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position. The following outlines employees’ rights and obligations under the FMLA and the Township of Washington’s policies implementing the FMLA.

Leave Available. Eligible employees may take up to a total of twelve (12) weeks of unpaid leave during any twelve (12) month period for any one or more of the following reasons:

- The birth, adoption, or placement for foster care of the son or daughter of an employee, and to care for such child;
- A serious health condition of a spouse, son, daughter, or parent of an employee if the employee is needed to care for such family member; or
- A serious health condition of an employee that makes an employee unable to work. Generally, the incapacity must result in the employee's inability to work for more than three (3) consecutive days (although there are certain exceptions to this rule);
- Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is a member of the Regular Armed forces, National Guard or Reserves on active-duty status during the deployment to a foreign country, and or has been notified of an impending call to active-duty status as such in support of a contingency operation.

In addition, eligible employees who are either spouse, son, daughter, parent or next of kin of a Covered Servicemember shall be entitled to a total of twenty-six (26) workweeks of unpaid leave during a single twelve (12) month period to care for the Covered Servicemember. During this single twelve (12) month period, an eligible employee who qualifies for leave to provide care for the Covered Servicemember shall be entitled to no more than a combined total of twenty-six (26) workweeks of leave.

Definitions:

“Covered Servicemember” means a member of the Armed Forces, including a member of the National Guard or Reserves, or a recent veteran who has been discharged, other than dishonorably, within the five years preceding the family member's initial request for leave, who has a serious injury or illness who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

“Eligible Employee” means an individual who has been employed by the Township of Washington for at least twelve (12) months, has worked at least 1,250 hours during the preceding twelve (12) month period, and is employed at a worksite with at least fifty (50) employees within seventy-five (75) miles of that worksite.

“Next of kin” means the nearest blood relative of the individual.

“Qualifying Exigency” covers a number of broad categories of reasons and activities, including short-notice deployment to a foreign country, military events and related activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities agreed to by the Township of Washington and the employee.

“Serious Health Condition” means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. It generally includes a period of incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term health condition, or restorative or preventive treatment.

“Serious Injury or Illness” means an injury or illness incurred by a Covered Service member in the line of duty or on active duty in the Armed Forces, National Guard of Reserves, incurred in the line of duty on active duty or whose pre-existing condition has been aggravated by his/her active-duty service, that may render the service member medically unfit to perform the duties of the member’s office, grade, rank or rating.

Eligibility. Any employee who has been employed by the Township of Washington for twelve (12) months or more and worked 1,250 hours or more in the twelve (12) month period preceding the first day of the requested leave may be eligible for an unpaid leave of absence of up to twelve (12) weeks during any twelve (12) month period.

**The twelve (12) month period shall be determined by using a rolling twelve (12) month period that commences with the first day of leave taken.**

Leave to care for a child after birth, adoption, or foster care must conclude within twelve (12) months of the child's birth or placement. If both spouses work for the Township of Washington, they may only take a total of twelve (12) weeks between them during the twelve (12) month period in order to care for a child after birth, adoption, or foster care or to care for a parent with a serious health condition and a combined twenty-six (26) weeks in a single twelve (12) month period for military caregiver leave or a combination of military caregiver leave and other FMLA qualifying reasons. Each spouse may be entitled to additional leave for other qualifying reasons under the FMLA, such as the employee’s own illness or for the serious illness of the employee’s child.

Notice. When the leave is foreseeable, at least thirty (30) days’ advance notice to the Township of Washington, in writing, is required. If thirty (30) days’ notice cannot be provided, as much notice as is practical should be provided. Failure to give reasonable notice may delay the availability of the leave.

Certification. Where leave is taken to care for a family member with a serious health condition or because of the employee’s own serious health condition, medical certification is required and periodic recertification may be required. In addition, where the leave is taken because of the employee’s own serious health condition, a certification of fitness to return to work will be required.

The Township of Washington, at its expense, may require an examination by a second healthcare provider designated by the Township of Washington. If the second healthcare provider's opinion conflicts with the original medical certification, the Township of Washington, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

For military exigency leave, an employee may be required to provide certification that the covered military member is a member of the regular Armed Forces, National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation, as well as certification from the employee about the nature and details of the specific exigency, the amount of leave needed, and the employee’s relationship to the military member. For military caregiver leave, the employee may be required to provide information from the health care provider and employee and/or Covered Service member to support such leave.

**Absent unusual circumstances, medical certifications must be provided within fifteen (15) days. The Township of Washington will also require periodic status reports from employees concerning their intended return date.**

Failure to provide requested documentation may result in denial of leave. The Township of Washington may attempt to clarify or authenticate the certification or may require additional certifications to support the need for leave. When leave is taken to care for a family member, the Township of Washington may require the employee to provide documentation or a statement of family relationship (e.g., birth certificate or court document) and proof of the need to care for the family member.

Utilization of Paid Leave. Generally, FMLA leave is unpaid. However, depending upon the circumstances, employees may be entitled to receive short-term disability, workers' compensation benefits, paid family leave benefits, or other state-sponsored wage replacement benefits which pay a portion of normal compensation. These benefits will run concurrently with the employee's unpaid leave. An employee who is eligible for these benefits may also choose to use accumulated paid leave during their approved unpaid leave. Employees may not receive more than 100% of salary at any time.

Coordination with other Leave Policies. The period of time attributable to the employee's absence due to any workers' compensation, disability, or sick leave, will be counted against available leave under this policy to the extent permitted by law. In the event that additional family, medical or sick leave is available pursuant to state laws, this leave will also run concurrently with FMLA leave to the extent permitted by law.

Intermittent Leave. When medically necessary, leave taken because of a serious health condition of an employee or family member or to care for a Covered Service member may be taken on an intermittent or reduced work schedule basis. The employee and the Township of Washington shall attempt to work out a schedule for such leave that meets the employee's needs without unduly disrupting the employer's operations, subject to the approval of the employee's health care provider. The Township of Washington may require an employee taking intermittent or reduced work schedule leave to transfer temporarily to an alternative position with equivalent pay and benefits that is better suited to the leave schedule.

Employment and Benefits Protection. During the leave, health benefits will continue for up to twelve (12) weeks in each rolling twelve (12) month period under the same conditions as if the employee continued to work. Employees must, however, pay the same amount for any benefits continued as they do prior to the leave. Other benefits, if any, will continue during the leave under the same conditions as if the employee continued to work.

If paid leave is substituted for unpaid FMLA leave, the Township of Washington will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's FMLA leave is unpaid, the employee must pay his/her portion of the premium in accordance with a payment method that is devised and mutually agreed upon between the employee and the Township of Washington.

Employees should consult with their Department Head and human resources official prior to taking an approved leave. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums. With regard to the employee's contribution portion of his/her health benefits pursuant to Chapter 78, P.L 2011 and any

voluntary supplemental benefits that the employee may have, the employee is solely responsible for making payment arrangements with the Township of Washington or for any voluntary benefits, to the respective insurance company. Your healthcare coverage may cease if your premium payment is more than thirty (30) days late. With regard to any pension contribution that you may have, you must contact the human resources official to make payment arrangements concerning contributions or credits paid toward your pension benefits. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums.

Before returning to work following a medical leave (except for intermittent or reduced schedule leave) due to the employee's own serious health condition, the employee will be required to present a fitness for duty certification from his/her health care provider that he/she is medically able to resume work. If the date on which the employee is scheduled to return to work from FMLA leave changes, the employee is required to give notice of the change, if foreseeable, to the Township of Washington within two (2) business days of the change.

Subject to some exceptions, most employees will be returned to the position they left or to a position equivalent in pay, benefits and other terms of employment. Individuals identified as "key employees" (the highest paid 10% of salaried employees at the work site or within a seventy-five (75) mile radius of that work site) at the beginning of their leave may not be returned to their former or equivalent position if restoration will cause substantial economic injury to the Township of Washington. Employees will be informed of their key employee status at the beginning of the leave period.

A failure to return from FMLA leave for reasons other than the employee's own serious health condition may result in termination of employment. In the event that an employee cannot return to work at the end of FMLA leave due to a continuation of his/her own serious health condition, they must contact the Township of Washington before the expiration of the leave to discuss their options under state and federal law. State leave laws may provide additional leave similar to that provided under the FMLA. The Township of Washington will comply with these state law provisions to the extent they provide for more generous benefits. State leave law benefits will run concurrently with FMLA benefits to the extent permitted by law.

Family Temporary Disability. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up to six (6) weeks (twelve (12) weeks, effective July 2020) of Family Leave Insurance ("FLI") payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement, and will thus run concurrently with FMLA and/or NJFLA leaves.

## **DOMESTIC VIOLENCE LEAVE POLICY**

**Effective Date: 7/1/98**

**Revised: 4/26/21**

### **PURPOSE**

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers (herein "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with

N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees.

## **DEFINITIONS**

The following terms are defined solely for the purpose of this policy:

**Domestic Violence** - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

**Abuser/Perpetrator** - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

**Human Resources Officer (HRO)** –An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

**Intimate Partner** - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

**Temporary Restraining Order (TRO)** - A civil court order issued by a judge to protect the life, health or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

**Victim** - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having

a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

Workplace-Related Incidents - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

### **PERSONS COVERED BY THIS POLICY**

All employees are covered under this policy, including full and part time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location.

### **RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER**

The Employer hereby designates the following employees as the Primary HRO and Secondary HRO, to assist employees who are victims of domestic violence.

#### **Primary HRO:**

**Name / Title and contact information**

#### **Secondary HRO:**

**Name / Title and contact information**

The designated Primary and Secondary HRO shall receive training on responding to and assisting employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all employees.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

## DOMESTIC VIOLENCE REPORTING PROCEDURES

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee, are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an employee from contacting 911 in emergency situations. Indeed, HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

- A. Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
- B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- C. Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.
- D. Refer the employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in this policy.
- E. In cases where domestic violence involved a sexual touching or sexual assault between state employees, the HRO is also required to report the incident to their agency's EEO Officer or Title IX Officer, **insert name and contact information**.
- F. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team, **insert contact information**
- G. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy.
- H. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.



## **CONFIDENTIALITY POLICY**

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

## **CONFIDENTIALITY OF EMPLOYEE RECORDS**

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

## **THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT**

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

- 1) Seeking medical attention;
- 2) Obtaining services from a victim services organization;
- 3) Obtaining psychological or other counseling;
- 4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
- 5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
- 6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

### **PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN**

The Employer has developed the following action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

- A. Designate an HRO with responsibilities pursuant to this policy.
- B. Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
- C. Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the employer.
- D. Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TOI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
- E. Commit to adherence to the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an employee is a victim of domestic violence.
- F. Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the

Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.

- G. Employers, their designated HRO, and employees should familiarize themselves with this policy. This policy shall be provided to all employees upon execution and to all new employees upon hiring. Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

## **RESOURCES**

This policy provides an Appendix listing resources and program information readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

## **DISTRIBUTION OF POLICY**

**WHO** will be responsible for distributing this policy to employees, volunteers, and other employees identified above.

**WHO** will be responsible for updating this policy at least annually to reflect circumstances changes in the organization.

**WHO** will be responsible for monitoring The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs for modifications thereto, to public employers.

## **OTHER APPLICABLE REQUIREMENTS**

In addition to this policy, the HRO and the public employer's appointing authority must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General Directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in this policy conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

## **POLICY MODIFICATION AND REVIEW**

A public employer may seek to modify this policy, to create additional protocols to protect victims of domestic violence but may not modify in a way that reduces or compromises the safeguards and processes set out in this policy.

The Civil Service Commission will review and modify this policy periodically and as needed.

## **POLICY ENFORCEABILITY**

The provisions of this policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

## **POLICY INQUIRIES & EFFECTIVE DATE**

Any questions concerning the interpretation or implementation of this policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. This policy shall be enforceable upon the HRO's completion of training on this policy.

## **MILITARY LEAVE POLICY**

**Effective Date: 7/1/98**

When a full-time employee (either permanent or temporary), who is a member of the reserve component of any United States Armed Forces or the National Guard of any state, including the Naval Militia and Air National Guard, is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of the leave shall be with full pay, except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. (Thereafter, the leave shall be without pay but without loss of time.) Or (Thereafter, the employee shall be paid the difference between military salary and the employee's regular salary.) The paid leave will not be counted against any available time off, including but not limited to, vacation, sick, or personal time. A full-time temporary employee who has served less than one (1) 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 (30) days calendar day after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the Township of Washington 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.

## **PREGNANCY-RELATED ABSENCES**

**Effective Date: 7/1/98**

The Township of Washington will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this handbook and all applicable Federal and/or State laws.

Requests for time off associated with pregnancy and/or childbirth, such as bonding and child care, are not related to medical disabilities for those conditions will be considered in the same manner as other requests for unpaid family or personal leave.

## **HIPAA COMPLIANCE**

**Effective Date: 4/30/21**

The Township of Washington is committed to upholding both the letter and the spirit of the Health Insurance Portability and Accountability Act (“HIPAA”) regarding the use, maintenance, transfer, and disposition of personal health care information. To the extent that the Township of Washington maintains such information about its employees and others, its elected officials and employees are committed to protecting the privacy and confidentiality of that information.

**SECTION FOUR**  
**COMPENSATION & EMPLOYEE BENEFITS POLICY**

**TIMEKEEPING**

**Effective Date: 7/1/98**

**Revised: 10/18**

Accurately recording time worked is the responsibility of every employee. Federal and State laws require the Township of Washington to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work (including work from home) must always be approved before it is performed.

Altering, falsifying, tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

**PAYDAYS**

**Effective Date: 7/1/98**

**Revised: 8/18**

All employees are paid biweekly on every other Thursday. Each paycheck (which will be accomplished through direct deposit only) will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off, such as a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. This does not pertain to Floating Holidays.

If a regular payday falls during an employee's vacation, the employee may receive, his or her earned wages before departing for vacation if a written request is submitted at least one week prior to departing for vacation.

**SEVERANCE PAY**

**Effective Date: 7/1/98**

**Revised: 8/18**

The Township of Washington provides severance pay to eligible employees whose employment is terminated for reasons that are not prejudicial to Township of Washington (e.g., employees terminated for disciplinary reasons). All permanent, full-time employees, who have been employed by the Township of

Washington for at least three (3) years, are entitled to receive the following notice of separation from the Township of Washington or severance pay in lieu thereof:

|                          |                                                        |
|--------------------------|--------------------------------------------------------|
| Business Administrator   | Ninety (90) Days in accordance with N.J.S.A. 40A:9-138 |
| Division/Department Head | Six (6) Weeks                                          |
| Personnel Coordinator    | Six (6) Weeks                                          |
| Supervisors              | Four (4) Weeks                                         |
| Secretarial/Clerical     | Two (2) Weeks                                          |
| Laborers                 | Two (2) Weeks                                          |
| Unaddressed Positions    | Two (2) Weeks                                          |

### **PAY ADVANCES**

**Effective Date: 7/1/98**

The Township of Washington does not provide pay advances on unearned wages to employees.

Vacation pay advances may be received by the employee only if the employee will be out on paid vacation time during the regular pay period. Vacation pay advances must be requested in writing to the Payroll Manager at least one (1) full week in advance.

### **ADMINISTRATIVE PAY CORRECTIONS**

**Effective Date: 7/1/98**

The Township of Washington takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Manager so that corrections can be made as quickly as possible. If error is by fault of the Township of Washington, corrections will be made as soon as possible to avoid employee suffering any inconvenience; if error is fault of employee, i.e., missed punches, missing reports, etc., it may be necessary for employee to wait until next pay period for correction depending on situation.

### **PAY DEDUCTIONS AND SETOFFS**

**Effective Date: 7/1/98**

The law requires that the Township of Washington make certain deductions from every employee's compensation. Among these are applicable Federal, State, and local income taxes. The Township of Washington also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The Township of Washington matches the amount of Social Security taxes paid by each employee.

The Township of Washington offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the cost of participation

in these programs. Pay setoffs are pay deductions taken by the Township of Washington, usually to help pay off a debt or obligation to Township of Washington or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your Supervisor can assist in having your questions answered.

## **OVERTIME**

**Effective Date: 7/1/98**

**Revised: 10/18**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all employees in accordance with Federal and State wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave or any leave of absence will not be considered hours worked for purposes of overtime calculations.

**Employees who work through their lunch period without the express written approval of their Supervisor will not be paid overtime for the time worked.** Employees who work overtime without receiving prior authorization from the Supervisor will not be paid and, furthermore, may be subject to disciplinary action, up to and including possible termination of employment.

## **EMPLOYEE BENEFITS**

**Effective Date: 7/1/98**

Eligible employees at the Township of Washington are provided a wide range of benefits. A number of the programs (such as Social Security, Workers' Compensation, and Unemployment Insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your Supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.



## **HEALTH INSURANCE**

**Effective Date: 7/1/98**

**Revision Date: 1/14/09**

**Revised: 10/18**

Township of Washington's health insurance plan provides employees and their dependents access to medical care insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan.

- Regular full-time employees
- Probationary employees (after 60 days waiting period)

Eligible employees will be covered by or may participate in the health insurance plan subject to all terms and conditions of the agreement between the Township of Washington and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Benefits Department for more information about health insurance benefits.

The Township of Washington agrees to maintain coverage of a medical/hospitalization plan (medical, dental and prescription) for all retiring employees on pension or disability retirement and their spouse, according to the NJ state guidelines relative to retirement. Eligibility shall be based on the following as required either N.J.S.A. 40:10-23 and N.J.S.A. 52:14-17.37, whichever would be applicable at the time of retirement for:

- Employee retires at age sixty-two (62) or older with at least fifteen (15) years continuous service with the Township of Washington at the time of retirement.
- Employee retires with at least twenty (20) years of service with the Township of Washington, not necessarily continuous, and twenty-five (25) years of service credit in the State of New Jersey administered retirement system.
- Employee retires with 25 years of service credit in the State of NJ administered retirement system, with fifteen (15) years of service with the Township of Washington. If an employee retires from the Township of Washington pursuant to the above, that employee shall receive medical coverage from the Township of Washington for the employee and his/her spouse at that time of the employee's retirement. If the employee dies after retirement, medical coverage for his/her spouse shall continue provided the spouse was married to the employee at the time of the employee's death. If the spouse remarries after the employee's death, the medical coverage will terminate. If

the employee remarries after his/her retirement, the new spouse will not receive any medical coverage. The employee is not entitled to maintain the same benefits (and costs of those benefits) for life as those that he/she had at the time of retirement. The Township is not required to cover the costs of Medicare Part B for those hired after January 1, 2010.

## **WAIVER OF HEALTH BENEFIT COVERAGE**

**Effective Date: 11/25/14**

Any Township of Washington employee receiving health care benefits under the Township of Washington's current health care benefits plan, who is also eligible for other health care coverage, and is eligible for a waiver under the Policies and Procedures, may waive coverage under the Township's health care benefits plan by executing a written waiver of coverage on forms prescribed by the Department of Administration and filed with the Township of Washington.

If coverage was waived prior to May 23, 2010, the Township of Washington shall continue to pay the employee up to an amount annual saved by the Township for the relevant medical and/or dental health care benefit coverage waived, not to exceed 35% of the annual premium of the COBRA rates, less administrative fee, if the Township of Washington is self-insured; or 35% of the premium if the Township of Washington contracts for fully-insured plans.

If coverage is waived on or after May 21, 2010, the Township of Washington will pay to the employee up to an amount annually saved by the Township of Washington for the relevant medical and/or dental health care benefit coverage waived, not to exceed 25% of the annual premium of the COBRA rates, less administrative fee, if the Township of Washington is self-insured, or 25% of the premium if the Township of Washington contracts for fully-insured plans, or \$5,000, whichever is less.

Any Township of Washington employee who waives health care benefits coverage shall be permitted to resume coverage under the same terms and conditions as apply to initial coverage if the employee ceases to be covered through the employee's spouse for any reason, including but not limited to, the retirement or death of the spouse or divorce.

Any Township of Washington employee who resumes coverage shall repay, on a prorated basis, any monies received from the Township of Washington, which represents an advance payment for a period of time during which coverage is resumed.

Any Township of Washington employee who wishes to resume health care benefit coverage shall file a declaration revoking the waiver in writing on forms prescribed by the Department of Administration.

After revocation of a waiver, all payments to any Township of Washington employee, pursuant to this section, shall cease concurrently with the effective date of such employee's reenrollment in any Township of Washington health care benefits plan.

## **WORKER'S COMPENSATION INSURANCE**

**Effective Date: 7/1/98**

The Township of Washington provides a comprehensive workers' compensation program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical or hospital treatment. Subject to applicable legal requirements, workers compensation insurance provides benefits after a short waiting period or if the employee is hospitalized immediately.

Employees who sustain work-related injuries or illness inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable eligible employees to qualify for coverage as quickly as possible.

Neither the Township of Washington nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Township of Washington.

In cases where it has not been determined if workers' compensation is applicable, employee's sick time will be charged for absences and if it is determined that worker's compensation is indeed applicable, sick time will be re-credited to employee's account.

Worker's compensation is to be no more and no less than the employee's net pay amount. Employee is responsible for reimbursing Township of Washington for any and all deductions made on his/her behalf, which are normally deducted from employee's gross pay.

Unless explicitly provided for in a Bargaining Agreement, the Township of Washington 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 N.J.S.A. 11A:6-8.

## **BENEFITS CONTINUATION (COBRA)**

**Effective Date: 7/1/98**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Township of Washington's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of any employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Township of Washington's group rates plus an administration fee. The Township of Washington provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes

eligible for coverage under the Township of Washington's health insurance plan. The notice contains important information about the employee's rights and obligations.

**EDUCATIONAL ASSISTANCE/SEMINAR LEAVE**

**Effective Date: 7/1/98**

**Revised: 10/18**

Employees wishing to undergo job-related training must complete the Township's Training Request Form. In order to maintain eligibility for reimbursement/direct payment, an employee must remain on the active payroll and be performing their job satisfactorily through completion of each course. The Township of Washington does not provide reimbursement for college tuition.

The Township of Washington will only provide educational assistance to employees who have completed 180 calendar days of service in an eligible employment classification. Any employee who does not attain a passing grade in a course is responsible to reimburse the cost of the course to the Township of Washington.

If an employee voluntarily separates from the Township of Washington's employment within one (1) year of the last educational assistance payment, the amount of the payment will be considered only a loan. Accordingly, the employee will be required to repay up to fifty (50) percent of the original education assistance payment.

Attendance: Any course schedule MUST be approved by the Department Supervisor AND the Business Administrator.

Township Time: Workshops, seminars, re-certification required by the State to maintain current position; with recommendation by management.

Employee's Time: Advanced degrees, unrelated certification or certification not required to maintain current position.

**SEMINAR/CONVENTION LEAVE:** Seminars and training courses may be attended only by employees who are required to attend those courses by the Township of Washington and/or as deemed mandatory to maintain a Certification or License necessary for their position.

ALL SEMINAR/CONVENTION leave must be PRE-APPROVED by the Business Administrator by leave request form and will not be considered without proper documentation. Total seminar/convention leave is limited to five (5) days absence unless approved in advance by the Business Administrator. Anytime over the five (5) day limit or attendance at SEMINAR/CONVENTIONS which is not approved by Township of Washington may be taken as paid vacation/personal or floating holiday time. Any cost for said seminars/convention must be approved by the Business Administrator.

**SECTION FIVE**  
**MANAGERIAL/SUPERVISORY PROCEDURES**

**EMPLOYMENT PROCEDURES**

**Effective Date: 7/1/98**

**Revision Date: 11/9/16**

**Revised: 8/18**

**Hiring**

All available positions, other than police officers, will be applied for and processed through the Personnel Office.

The Director of Human Resources, based upon the prerequisites of the initial request and applicant screening, will recommend the most qualified applicants to the Department Head and forward copies of the applications, resumes, etc., for evaluation and final selection. The Department Head will notify the Director of Human Resources about whom he/she wishes to interview and when he/she will be available to conduct interviews. The applications rejected by the Department Head will be returned to the Personnel Director stating reasons for rejection. After the interviewing process, the Department Head will then forward his recommendation for the successful candidate, in writing, to the Business Administrator, who will then forward same to the Mayor for approval. If the Mayor approves the recommendation of the Department Head, the Director of Human Resources will prepare an appointment letter for his signature. The letter will indicate the date of appointment, department, class, and salary and will indicate that the offer is conditional upon a successful drug/alcohol screen and background check. Copies will be sent to the Department Head, Payroll Manager, personnel file, and the applicant.

**Position Classifications**

The Mayor or his/her designee is solely authorized to determine the position classification of each job and to re-evaluate, reclassify, or regrade existing positions as changes take place in the responsibilities and duties of such jobs from time to time. This responsibility is placed upon him/her by the Faulkner Act and Township of Washington Ordinance. He/she shall accept or reject the recommendations of the Department/Division Heads in this manner.

The position classification system groups jobs into classes on the basis of duties and responsibilities. Classes are used to facilitate common descriptions of titles and to simplify recruitment, selection, and compensations. Each class has a title, which is used for all payroll, personnel functions, and a class specification. Job descriptions for all employees will be available in the Director of Human Resources' Office. The specification consists of class title, class definition, duties typical of the position, and the special requirements necessary for the employee to successfully perform the job.

## **Probationary Period**

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Township of Washington uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Township of Washington may end the employment relationship at will at any time, during or after the probationary period, with or without cause or advance notice.

All new and rehired employees work on probationary basis for the first 180 calendar days after their date of hire. Any significant absence will automatically extend the probationary period by the length of the absence. If the Township of Washington determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specific period.

Upon satisfactory completion of the probationary period, employees enter the "regular" employment classification.

During the probationary period, new employees are eligible for those benefits that are required by law, such as Workers' Compensation Insurance and Social Security. They may also be eligible for other Township of Washington-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

## **Employment Applications**

**Revision: 12/27/2017**

The Township of Washington relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Township of Washington's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

## **Recruitment**

**Revision: 12/27/2017**

The Business Administrator will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Department Head to notify the Business Administrator, who will distribute notification of the vacancy to all departments. The Business Administrator will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media, or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Township of Washington

is an equal opportunity employer.

- **Pre-employment Drug and Alcohol Screening and Background Check:** Prospective employees will be advised and will be required to acknowledge that an offer of employment is contingent upon the successful completion of a drug and alcohol screen and a background check. As such, each offer of employment, which shall be signed by a prospective employee for Washington Township, shall indicate the following:

“I hereby acknowledge that the above offer of employment is conditional and is subject to my successfully passing a drug and alcohol screen and a background check. I am aware that if I fail the drug and/or alcohol screen, this offer of employment shall be subject to immediate revocation and I will no longer be eligible for hiring. I further understand that the Township may determine not to hire me as a result of a background check subject to applicable law.”

- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.
- **Interviews:** The Business Administrator or Department Head will coordinate the interview process, including the scheduling of applicants, development of interview questions, and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for pre-employment inquiries. The Township of Washington will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential function of the job and also provided the accommodation does not impose an unreasonable hardship on the Township of Washington.
- **Physical Examinations:** Pursuant to the Americans With Disabilities Act, after an offer of employment is made and prior to commencing employment, the Business Administrator may require applicants to pass a physical examination in order to ensure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Business Administrator may require periodic physical examinations to determine the employee’s continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Township of Washington at the expense of the Township of Washington. All medical records of employees and prospective employees are confidential and are to be maintained by the Business Administrator separate from the employee’s official personnel file. Medical exams may include tests for drug and alcohol use.
- **Job Offers:** The final decision will be made by the Business Administrator after all references and other information has been verified. Every effort shall be made to offer reasonable

accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Township of Washington. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.

- **Acceptances and Rejections:** If the first offer is rejected, the Business Administrator will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Employability Proof:** After acceptance, but before starting employment, all new employees shall be required to fill out an Employment Verification Form (I9) and to provide acceptable proof of right to employment in the United States.
- **Record Retention:** All applications, notes made during interviews, reference checks, job offers, and other documents created during hiring process must be returned to the Business Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file, except medical records including physical examinations must be maintained in a separate file. All records and documents related to other candidates must be retained for at least one (1) year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

### **Hiring of Relatives**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by the Township of Washington may be hired only if they will not be working directly for or supervising a relative or will not be working directly above the relative's immediate superior or directly for the relative's immediate subordinate. Township of Washington employees cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred. If that decision is not made within thirty (30) calendar days, management will decide.

In other cases where a conflict of the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.



## BACKGROUND CHECKS AND PROCEDURES

Effective Date: 7/1/98

- **Background Checks Required:** Background checks are required of all candidates, whether for paid or volunteer positions. Background checks will also be administered for each employee or volunteer that works directly or indirectly with children/youth/minors every three (3) years.
  
- **Background Check Procedure:** **The Business Administrator will perform or initiate background checks and be the recipient of reports from outside agencies or contractors. The Business Administrator will discuss disqualifying information received with the employee's or volunteer's Department Head. Written information received as a result of a "Request for Criminal History Record Information for a Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).** When a disqualification decision has been made as a result of the employer's "targeted screening process" described below, the Business Administrator will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the Township contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from working with children/youth/minors. In addition, the individual shall be advised that he/she has the opportunity to explain the criminal record and to demonstrate why the exclusion based on the employer's targeted screening process should not apply to him/her under the circumstances. This information may include evidence of an error in the criminal record; facts surrounding the conviction; age at the time of the conviction and/or release from prison; evidence of a clean criminal and employment record since release; rehabilitation efforts; positive references; and evidence that he/she is bondable. Thereafter, the employer shall give the individual further consideration. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the Business Administrator.
  
- **Conditions Under Which an Employee Will be Disqualified from Working with Children/Youth:** A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other states:
  - Homicide (N.J.S.A. 2C:11)
  - Assault, Reckless Endangerment, Threats, Stalking (N.J.S.A. 2C:12)
  - Kidnapping (N.J.S.A. 2C:13)
  - Sexual Offenses (N.J.S.A. 2C:14)

- Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
- Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
- Robbery (N.J.S.A. 2C:15)
- Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses as the result of the employer's targeted screening process, by which the employer has taken into account the following factors:

- (a) The nature and gravity of the offense or conduct, including the consideration of (i) the harm caused by the crime; (ii) the legal elements required to prove the crime; and (iii) the classification of the crime (i.e., felony or misdemeanor, etc.); (b) The time that has elapsed since the offense, conduct, and/or completion of the sentence; (c) The nature of the job held or sought, including the consideration of: (i) the job duties (not merely the job title); (ii) the level of supervision to be provided; (iii) the working environment (e.g., private home, outdoors, warehouse); (iv) interaction with others, especially with vulnerable individuals such as children/youth/minors; and (v) the relationship of the criminal history to the job to be performed. An acquittal, a dismissal, a successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction. Further, an arrest record standing alone may not be used to disqualify a candidate, volunteer, or employee from an employment opportunity. However, the employer may make a disqualification decision based on the conduct underlying the arrest if the conduct makes the individual unfit for the position in question, in which case the conduct, not the arrest, is relevant for the employment purposes. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction per se.

- **Appeal Process:** The Appeals Committee will be comprised of the Business Administrator and Police Chief.

Once a candidate, employee, or volunteer has been notified of a disqualifying conviction, the employee has fourteen (14) calendar days to file a Notice of Appeal with the Township of Washington. Such Notice of Appeal must be sent in writing to the Business Administrator. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to N.J.A.C. 13:59-1.6.

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

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

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

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

#### **EMPLOYMENT REFERENCE CHECKS**

**Effective Date: 7/1/98**

To ensure that individuals who join the Township of Washington are well qualified and have a strong potential to be productive and successful, it is the policy of the Township of Washington to check the employment references of all applicants. The Personnel Office will respond in writing only to those reference check inquires that are submitted in writing. Responses to such inquires will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

#### **OPEN PUBLIC MEETINGS ACT PROCEDURE CONCERNING PERSONNEL MATTERS**

**Effective Date: 7/1/98**

**Revision Date: 11/9/16**

Discussions by the governing body or anybody of the Township of Washington concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion, or discipline of any current or prospective officer or employee shall be in closed session unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the governing body or anybody of the Township of Washington concerning such matters, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed, and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session. If the individual(s) does not request that the discussion be held in open session, the governing body or other body of the Township of Washington

may, at its sole discretion, invite the affected individual(s) to attend the applicable portion of the closed session.

## **PROCESSING AND ORIENTATION OF NEW EMPLOYEES' PROCEDURE**

**Effective Date: 7/1/98**

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

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

## **INITIAL EMPLOYMENT PERIOD PROCEDURE**

**Effective Date: 7/1/98**

Except where State requirements direct otherwise, new employees (or present employees transferring to new positions) will be hired subject to an initial employment period of not less than six (6) months or more than twelve (12) months, as determined by the Business Administrator. During this initial employment period, the new employee or transferee will be provided with training and guidance from the Supervisor. At the end of the initial employment period, the Supervisor will conduct an employee evaluation – see Performance Evaluation Procedure. New employees may be discharged at any time during this period if the Business Administrator concludes that the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Business Administrator may extend the initial employment period. Nothing in the procedure set forth in this section shall alter Township of Washington's employment at will policy. Employment with Township of Washington is at will and may be terminated at any time, with or without cause or notice by the Township of Washington or the employee.

## **EMPLOYEE HANDBOOK PROCEDURE**

**Effective Date: 7/1/98**

The Business Administrator, with the assistance of Counsel, shall draft an Employee Handbook. Once approved, copies will be distributed and employees will be required to sign an acknowledgement of receipt

that will be placed in the official personnel file. The Handbook should be revised and re-distributed whenever there is a significant change in personnel practice or every two (2) years.

## **PERFORMANCE EVALUATION PROCEDURE**

**Effective Date: 7/1/98**

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

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

- **Setting the Stage:** The reviewer must create a productive climate for the discussion. In preparing the evaluation form, prior evaluations should be reviewed to identify trends. Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form. The meeting should be private, without interruptions, in a comfortable environment.
- **Confirm Expectations:** The reviewer should start the discussion of each performance area by reviewing expectations. Ask the employee to confirm the employee's understanding of job requirements. Refer to the job description as appropriate.
- **Rating:** Continue the discussion by giving the employee's rating in each performance area. The Supervisor should be prepared to refer to documentation. Employees should be evaluated based on set standards, not as they compare to other employees. It is rare that any person's rating in all areas is either high or low. The evaluation should consider performance during the entire period, not just recent past. Care should be taken to avoid allowing one aspect of a person's performance to overshadow all other performance factors be it positive or negative. Ideally, each performance area should be evaluated individually based on specific behaviors exhibited.
- **Discussing Future Plans:** This is where the reviewer should turn to the discussion to the future performance and development of the employee. A Counseling Action Plan form must be completed if any item is rated "Needs Improvement" or "Does Not Meet Minimum Standards." Specific performance goals must be established for the next review period, along with plans for achieving those goals.

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

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

After completing the evaluation, the reviewer will return the form(s), with the signed acknowledgement, to the Business Administrator. After review by the Business Administrator, the form(s) are to be forwarded to the Payroll Clerk for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Business Administrator or Payroll Clerk.

## **DISCIPLINARY ACTION PROCEDURE**

**Effective Date: 7/1/98**

**Revised: 10/18**

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

Should a Supervisor believe that an employee is not conforming to the Township of Washington's policies and rules or to specific instructions, or has acted improperly, the Supervisor should first privately discuss the matter with the Director of Human Resources to determine the appropriate course of action. This may occur after, in appropriate circumstances, the supervisor has privately discussed the matter with the employee to obtain the employee's view. If the Supervisor determines that the employee has acted improperly, the Supervisor, with the concurrence of the Director of Human Resources and/or Business Administrator, shall take one of the following actions depending upon the gravity of the offense/violation and the employee's past record. At the discretion of the Supervisor and the Business Administrator, action may begin at any step, and/or certain steps may be repeated or by-passed.

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

- **Business Administrator Review:** Should the offense sufficiently serious to warrant consideration by the Business Administrator, the employee will be so advised and a meeting arranged with the Business Administrator at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at the time of disciplinary action, if any.
- **Written Reprimand:** When it is determined that a written reprimand is appropriate, the reprimand should clearly identify the problem and outline a course corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning and may include additional comments. A copy of the written reprimand, with the signed acknowledgement, and comments must be forwarded to the Business Administrator for the employee's official personnel file.
- **Suspension:** Whenever an employee is recommended for suspension, the Business Administrator will make the decision and may seek the advice of the Township's Solicitor and/or labor counsel, if appropriate.
- **Dismissal:** Whenever an employee is recommended for dismissal, the Business Administrator of the Township of Washington will make the decision only after seeking the advice of the Solicitor. There must be a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal.

## **EMPLOYMENT TERMINATION**

**Effective Date: 7/1/98**

**Revision Date: 1/15/99**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation – voluntary employment termination initiated by an employee
- Discharge – involuntary employment termination initiated by the organization
- Layoff – involuntary employment termination initiated by the organization for non-disciplinary reasons
- Retirement – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the Township

The Township of Washington will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss issues, such as employee benefits, conversion privileges, repayment of outstanding debts to the Township of Washington, or return of Township of Washington-owned property. Suggestions, complaints, and questions can also be voiced.

Since employment with the Township of Washington is based on mutual consent, both the employee and the Township of Washington have the right to terminate employment at will, with or without cause, at any time. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

The following benefits will be paid to the terminated employee:

- Any employee, not covered by a separate Bargaining Unit, and having worked longer than one (1) year will receive vacation pay at one hundred percent (100%) of his or her rate for all time credited through the date of termination and not used in the year.
- Any employee having worked longer than one (1) year will receive personal time pay at a pro-rated amount for any unused time.
- Any employee having worked for longer than one (1) year, and not covered by a separate Bargaining Agreement, will receive sick pay for any accumulated sick time at one hundred percent (100%) of their then hourly rate.
- Any employee discharged for cause is not eligible to receive any of the above benefits.

## **SECURITY INSPECTIONS**

**Effective Date: 7/1/98**

The Township of Washington wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the Township of Washington prohibits the possession, transfer, sale, or use of such materials on its premises. The Township of Washington requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of the Township of Washington. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the Township of Washington at any time, either with or without prior notice.

The Township of Washington likewise wishes to discourage theft or unauthorized possession of the property of employees, Township of Washington visitors, and customers. To facilitate enforcement of this policy, the Township of Washington or its representative may inspect not only desks and lockers, but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Township of Washington premises.



## **PERSONNEL FILE PROCEDURE**

**Effective Date: 7/1/98**

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

The official file shall include at least the following:

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

## **EMPLOYEE COMPLAINT INVESTIGATION PROCEDURE**

**Effective Date: 7/1/98**

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

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.
- **Identification/Screening:** The Supervisor or Department Head must report all written or verbal complaints to the Business Administrator, unless the complaint is against the Business Administrator. Upon receipt, the Business Administrator will determine if the complaint was made pursuant to the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy, the Whistleblower Policy, a Grievance procedure, or is another form of a complaint. A file will be established, including the written complaint, the investigation procedure followed, and the

response action plan. As soon as possible, but no later than ten (10) days after receiving the complaint, the Business Administrator or investigator appointed by the Business Administrator will interview the employee. If the employee is reluctant to sign a written complaint, the Business Administrator or investigator will prepare written notes of the date, time and place of the complaint, and the specific allegations. These notes will be read back to the employee, who will be asked to affirm, preferably in writing, the information's accuracy.

- **Investigation:** The Business Administrator will seek the advice of the Township of Washington Solicitor when planning the investigation. The investigation should be conducted by the Township of Washington Solicitor or County Prosecutor if it involves potential criminal charges. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events, such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. It is important to protect the rights of both the person making the complaint and the alleged wrongdoer.
- **Response Plan – No Corrective Action Required:** The Business Administrator will discuss the conclusions with the Township of Washington Solicitor and render a decision within fourteen (14) days after the investigation is complete. If the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee should be notified in writing. Care should be taken to avoid being too specific, confrontational, or accusatory and to avoid any language that might be construed as defamatory. A general statement is usually more appropriate that the claim was thoroughly investigated, but could not be sufficiently documented or confirmed to justify taking formal action. The employee should be assured that future complaints will be investigated and that the Township of Washington is committed to eliminating wrongful employment practices when they are found to exist. If the investigation reveals that the complaint intentionally and maliciously levied false charges against the alleged wrongdoer, the complainant must be notified of the seriousness of filing a false complaint, and the appropriate disciplinary penalty under the circumstances, up to and including termination.
- **Response Plan – Corrective Action Required:** If the investigation reveals that the complaint is justified and substantiated, the Business Administrator will formulate, with the advice of the Township of Washington Solicitor, a corrective action plan as well as possible disciplinary action. The complaining employee will be notified, in writing, that it appears that the complaint was justified and an appropriate response plan has been formulated. A copy of the response plan should be attached to the letter. The response plan should provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

## **REQUESTS FOR EMPLOYMENT VERIFICATION AND REFERENCE PROCEDURE**

**Effective Date: 7/1/98**

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred to the Business Administrator. No employee may issue a reference letter

without the permission of the Business Administrator. Under no circumstances should any information be released over the phone.

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

### **CONTINUING EDUCATION PROCEDURE**

**Effective Date: 7/1/98**

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

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

## **SECTION SIX**

### **EXAMINATION OF PUBLIC RECORDS**

**Effective Date: 7/1/98**

Examination of all public records shall be in accordance with the provisions of the New Jersey Open Public Records Act.

### **IMMIGRATION LAW COMPLIANCE**

**Effective Date: 7/1/98**

The Township of Washington is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Township of Washington within the past three (3) years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Personnel Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

**SECTION SEVEN**  
**MODEL FORMS**

- Notice of Personnel Discussion
- Employee Complaint Form
- Sample Notice Concerning “Whistleblower” Act
- Application for Employment
- NJ Division of Civil Rights Guide on Pre-Employment Inquires
- Performance Appraisal
- Counseling Action Plan
- Employee Evaluation Checklist
- Fingerprint and Background Check Consent Form for Employees, Job Applicants, and  
Volunteers That May Work or Have Contact with Minors
- Employee Information Change Form
- Applicant Relative Disclosure Form
- Application for Family and/or Medical Leave (FMLA) and/or New Jersey Family Leave  
(NJFLA)
- Return to Work Medical Certification
- Harassment Complaint Form
- Witness Statement Form
- Reasonable Suspicion Testing Checklist

**WASHINGTON TOWNSHIP  
NOTICE OF PERSONNEL DISCUSSION**

To: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

This is to notify you, pursuant to the Open Public Meeting Act, that the (body name) plans to discuss the subject matter(s) checked below relating to your employment.

- Application for Employment
- Promotion or Transfer
- Compensation
- Performance Evaluation
- Special Leave Request
- Grievance
- Discipline
- Possible Termination
- Other (Specify): \_\_\_\_\_

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

Date of Meeting(s): \_\_\_\_\_

Time: \_\_\_\_\_

Location: \_\_\_\_\_

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

Notice Date: \_\_\_\_\_ Signed: \_\_\_\_\_ Title: \_\_\_\_\_

**Washington Township Employee Complaint Form**      Date: \_\_\_\_\_

Attach additional sheets if necessary, to fully complete all questions.

NAME: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

TITLE: \_\_\_\_\_ SUPERVISOR: \_\_\_\_\_

Time period covered by this complaint: \_\_\_\_\_

Individuals who allegedly committed the action being complained of:

---

---

---

---

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

---

---

---

---

---

---

Identify all persons with knowledge of the complained conduct:

---

---

---

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

---

---

---

---

---

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

---

---

---

---

---

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

---

---

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

---

---

---

What is your requested remedy for this complaint?

---

---

---

---

#### ACKNOWLEDGMENT

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

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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

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

BY: \_\_\_\_\_ DATE: \_\_\_\_\_



# Conscientious Employee Protection Act “Whistleblower Act”

Employer retaliatory action; protected employee actions; employee responsibilities

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

**This  
notice  
must be**

#### CONTACT INFORMATION

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

**Name:** Business Administrator

**Address:** 523 Egg Harbor Road, Sewell, NJ 08080

**Telephone Number:** 856-589-0520

**conspicuously displayed.**

**Township of Washington**  
**523 Egg Harbor Road**  
**Sewell, New Jersey 08080**

Date: \_\_\_\_\_

**EMPLOYMENT APPLICATION**

|                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Information:</b><br>Name (Last, First, Middle): _____<br><br>Address: _____<br><br>City/Town: _____<br><br>Phone (Cell): (    ) _____ (Home): (    ) _____<br><br>Email Address: _____<br><br>Social Security Number: XXX-XX-_____ |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Position applied for: \_\_\_\_\_

Have you ever applied to Washington Township before: \_\_\_ Yes \_\_\_ No    If yes, give date \_\_\_\_\_

Date you can start: \_\_\_\_\_ Salary desired: \_\_\_\_\_

Are you available to work: \_\_\_ Full time \_\_\_ Part time \_\_\_ Shift work \_\_\_ Temporary

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

May we contact your current employer: \_\_\_ Yes \_\_\_ No

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

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

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

Please list any endorsements: \_\_\_\_\_

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

Are you legally eligible to work in the United States of America: \_\_\_ Yes \_\_\_ No

Washington Township is an Equal Opportunity Employer M/F

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

|                                                                                         |               |            |                                  |
|-----------------------------------------------------------------------------------------|---------------|------------|----------------------------------|
| Employer:                                                                               | Date started: | Date left: | Work performed/responsibilities: |
| Address:                                                                                |               |            |                                  |
| Job Title:                                                                              |               |            |                                  |
| Reason for leaving:                                                                     |               |            |                                  |
| Supervisor's name and phone number:                                                     |               |            |                                  |
| May we contact for a reference <input type="checkbox"/> Yes <input type="checkbox"/> No |               |            |                                  |
| Employer:                                                                               | Date started: | Date left: | Work performed/responsibilities: |
| Address:                                                                                |               |            |                                  |
| Job Title:                                                                              |               |            |                                  |
| Reason for leaving:                                                                     |               |            |                                  |
| Supervisor's name and phone number:                                                     |               |            |                                  |
| May we contact for a reference <input type="checkbox"/> Yes <input type="checkbox"/> No |               |            |                                  |
| Employer:                                                                               | Date started: | Date left: | Work performed/responsibilities: |
| Address:                                                                                |               |            |                                  |
| Job Title:                                                                              |               |            |                                  |
| Reason for leaving:                                                                     |               |            |                                  |
| Supervisor's name and phone number:                                                     |               |            |                                  |
| May we contact for a reference <input type="checkbox"/> Yes <input type="checkbox"/> No |               |            |                                  |
| Employer:                                                                               | Date started: | Date left: | Work performed/responsibilities: |
| Address:                                                                                |               |            |                                  |
| Job Title:                                                                              |               |            |                                  |
| Reason for leaving:                                                                     |               |            |                                  |
| Supervisor's name and phone number:                                                     |               |            |                                  |
| May we contact for a reference <input type="checkbox"/> Yes <input type="checkbox"/> No |               |            |                                  |
| Employer:                                                                               | Date started: | Date left: | Work performed/responsibilities: |
| Address:                                                                                |               |            |                                  |
| Job Title:                                                                              |               |            |                                  |

|                                                    |
|----------------------------------------------------|
| Reason for leaving:                                |
| Supervisor's name and phone number:                |
| May we contact for a reference    ____ Yes ____ No |

**Comments:**

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

| School:  | Years completed:<br>(Circle) | Graduated:<br>(Circle) | Major Field: |
|----------|------------------------------|------------------------|--------------|
| High:    | 1 2 3 4                      | Yes No                 |              |
| College: | 1 2 3 4                      | Yes No                 |              |
| Other:   | 1 2 3 4                      | Yes No                 |              |

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

---



---



---



---

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

---



---



---



---

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

| Name & Address: | Phone Number: | Years Known: |
|-----------------|---------------|--------------|
|                 |               |              |
|                 |               |              |
|                 |               |              |

**Understandings and Agreements:**

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

**Applicant's  
Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**TOWNSHIP OF WASHINGTON'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

It is the policy of Township of Washington to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and The governing body of Township of Washington has determined that certain procedures need to be established to accomplish this policy

**Section 1:** No official, employee, appointee or volunteer of the Township of Washington by whatever title known, or any entity that is in any way a part of the Township of Washington shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Washington's business or using the facilities or property of the Township of Washington.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Washington to provide services that otherwise could be performed by the Township of Washington.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Township Council shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Township Council shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Washington as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Township Council shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Township Council shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Washington. This communication shall include a statement from the governing body

expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Washington's web site.

**Section 9:** A copy of this resolution shall be published in the official newspaper of the Township of Washington in order for the public to be made aware of this policy and the Township of Washington's commitment to the implementation and enforcement of this policy

Tel: (856) 589-0520  
 Fax: (856) 582-0069



523 Egg Harbor Road  
 Sewell, NJ 08080

**TOWNSHIP OF WASHINGTON  
 GLOUCESTER COUNTY**

**PERFORMANCE EVALUATION**

Name: \_\_\_\_\_ Date of Hire: \_\_\_\_\_  
 Position Title: \_\_\_\_\_ Time in Positions (Years): \_\_\_\_\_  
 Evaluation Date: \_\_\_\_\_ Last Review Date: \_\_\_\_\_  
 Supervisor: \_\_\_\_\_

**EVALUATION DESCRIPTION**

**SCORING:** Mark the number that best describes the employee’s performance. If the item does not apply to the employee, mark “N/A”, not applicable. Do not factor a score for that item into the section subtotal or final score. Calculate the evaluation score by adding the totals for each column and dividing that total by the number of items which were applicable to the employee.

|                      |                                                                                                                                                                                                                                                                                                                                              |   |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Outstanding          | Performance in achieving position requirements is outstanding. Consistently contributes to the organization’s objectives in an exceptional way. Seeks out and achieves aggressive, difficult and complex objectives. Viewed as a leader, problem solver, or key resources for the organization.                                              | 5 |
| Exceeds Expectations | Performance in achieving position requirements is above average. Overall performance consistently exceeds expectations. Employee can manage more difficult goals and objectives that are the norm for the position. Viewed as a notable contributor to the organization.                                                                     | 4 |
| Meets Expectations   | Performance in achieving position requirements meets all expectations. Overall performance is consistent and reliable. Viewed as a solid, dependable and meaningful contributor to the organization.                                                                                                                                         | 3 |
| Needs Improvement    | Performance in achieving goals does not meet expectations. Overall performance and contributions are lower than those required by the job. Additional training, development or focus may be considerations with Employee in new positions. Viewed as someone with potential but not fully realizing their contributions to the organization. | 2 |
| Below Expectations   | Performance in achieving goals is far below expectations. Overall performance is consistently below expectations for this role. Immediate corrective action must be taken by the Employee to improve performance. Viewed as a risk to the organization in current role.                                                                      | 1 |



| <b>I.</b>                                                                        | <b>WORK PERFORMANCE</b>                                                                                                                                                                                                                                                                                                                                    | <b>5</b> | <b>4</b> | <b>3</b> | <b>2</b> | <b>1</b> |
|----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|----------|----------|----------|
| 1.                                                                               | <u>Quality of work:</u> Pertaining to accuracy, completeness, thoroughness, correctness, neatness and workmanship. Employee's performance of job tasks is accurate and generally meets the highest standards.                                                                                                                                              |          |          |          |          |          |
| 2.                                                                               | <u>Quantity of work performed:</u> Employee's work product consistently meets job requirements while maintaining time and work schedules. Employee takes initiative to take on other tasks whenever possible and is able to prioritize assignments in an effective manner.                                                                                 |          |          |          |          |          |
| 3.                                                                               | <u>Written and oral communication:</u> Employee is effective in expressing ideas, facts, and data through speech, written communication or graphics used in the field. Employee is able to provide accurate and timely documentation, as needed, for job tasks.                                                                                            |          |          |          |          |          |
| 4.                                                                               | <u>Judgment:</u> Employee has the ability to analyze available data concerning an issue and research as sound solution coming to a viable decision.                                                                                                                                                                                                        |          |          |          |          |          |
| 5.                                                                               | <u>Innovation and creativity:</u> Employee is able to independently determine alternative ways of getting tasks accomplished. Employee shows innovation or creativity in accomplishing assignments. Employee demonstrates resourcefulness, adaptability and the ability to carry out responsibilities with minimal supervision. Strives to meet deadlines. |          |          |          |          |          |
| 6.                                                                               | <u>Goal accomplishment:</u> Employee completes most tasks put into process and can be depended upon to fully accomplish assignments. Employee is capable of making significant contributions to advancing departmental and Township goals.                                                                                                                 |          |          |          |          |          |
| 7.                                                                               | <u>Attendance:</u> Employee is punctual and ready to assume duties at the beginning of the scheduled workday with little, to no absenteeism. Utilized time efficiently with little distraction and is willing to put in extra time (OT) if needed to complete assignments.                                                                                 |          |          |          |          |          |
| 8.                                                                               | <u>Dependability:</u> Employee can be depended on to conscientiously carry out job tasks and to do so in a manner that is constructive and completed in a timely manner.                                                                                                                                                                                   |          |          |          |          |          |
| 9.                                                                               | <u>Work habits:</u> Employee respects Township property and materials while consistently observing rules, regulations and procedures. Employee plans and organizes work well, is willing to learn and accept additional responsibility, and is honest disclosing and correcting mistakes.                                                                  |          |          |          |          |          |
| 10.                                                                              | <u>Supervisory ability (Dept. Head):</u> Employee is a proficient and competent leader who is able to solve problems and make definitive decisions. Effective in understanding, motivating, communicating and disciplining staff. Utilizes time, equipment and personnel efficiently.                                                                      |          |          |          |          |          |
| <b>Rating Sub-Total:</b><br><b>(Add each column to obtain rating sub-total.)</b> |                                                                                                                                                                                                                                                                                                                                                            |          |          |          |          |          |

**Comments/Notes:**

---



---



---



---



---

| II.                                                                              | INTERPERSONAL SKILLS                                                                                                                                                                                                                                                                                                                                                                            | 5 | 4 | 3 | 2 | 1 |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|
| 1.                                                                               | <u>Assertiveness and initiative:</u> Employee is a motivated and has little difficulty expressive ideas and suggestions that are relevant to the job tasks. Employees can anticipate problems and identify tasks through own initiatives and performs assigned duties with little or no supervision.                                                                                            |   |   |   |   |   |
| 2.                                                                               | <u>Ability to take direction:</u> Employee listens well and comprehends directions given. Employee asks appropriate questions to clarify and take action to carry out directions.                                                                                                                                                                                                               |   |   |   |   |   |
| 3.                                                                               | <u>Willingness to learn:</u> Employee is cooperative in accepting new challenges and in learning situations. Employee seeks to improve job skills and ability to perform effectively.                                                                                                                                                                                                           |   |   |   |   |   |
| 4.                                                                               | <u>Tact in relationships/teamwork:</u> Employee is considerate of the feelings and thoughts of others when expressing him or herself. Employee exhibits a quality of courteousness, respect and fairness in the day-to-day interactions with co-workers and the public.                                                                                                                         |   |   |   |   |   |
| 5.                                                                               | <u>Problem solving:</u> Employee participates constructively in problem solving. Employee has the ability to assess situations and apply appropriate information to address work issues.                                                                                                                                                                                                        |   |   |   |   |   |
| 6.                                                                               | <u>Customer focus:</u> Employee provides leading customer service by delivering timely, accurate and effective responses to internal and external customers. Interaction with customers is conducted in a pleasant, respectful and helpful manner while meeting and maintaining departmental guidelines and regulations. Always follows through by providing or obtaining complete information. |   |   |   |   |   |
| 7.                                                                               | <u>Cooperation:</u> Employee willingly accepts changes in assignments not directly related to the job and adapts readily and without complaint to changing circumstances. Works well with co-workers and other departments. Is willing to step in and assist when needed.                                                                                                                       |   |   |   |   |   |
| 8.                                                                               | <u>Integrity and ethics:</u> Employee demonstrates high professional standard of conduct through action and principles. Employee honors commitments, is accountable for actions taken, handles stressful situations with tact and accepts constructive criticism without unfavorable responses.                                                                                                 |   |   |   |   |   |
| <b>Rating Sub-Total:</b><br><b>(Add each column to obtain rating sub-total.)</b> |                                                                                                                                                                                                                                                                                                                                                                                                 |   |   |   |   |   |

**Comments/Notes:**

---



---



---



---



---



---



---

**WORK PERFORMANCE:**

|                                                                           |  |  |  |  |  |
|---------------------------------------------------------------------------|--|--|--|--|--|
| <b>Rating Sub-Total:</b><br>(Add each column to obtain rating sub-total.) |  |  |  |  |  |
| <b>SECTION I Sub-Total:</b>                                               |  |  |  |  |  |

**INTERPERSONAL SKILLS:**

|                                                                           |  |  |  |  |  |
|---------------------------------------------------------------------------|--|--|--|--|--|
| <b>Rating Sub-Total:</b><br>(Add each column to obtain rating sub-total.) |  |  |  |  |  |
| <b>SECTION II Sub-Total:</b>                                              |  |  |  |  |  |

OVERALL PERFORMANCE EVALUATION TOTAL: \_\_\_\_\_

**III. NEW GOALS/OBJECTIVES**

---

---

---

---

---

---

---

---

**IV. ACHIEVEMENTS/PAST GOALS**

---

---

---

---

---

---

---

---



**WASHINGTON TOWNSHIP COUNSELING ACTION PLAN**

EMPLOYEE NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ POSITION: \_\_\_\_\_

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

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

State the reason for the counseling session:

---

---

---

---

---

---

---

---

---

---

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

---

---

---

---

---

---

---

---

---

---

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

---

---

---

---

---

---

---

Employee should reach these goals by:

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

Consequences of failure to improve or achieve goals:

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

Employee's Comments:

---

---

---

---

---

---

---

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

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Business Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## WASHINGTON TOWNSHIP EMPLOYEE EVALUATION CHECKLIST

### BE PREPARED

- Know the objectives and goals of the meeting

### TIME AND PLACE

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

### CONDUCTING AN INTERVIEW

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

### CONCLUSION

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

### FOLLOW-UP

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

**Washington Township**  
**Fingerprint and Background Check Consent Form for Employees, Job Applicants,**  
**and Volunteers That May Work or Have Contact with Minors**

In accordance with Washington Township Ordinance No. 38-2007 and N.J.S.A. 15A:3A-1 et seq., I understand that as a condition of continued employment, new employment, or my volunteer service, the Township requires background checks on all individuals who will be working with children.

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

|       |                                                                                             |              |
|-------|---------------------------------------------------------------------------------------------|--------------|
| 2C:11 | HOMICIDE                                                                                    | ALL OFFENSES |
| 2C:12 | ASSAULT, ENDANGERING, THREATS                                                               | ALL OFFENSES |
| 2C:13 | KIDNAPPING                                                                                  | ALL OFFENSES |
| 2C:14 | SEXUAL OFFENSES                                                                             | ALL OFFENSES |
| 2C:15 | ROBBERY                                                                                     | ALL OFFENSES |
| 2C:20 | THEFT                                                                                       | ALL OFFENSES |
| 2C:24 | OFFENSES AGAINST THE FAMILY,<br>CHILDREN, AND INCOMPETENTS                                  | ALL OFFENSES |
| 2C:35 | CONTROLLED DANGEROUS SUBSTANCES<br>(*except paragraph (4) of subsection a. of NJS.2C:35-10) | ALL OFFENSES |

---

Name (please print)

---

Applicant's Signature

---

Date

---

Parent's Signature (if applicant is under 18)

---

Date



**TOWNSHIP OF WASHINGTON  
EMPLOYEE INFORMATION CHANGE FORM**

Employee Name: \_\_\_\_\_

Department: \_\_\_\_\_

Indicate the change you are reporting by checking the appropriate line:

- \_\_\_\_\_ Name
- \_\_\_\_\_ Address
- \_\_\_\_\_ Phone Number
- \_\_\_\_\_ Birth of Child
- \_\_\_\_\_ Death of Covered Family Member
- \_\_\_\_\_ Marriage
- \_\_\_\_\_ Divorce
- \_\_\_\_\_ Child's Status as Dependent (for tax or insurance coverage benefits)

Please provide details relating to the change you have check above, including the date of the change.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I authorize these changes to be effective \_\_\_\_\_

Signature of Employee: \_\_\_\_\_

Date: \_\_\_\_\_

**TOWNSHIP OF WASHINGTON**  
**APPLICANT RELATIVE DISCLOSURE FORM**

Name of Applicant: \_\_\_\_\_

The Employer prohibits the hiring of relatives if the employment of such an individual would result in the creation of a prohibited employment relationship. A prohibited relationship is created when:

1. One relative would have the authority to directly supervise, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.
2. The relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the Employer's interest and their own.

Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and cousins.

Do any of your relatives currently work for the Employer or are any of your relatives an elected or appointed official?

Yes  No

If you answered "yes" to the previous question, please disclose the name(s) of your relative (s) who work(s) for the Employer, his or her title, and his or her relationship to you.

Relative #1

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Relationship: \_\_\_\_\_

Relative #2

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Relationship: \_\_\_\_\_

**APPLICANT RELATIVE DISCLOSURE FORM (CONT'D)**

Relative #3

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Relationship: \_\_\_\_\_

Relative #4

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Relationship: \_\_\_\_\_

Note: An applicant's failure to fully disclose his or her relationship to an individual employed by the Employer or elected or appointed official may result in the rejection of the employment application or, if employed, the termination of employment.

I acknowledge that I have read and understand the above Disclosure Form and that I have disclosed all relatives who work for the Employer or serve as elected or appointed officials.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

**TOWNSHIP OF WASHINGTON**  
**Application for Family and/or Medical Leave (FMLA)**  
**and/or New Jersey Family Leave (NJFLA)**

Employee Name (print clearly): \_\_\_\_\_

Date of Request: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Department: \_\_\_\_\_ Hire Date: \_\_\_\_\_

Job Title: \_\_\_\_\_

Start Date of Anticipated Leave: \_\_\_\_\_

Expected Date of Return to Work: \_\_\_\_\_

The reason for this FMLA and/or NJFLA leave request (select the most appropriate box):

I request family leave to care for my newborn child, newly adopted child, or a newly placed foster child in my home.

I request family leave to care for my family member with a serious health condition. I request family leave to care for:

Spouse    Child    Parent

NJFLA Only:  Parent-in-Law    Civil Union/Domestic Partner

Name: \_\_\_\_\_ Address: \_\_\_\_\_

I request medical leave to care for my own serious medical condition.

I request military family leave because of a qualifying exigency arising out of the fact that my  
 Spouse    Child    Parent  
is on active duty or called to active-duty status in support of a contingency operation as a member of the National Guard or reserves.

I request military family leave because I am the

Spouse    Child    Parent    Next of Kin of a covered service member with a serious injury or illness.

Application for FMLA and/or NJFLA (cont'd)

I understand that if my family or medical leave (total of paid and unpaid time) does not exceed twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), I will be returned to my same or equivalent position.

I understand that if my family or medical leave exceeds twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), the Employer may terminate my employment in accordance with the applicable law.

If my request for leave is approved, it is my understanding that unless the Employer has authorized an extension of my leave in writing, I must report to duty on the first workday following the date my leave is scheduled to end.

I understand that failure to return to work within five (5) consecutive working days following the expiration of the leave will constitute unequivocal notice of my intent not to return to work and the Employer may terminate my employment.

Signature of Employee: \_\_\_\_\_

Date: \_\_\_\_\_

Received By: \_\_\_\_\_  
*Human Resources Representative*

Complete and return to:

Township of Washington  
Municipal Building  
523 Egg Harbor Road  
Sewell, NJ 08080  
Attn: Office of Human Resources  
856-589-0520 x2211

TOWNSHIP OF WASHINGTON  
Return to Work Medical Certification

Employee Name (print clearly): \_\_\_\_\_

Job Title: \_\_\_\_\_

Date leave commenced: \_\_\_\_\_

Date employee can return to work: \_\_\_\_\_

To Be Completed by Health Care Provider:

\_\_\_\_\_ I have completely examined this employee. In my medical opinion, his/her functional capacity is limited such that there is no possible way to modify his/her work environment to accommodate his/her physical and/or mental limitations according to the attached job description that was reviewed by me.

\_\_\_\_\_ This employee's condition prevents him/her from safely performing the essential functions of his/her position and will be unable to return to work.

- or -

\_\_\_\_\_ This employee is unable to return to work at this time and should be out of work until (please provide date): \_\_\_\_\_

\_\_\_\_\_ I have completely examined this employee and in my medical opinion, his/her functional capacity is limited. This employee can continue to work safely if the job, according to the attached job description that was reviewed by me, is modified to match the modifications stated below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Modified duty status should continue until \_\_\_\_\_  
Date

\_\_\_\_\_ I have completely examined this employee. In my medical opinion I believe this employee can resume/perform all functions of his/her position without restrictions according to the attached job description that was reviewed by me.

Signature of Health Care Provider: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Health Care Provider: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Practice: \_\_\_\_\_

Area of Specialization: \_\_\_\_\_

**TOWNSHIP OF WASHINGTON  
HARASSMENT COMPLAINT FORM**

**\*THIS INVESTIGATION IS CONFIDENTIAL AND INFORMATION OBTAINED DURING THE  
COURSE OF THIS INVESTIGATION MUST NOT BE DISCLOSED\***

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Job Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Union Representative (*if any*): \_\_\_\_\_

Time Period Covered by Complaint: \_\_\_\_\_

Individuals Who Allegedly Committed Harassment:

|    | Name  | Department | Job Title |
|----|-------|------------|-----------|
| 1. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 2. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 3. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 4. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 5. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify all employees or others with knowledge of the complained of conduct:

---

---

---

---

---

---

---

---

---

---

Are there any documents which contain information supporting the occurrences described above?

---

---

---

---

---

---

---

---

---

---

Is there any physical evidence which supports your complaint? If so, please describe:

---

---

---

---

---

---

---

---

---

---



Have you missed any work time as a result of the alleged harassment? If “yes,” identify the occasions.

---

---

---

---

---

---

---

---

Have you incurred any unreimbursed medical expenses as a result of the alleged harassment?

---

---

---

---

---

---

---

---

If you previously complained about this or related acts of general harassment to an Employer supervisor or official, please identify the individual to whom you complained, the date of the complaint, and the resolution of your complaint:

---

---

---

---

---

---

---

---

*(Attach Additional Sheets if Necessary)*

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

---

---

---

---

---

---

---

---

---

---

---

What is your requested remedy in this complaint?

---

---

---

---

---

Acknowledgement:

The information provided above is true and correct.

Signature of Complainant: \_\_\_\_\_

Date: \_\_\_\_\_

To investigate your complaint, it will be necessary to interview you, the alleged harasser(s), and any witnesses with knowledge of the allegations or defenses. The Employer will notify all persons involved in the investigation that it is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action up to and including termination.

*I am willing to cooperate fully in the investigation of my complaint and to provide whatever evidence the Employer deems relevant.*

Signature of Complainant: \_\_\_\_\_

Date: \_\_\_\_\_

**TOWNSHIP OF WASHINGTON  
WITNESS STATEMENT FORM**

***\*THIS INVESTIGATION IS CONFIDENTIAL AND INFORMATION OBTAINED DURING THE  
COURSE OF THIS INVESTIGATION MUST NOT BE DISCLOSED\****

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Job Title: \_\_\_\_\_

Union Representative (if any): \_\_\_\_\_

Length of Time Known: Complainant \_\_\_\_\_ Respondent \_\_\_\_\_

Individuals Who Allegedly Committed Harassment:

|    | Name  | Department | Job Title |
|----|-------|------------|-----------|
| 1. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 2. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 3. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 4. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |
| 5. | _____ | _____      | _____     |
|    | _____ | _____      | _____     |

Identities of other persons with knowledge of facts relevant to this investigation:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Attach Additional Sheets (if necessary)*

WITNESS STATEMENT FORM (CONT'D)

Please provide a detailed description of the events you witnessed. Include the date, time, location and individuals present.

---

---

---

---

---

---

---

---

---

---

Any other information which should be considered in evaluating the validity of the complaint in this case:

---

---

---

---

---

---

---

---

---

---

Acknowledgment:

I, \_\_\_\_\_, affirm that the information I have provided is true and correct. I acknowledge that the investigation is confidential and that I am not to disclose information obtained by me during the course of this investigation. I understand that unauthorized disclosures could result in disciplinary action up to and including termination.

Signature of Witness: \_\_\_\_\_ Date: \_\_\_\_\_

## REASONABLE SUSPICION TESTING CHECKLIST

Employee Name: \_\_\_\_\_ Employee Job Title: \_\_\_\_\_  
Facility/Department: \_\_\_\_\_ Location of Event: \_\_\_\_\_  
Observation Date: \_\_\_\_\_ Time: \_\_\_\_\_ AM or PM (circle one)  
Was employee performing a safety-sensitive duty?  Yes  No

---

The following observations were made of the employee identified above:

**Check ALL specific and contemporaneous observations and document the following:**

### **BEHAVIOR**

- Unsteady gait, stumbling
- Drowsy, sleepy, lethargic
- Agitated, anxious, restless
- Hostile, belligerent
- Irritable, moody
- Depressed, withdrawn
- Unresponsive, distracted
- Clumsy, uncoordinated
- Tremors, shakes
- Flu-like illness complaints
- Suspicious, paranoid
- Hyperactive, fidgety
- Inappropriate, uninhibited behavior
- Frequent use of mints, mouthwash, breath sprays, eye drops

### **APPEARANCE**

- Flushed complexion
- Cold, clammy sweats
- Bloodshot eyes
- Tearing, watery eyes
- Dilated (large) pupils
- Constricted (pinpoint) pupils
- Unfocused, blank stare
- Disheveled clothing
- Unkempt appearance

### **SPEECH**

- Slurred, thick
- Incoherent
- Exaggerated enunciation
- Loud, boisterous
- Rapid, pressured
- Excessively talkative
- Nonsensical, silly
- Cursing, inappropriate speech

### **BODY ODORS**

- Alcohol
- Marijuana

Other observations: \_\_\_\_\_

---

\_\_\_\_\_  
Supervisor Name (Print)                      Supervisor Signature                      Date

### ***Additional witnesses (Optional)***

\_\_\_\_\_  
Witness Name (Print)                      Witness Signature                      Date

### **TEST DETERMINATION**

- DOT**                       **NON-DOT**
- Reasonable Suspicion Alcohol Test
- Reasonable Suspicion Drug Test
- No Test Required
- Employee Refused Test
- NO Test Conducted
- 8 hours elapsed for alcohol test
- 32 hours elapsed for drug test
- Employee transported for medical care
- Other (explain):

Employee transported to collection site by: \_\_\_\_\_

Time of Transport: \_\_\_\_\_ AM/PM (Circle) Collection Facility: \_\_\_\_\_