

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY**

**PERSONNEL POLICIES AND PROCEDURES
MANUAL/EMPLOYEE HANDBOOK**

Matthew A. Cavallo
Township Administrator/Personnel Officer
Extension 1030

November 2021
Revised December 31, 2023

DISCLAIMER OF CONTRACT

The contents of this handbook are guidelines only and supersede any prior manual and/or handbook. Neither this manual nor any other guidelines, policies or practices create an employment contract. The Township of Wyckoff has the right, with or without notice, in an individual case or generally, to change any of its guidelines, policies, practices, working conditions or benefits at any time.

No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or arrangement is in writing and is signed by the Township Administrator. Employment with the Township of Wyckoff is at-will and may be terminated at any time with or without cause or notice by the employee or the Township of Wyckoff.

This notice applies to all employees regardless of date of hire.

The Township of Wyckoff is an Equal Opportunity Employer (EOE), M/F

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GENERAL POLICY

1. THE PERSONNEL POLICY AND PROCEDURE MANUAL/ EMPLOYEE HANDBOOK

Welcome to Wyckoff. We want you to be proud of your work. In this Manual we explain what the Township expects from you and what you can expect from the Township.

If any statement in this Manual is not completely clear to you, please ask your supervisor to explain it.

It is the policy of the Township of Wyckoff 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 Wyckoff shall apply to all employees, volunteers, (elected or) appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law (including the Attorney General's guidelines with respect to Police Department personnel matters, the terms and conditions of that contract or law shall prevail.) In all other cases, these policies and procedures shall prevail.

All employees, officers and Department Managers shall be appointed and promoted by the Township Committee and/or the Township Administrator

The Township Administrator and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Township Committee has appointed the CFO to assist the Township Administrator in the implementation of personnel practices. The Township Administrator and CFO shall also have access to the Labor Attorney appointed by the Township Committee for guidance in personnel matters

As a general principle, the Township of Wyckoff has a “no tolerance” policy towards workplace wrongdoing. The Township of Wyckoff officials, employees, volunteers and independent contractors are to report anything perceived to be improper to the Township Administrator, Chief of Police or CFO. The Township of Wyckoff believes strongly in a Open Door Policy and encourages employees to talk with their supervisors, Department Manager, Township Administrator, CFO or the Township Attorney concerning any problem.

REVIEW OF THE MANUAL

This manual will be reviewed annually. However, review and/or modification may occur as required.

Approved revisions will be distributed for updating individual Manuals.

It shall be your responsibility to inform your Supervisor or Department Manager of any problems you have with this Manual. It shall be the responsibility of Department Managers and Supervisors to promptly inform the Township Administrator of any questions or problems of interpretation of this Manual brought to their attention by any employee or by the application of its terms.

The Personnel Policies and Procedures Manual adopted by the Township Committee is intended to provide guidelines covering public service by the Township of Wyckoff employees and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for the Township of Wyckoff's 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 Wyckoff.

WHILE IT IS HOPED THAT YOUR EMPLOYMENT RELATIONSHIP WILL BE MUTUALLY REWARDING AND LONG TERM, THIS MANUAL SHOULD NOT BE CONSTRUED AS, AND DOES NOT CONSTITUTE, A CONTRACT OF EMPLOYMENT FOR ANY SPECIFIC DURATION, AND EITHER YOU OR THE TOWNSHIP OF WYCKOFF MAY END THIS RELATIONSHIP AT ANY TIME.

To the maximum extent permitted by law, the employment practices of the Township of Wyckoff shall operate under the legal doctrine known as, "employment at will." Within Federal and State law, including the New Jersey Civil Service Act and any applicable bargaining unit agreement, the Township of Wyckoff shall have the right to terminate an employee at any time and for any reason, with or without

notice, except the Township of Wyckoff shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.

AT-WILL STATEMENT & DISCLAIMER

The contents of this Personnel Policies and Procedures manual (“the Manual”) summarize the current benefits and guidelines within the municipality (“the Employer”) and are intended as guidelines only. The Employer reserves the right to change, delete, suspend, or discontinue any part or parts of this Manual at any time, without prior notice, and any such action shall apply to existing as well as future employees. You should be aware that these benefits and guidelines may be changed at any time, and that depending upon the circumstances of a given situation, the Employer’s actions may vary from the provisions of this Manual. **As such, the contents of the Manual DO NOT CONSTITUTE THE TERMS OF A CONTRACT OF EMPLOYMENT.**

It should be noted that nothing contained in this Manual should be construed as a guarantee of continued employment; but rather, EMPLOYMENT WITH THE EMPLOYER IS ON AN AT-WILL BASIS. This means that either the employee or the Employer, with or without cause, may terminate the employment relationship at any time with or without notice, for any reason not expressly prohibited by law. Any exception must be expressly authorized and signed by the Employer.

This Manual supersedes and replaces all prior personnel policy and benefit statements, whether oral or in writing. While some of the provisions contained herein refer specifically only to federal law, employees should be aware that the Employer will comply with all federal, state and local laws. Should any provision in this Manual be found to be unenforceable and/or invalid, such finding does not invalidate the entire Manual, but only the subject provision. Many of the policies in this handbook shall also apply in equal force to volunteers of the Employer.

When changes are made to this Manual, the Employer will make any corresponding changes to the Employee Handbook that are necessary so that the Manual and Handbook do not conflict.

All employees will be notified when any material changes are made to the policies contained in this Manual.

This Manual has been written so as not to conflict with the collective bargaining agreements between the Employer and its unionized employees. If there is a conflict between this Manual and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented employees. This Manual has been written so as not to conflict with the provisions and mandates of the laws and regulations governing employment in the State of New Jersey. If there is a conflict between this Manual and any such mandate pursuant to law, such law will prevail for covered employees.

2. MANAGEMENT RIGHTS

The Township reserves the discretion to adopt reasonable work rules and policies from time to time as it sees fit.

3. STANDARDS OF CONDUCT/ETHICS POLICY/ AVOIDANCE OF CONFLICTS OF INTEREST

Public employment is a unique status and involves special responsibilities. In order to define precisely the permissible parameters of a Township employee's off-duty employment and to set forth provisions relating to the conduct and ethics required of Township employees, the following policy shall be adhered to by all employees.

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

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

A potential or actual conflict of interest occurs whenever an employee, including a Township of Wyckoff official, is in a position to influence a Township of Wyckoff 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 Wyckoff may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Township Administrator or Township Attorney to obtain clarification.

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

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

1. Definitions

- a. **“Employee”** shall mean any employee of the Township and shall include any other Township appointee of the Mayor or governing body of the Township of Wyckoff.

- b. **“Off-duty employment”** shall mean any services rendered apart from your Township of Wyckoff employment during your off-duty period for which you receive goods, services or pay.
- c. **“Interferes with employment”** shall mean employment which impairs the quality or quantity of your work or which may impair your safety or health or your fellow employees’ safety or health.
- d. **“Conflict of interest”** shall mean a financial or personal relationship which exerts a compromising or adverse influence upon the objective exercise of your official duties and/or discretion. It shall include any action that might be reasonably expected to create an impression or suspicion on the part of any other employee, official, or member of the public that you may be engaged in conduct violating your trust as a Township employee.
- e. **“Administrator”** shall mean the Township Administrator of the Township of Wyckoff.

2. Off-Duty Employment

You may engage in off-duty employment under the following conditions:

- a. It does not interfere with your Township employment.
- b. It does not constitute a conflict of interest, or
- c. It is not contrary to any provision of this policy. For example, you may not engage in off-duty employment which:
 - Is prohibited by law.
 - Is in the nature of a representative or sales person in the Township of Wyckoff for products related to duties performed by you for the Township.

- Is located in a place of employment which would tend to bring discredit to the Department in which you are employed.

3. Unethical Conduct

No employee shall:

- a. Use or attempt to use their Township position to secure unwarranted privileges or benefits for themselves or for others.
- b. Accept any gift, fee, service or other item of value under circumstances from which it might reasonably be inferred that such gift, fee, service or other item of value was given for the purpose of improperly influencing the employee in the discharge of their Township duties.
- c. Directly or indirectly use or seek to use their authority or influence or position to control or modify the political action of another person.
- d. Place or maintain themselves in a position of conflict of interest or take any action which constitutes a conflict of interest.

4. Notification of Employment

Every employee shall notify their Department Head, in writing, whenever they accept off-duty employment. Such notification shall be in sufficient detail to enable the Department Head and the Township Administrator to determine whether such employment is consistent with the provisions of this policy.

5. Penalty

Any employee found to be in violation of the provisions of this policy by the Township, after a hearing, shall cease such violation and/or shall be subject to reprimand, suspension or discharge.

PROCEDURE

Each year, you are required to complete a Notification of Off-Duty Employment Statement. In addition, each time you accept a new or different position or employment, you are required to complete the Notification of Off-Duty Employment Statement. Such completed statements shall be reviewed by the Township Administrator and Township Attorney, who may recommend action where appropriate. The Governing Body shall make the final determination of whether a violation of this policy exists and what action, if any, is required.

NOTIFICATION OF OFF-DUTY EMPLOYMENT

The following questions pertain to your employment with the Township of Wyckoff:

- 1. Name: _____
- 2. Township Job Title: _____
- 3. Hours of Work: _____

The following questions pertain to your off-duty employment:

- 1. Name of Employer: _____
- 2. Job Title: _____
- 3. Description of Work: _____

- 4. Hours of Work: _____
- 5. How long will the job last: _____

Date Employee Signature

I UNDERSTAND THAT ANY MISREPRESENTATION OF FACT ON THIS FORM COULD RESULT IN DISCIPLINE, UP TO AND INCLUDING LOSS OF EMPLOYMENT.

Date Employee Signature

RECEIVED BY THE DEPARTMENT HEAD:

Date Department Head Signature

4. POLITICAL ACTIVITY

POLICY

An employee shall not directly or indirectly use or seek to use the authority or influence of their Township position to improperly control or modify the political action of another person.

An employee shall not engage in partisan political activity during the hours of duty, nor shall they at any other time participate in political activities, which may impair their usefulness in the position in which they are employed.

The provisions of this policy shall not be deemed to prevent Township employees from exercising their political rights as provided by law.

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 the Township of Wyckoff time, supplies or equipment in any political activity. Any violation of this policy must be reported to the Supervisor, Department Manager, the Township Administrator, the Chief Financial Officer or the Township Attorney.

PROCEDURE

Upon determination by the Department Manager of a violation of this policy on the part of an employee, the Department Manager shall consult with the Township Administrator and they will jointly recommend appropriate action to the governing body.

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. In accordance with State law, employees are prohibited from engaging in political activities while performing their public duties and from using the Employer's time, supplies or equipment in any political activity. Political activities include, but are not limited to, advocating the election or appointment of any candidate for office, verbally or otherwise, and soliciting funds for campaigns or campaign materials.

Additionally, State law precludes employees from directly or indirectly using their position to control or affect the political action of another person. In accordance with the Hatch Act and Federal regulations, an employee whose principal employment is with a program financed in whole or in part by Federal funds or loans shall not:

- be a candidate for public office in a partisan election. (This provision does not apply to the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs.)
- use his/her official authority to influence, to interfere with or affect election results or nominations for office.
- directly or indirectly coerce contributions from any employee to support a political party or candidate. See The Hatch Act, 5 U.S.C. § 1501 et seq.

Violations of either State or Federal laws are serious matters and such violations should not be taken lightly. Any employee engaging in such political activities during working hours will be subject to disciplinary action up to and including termination of employment. Employees who engage in political

activities during their non-working hours must not represent themselves as spokespersons for the Employer. Employees should report any violation of this policy to their supervisor or Department Head.

5 RELEVANT STATUTES

5A. EQUAL EMPLOYMENT OPPORTUNITY POLICY (revised 12/31/2023)

The Township of Wyckoff is an Equal Opportunity Employer. It is the policy of the Township to ensure equal employment opportunity for all persons, regardless of race, color, creed, ancestry, political affiliation, age, marital status, sex, or because of physical disability that does not interfere with the ability to do the work required; or for liability for services in the Armed Forces of the United States.

This policy shall be applied to all phases of employment such as recruitment, selection, appointment, placement, promotion, demotion, transfer, training, wages, benefits, working conditions, layoff, recall, discharge, disciplinary action, employment review and use of all Township facilities.

Age or sex shall be a factor for employment only where they are bona fide occupational qualifications as provided by law.

The Township of Wyckoff 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 Employer 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, the CFO, Police Chief or Township Administrator, 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.

PROCEDURE

The Township Administrator has been designated as the Affirmative Action Officer and will receive any complaints of alleged discrimination from employees and applicants. Upon receipt of a complaint he/she shall immediately investigate the nature and content of the complaint. A judgment as to the validity of the complaint will be rendered and reported to the Township Committee for appropriate action.

EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT FORM

I have reason to believe that an act of illegal discrimination has occurred and make this complaint for investigation.

1. Employee discriminated against: _____

2. Date(s) of discrimination: _____

3. Person(s) who engaged in discrimination: _____

4. Nature of discrimination (See Manual Section 5A): _____

5. Statement of facts: _____

Date

Employee Signature

TO: ALL EMPLOYEES

FROM: Robert J. Shannon, Jr., Township Administrator

DATE: Re-Issued: 03-2006; 01-2008; 04-2010; 01-2013; 01-2014; 01-2015, 01-14-16, 12-27-17, 09-12-18, 09-17-21

RE: **SEXUAL HARRASSMENT**

It is the policy of the Township of Wyckoff that each employee is entitled to perform your duties in a work place free of discrimination and any form of harassment, including sexual harassment. The Township will not tolerate sexual harassment of any kind; whether verbal, physical or visual.

If you have been harassed by a supervisor or co-worker you should immediately instruct that person to stop said behavior. If after that instruction it occurs, you can notify me, Chief David Murphy, or, if you prefer, Ms. Diana McLeod, CFO/Assistant Administrator.

Supervisors are required to immediately notify me of any report of sexual harassment or any acts of harassment they have observed.

All complaints will be acted upon immediately and appropriate action taken.

If you do not understand any part of this policy, please see me. I will be glad to answer any questions.

Robert J. Shannon, Jr.
Township Administrator

RJSjr: nc
cc: Township Committee
Robert E. Landel, Township Attorney
David V. Murphy, Chief of Police
Raymond R. Wiss, Labor Counsel
Diana McLeod, CTC, CFO, ATA

Sexual Harassment Policy 2021.pol

SERVICE IS OUR PRODUCT
The Township of Wyckoff is an Equal Opportunity Employer, M/F

5B. CIVIL RIGHTS POLICY

TOWNSHIP OF WYCKOFF
CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL

Nancy A. B.
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #21-35

INTRODUCED: *Shanley*

SECONDED: *Madigan*

MEETING DATE: January 1, 2021

REFERENCE: Township of Wyckoff
Civil Rights Policy

VOTE: BOONSTRA ✓ MADIGAN ✓ MELCHIONNE ✓ RUBENSTEIN ✓ SHANLEY ✓

A RESOLUTION TO AFFIRM THE TOWNSHIP OF WYCKOFF'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

WHEREAS, it is the policy of the Township of Wyckoff 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

WHEREAS, the governing body of the Township of Wyckoff has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Committee that:

Section 1: No official, employee, appointee or volunteer of the Township of Wyckoff by whatever title known, or any entity that is in any way a part of the Township of Wyckoff 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 Wyckoff's business or using the facilities or property of the Township of Wyckoff.

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 Wyckoff to provide services that otherwise could be performed by the Township of Wyckoff.

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 Administrator shall establish written procedure 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 Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Wyckoff 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 Administrator 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 Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Wyckoff. 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 Wyckoff's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Wyckoff in order for the public to be made aware of this policy and the Township of Wyckoff's commitment to the implementation and enforcement of this policy.

CERTIFICATION

I, NANCY A. BROWN, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 1, 2021.



NANCY A. BROWN
ACTING MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
INTER-OFFICE MEMORANDUM**

To: All Employees, Volunteer Firefighters, Volunteer Ambulance Corps. Members, Volunteer Board and Commission Members, Recreation Department, Sport Booster Clubs, or Private Entity Personnel Providing Services on Behalf of the Township of Wyckoff

From: Robert J. Shannon, Township Administrator

Date: August 30, 2018, September 15, 2021

Re: **TOWNSHIP OF WYCKOFF CIVIL RIGHTS POLICY**

THIS IS THE POLICY:

It is the policy of the Township of Wyckoff 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 as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Americans with Disabilities Act and the Conscientious Employee Protection Act.

THIS POLICY MEANS:

No official, employee, appointee or volunteer of the Township of Wyckoff by whatever title known, or any entity that is in any way a part of the Township of Wyckoff 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 Wyckoff's business or using the facilities or property of the Township of Wyckoff.

If the meaning of this policy is unclear, or if you have any questions, immediately contact – Robert Shannon, Municipal Administrator, 201-891-7000, ext. 1040, Diana McLeod, CFO/Tax Collector, 201-891-7000, ext. 1050 or the Police Chief, 201-891-2121, ext. 5080.

THIS POLICY APPLIES TO ALL EMPLOYEES, OFFICIALS, VOLUNTEERS AND ENTITIES PERFORMING VOLUNTEER SERVICES OR WORK FOR THE TOWNSHIP OF WYCKOFF:

The prohibitions and requirements of this policy 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 Wyckoff to provide services that otherwise could be performed by the Township of Wyckoff.

PROHIBITED CONDUCT AND LANGUAGE INCLUDES BUT IS NOT LIMITED TO:

Discrimination, harassment and violations of civil rights shall not be permitted and the Township is committed to enforcement of this policy. Prohibited conduct is defined in the applicable Federal and State Laws concerning discrimination, harassment and civil rights. It includes but is not

Page 2

April 26, 2010 updated, 01-25-11, 01-24-14, 01-13-16, 04-14-16, 08-30-18, 09-15-21
Township of Wyckoff Civil Rights Policy

limited to discrimination on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, 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.

PROCEDURE TO REPORT ALLEGED DISCRIMINATION, HARASSMENT AND/OR VIOLATIONS OF CIVIL RIGHTS PROHIBITED BY THIS POLICY TO ANY OF THE FOLLOWING OFFICIALS:

Immediately contact – Robert J. Shannon, Municipal Administrator
Diana McLeod, CFO/Tax Collector
David V. Murphy, Chief of Police

Supervisors and employees are required to immediately notify their Department Manager of any acts of harassment, discrimination and/or violations of civil rights they have observed or that have been reported to them.

NO RETALIATION:

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.

TRAINING IS OFFERED:

Training shall be offered periodically concerning duties, responsibilities and rights pursuant to this policy. Employees are encouraged to access the online video training provided by the Bergen JIF Municipal Safety Institute (MEL), which the attached bulletin explains the procedure to access.

COMPLIANCE MONITORING:

The Township Administrator shall distribute this policy and request employee acknowledgement that it was received and read. The Administrator shall report to the Township Committee that this policy was distributed annually.

COMMITMENT TO COMPLIANCE: The Township Committee expresses its unequivocal commitment to the dissemination and enforcement of this policy.


Robert J. Shannon, Township Administrator

cc: Township Committee
Robert Landel, Township Attorney
Ray Wiss, Labor Counsel
Diana McLeod, CFO/Tax Collector
David V. Murphy, Chief of Police

North Jersey Media Group

**Classified Ad Receipt
(For Info Only - NOT A BILL)**

Customer: WYCKOFF, TOWNSHIP OF
Address: 340 FRANKLIN AVE
WYCKOFF NJ 07481-1907
USA

Ad No.: 0004538276
Pymt Method: Invoice
Net Amt: \$56.42

Run Times: 1
Run Dates: 01/08/21

No. of Affidavits: 0

Text of Ad:

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #21-35

INTRODUCED: SHANLEY
SECONDED: MADIGAN

MEETING DATE: January 1, 2021
REFERENCE: Township of Wyckoff

Civil Rights Policy

VOTE: BOONSTRA _Y_ MADIGAN
Y MELCHIONNE _Y_
RUBENSTEIN _Y_ SHANLEY _Y_

A RESOLUTION TO AFFIRM THE TOWNSHIP OF WYCKOFF'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

WHEREAS, it is the policy of the Township of Wyckoff 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

WHEREAS, the governing body of the Township of Wyckoff has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Committee that:

Section 1: No official, employee, appointee or volunteer of the Township of Wyckoff by whatever title known, or any entity that is in any way a part of the Township of Wyckoff 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 Wyckoff's business or using the facilities or property of the Township of Wyckoff.

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 Wyckoff to provide services that otherwise could be performed by the Township of Wyckoff.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions

3600 Highway 66, Neptune, NJ 07753

contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Administrator shall establish written procedure 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.
Resolution #21-35
January 1, 2021
Page 2

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 Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Wyckoff 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 Administrator 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 Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Wyckoff. 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 Wyckoff's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Wyckoff in order for the public to be made aware of this policy and the Township of Wyckoff's commitment to the implementation and enforcement of this policy.

CERTIFICATION

I, NANCY A. BROWN, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 1, 2021.

NANCY A. BROWN
ACTING MUNICIPAL CLERK

Ridgewood News: January 8, 2021
Fee: \$56.42 (182) 0004538276



Rights and Duties of an Employee in Local Government Online Training Instructions

This course discusses the right of each employee to a workplace free of harassment and each employee's duty to respect the rights of all other employees.

To access the online course:

Step 1: Go to the MEL's website <http://njmel.org/>

Step 2: On the MEL homepage, click on the MSI logo at the top to access the MSI page.

Step 3: On the MSI page, click "MSI Login" to access the login page.

Step 4: Login to access the Welcome Page. If you have taken MSI classes in the past, enter your username and password. If you do not know your username/password, check with your Training Administrator or call the MSI Helpline listed below. If you are new, click "I am a new user." Complete the fields and you will receive a confirmation email with your username and password.

Step 5: On the Welcome Page, click on "MSI On-line Training Courses" on the lower right to access the course selection page.

Step 6: On the course selection page, click "Rights and Duties of an Employee in Local Government" on the left. Then click "enroll" on the right.

Step 7: The program will now thank you for enrolling. Hit "Click here" to go to your authorized course list.

Step 8: On your authorized course list, click "Rights and Duties of an Employee in Local Government" to access the course.

Step 9: When the course appears, click the start symbol in the middle of the screen to begin the course.

If you need additional assistance please call the MSI help line at (866) 661-5120 during business hours.

5C. WHISTLE BLOWER POLICY

As a matter of policy, the Employer abides by all federal, state, and local laws, rules, and regulations applicable to it and has all its employees do the same. Every employee is responsible for assisting the Employer to implement this policy.

In the ordinary course, a violation of this policy should be reported to an employee's Department Head in writing, signed by the employee. If that is not practical or if that action is taken but does not prevent or correct the perceived violations, the employee is to deliver a written statement, signed and dated to the designated human resources official. The written statement should detail the specific information the employee possesses so that the Employer may undertake an investigation.

The Employer or any of its employees will not retaliate against any employee who makes a good faith report pursuant to this policy, even if an investigation reveals that no violation occurred. More specifically, neither the Employer nor any of its employees will take any retaliatory action or tolerate any reprisal against an employee who:

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;

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;

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 government entity; 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. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes: (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care; (2) is fraudulent or criminal; or (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. See N.J.S.A. 34:19-3.

Disclosure to the Employer first, however, is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. The employee must give the Employer a reasonable opportunity to correct the activity, policy or practice. It is the Employer's responsibility to correct or prevent such violations. This is a legal obligation and a practical necessity. A violation can taint the credibility of the Employer and cause the Employer and its employees to be subjected to adverse publicity leading to public distrust.

This policy is important to the Employer. Each employee should seek to resolve any problem within Employer channels before reporting it to any outside person or entity.

5D. SMOKING CONTROL POLICY

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Township of Wyckoff has adopted a smoke-free policy for all municipal buildings. The Township of Wyckoff facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in the Township of Wyckoff buildings. Employees are prohibited from smoking in Township of Wyckoff buildings and grounds, parks and recreation areas, and such other locations as not to allow their entry of smoke into building municipal entrances and parks. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

Smoking inside vehicles owned by the Township of Wyckoff and near equipment that maybe sensitive to smoke is also prohibited.

**Robert J. Shannon Jr.
Township Administrator**

**TOWNSHIP OF WYCKOFF
INTER-OFFICE MEMO**

TO: Town Hall Employees
FROM: Robert J. Shannon, Jr., Township Administrator
DATE: Updated: 02-04-99, 11-21-03, 01-12-05, 11-01-08,
02-01-10, 05-07-12, 01-25-13, 01-24-14; 01-2015, 01-14-16, 09-17-18, 09-15-21
RE: SMOKING CONTROL POLICY

This memo was originally issued on July 22, 1992.

This memo shall serve as the Township's written Smoking Control Policy and is designed to conform to Public Law, Chapter 381, adopted December 18, 1985 and PEOSHA rule that was incorporated into N.J.A.C. 5:23-11 December 19, 1991.

Essentially, the aforementioned two mandates establish the right of the non-smoking employee to breathe clean air and supersedes the privilege of the employee to smoke. The law indicates that "air from designated smoking areas shall not be re-circulated to no-smoking areas" and "designated smoking area" shall mean an area in a building where smoking is permitted and which is physically separated from non-smoking areas and which non-smokers do not need to enter or pass through.

The practical effect of this air quality rule, as it relates to Town Hall, Police Headquarters, the Recreation Office, Police Pistol Range, Zabriskie House, Animal Control facility, Public Library, the Larkin House and DPW facility, limits smoking to outdoor areas.

Any alleged violations should be reported to the Board of Health.

Robert J. Shannon, Jr.
Township Administrator

RJSJr:eb

cc: Township Committee
Robert E. Landel, Esq.
Board of Health

The Township of Wyckoff is an Equal Opportunity Employer, M/F

5E. IMMIGRATION REFORM AND CONTROL ACT

In 1986, the Immigration Reform and Control Act was passed by the Federal Government. This act required all individuals who accept employment after November 6, 1986, to provide official documented proof of their identity and eligibility to work in the United States.

POLICY

It is the policy of the Township to comply with all Federal and State mandated laws. Therefore, in accordance with the Immigration Reform and Control Act, all individuals hired by the Township are required to provide the necessary documentation to verify their identity and employment eligibility.

NEW EMPLOYEE PROCEDURE

Township staffing representatives must ensure that all applicable forms are completed and the following procedure is followed:

1. The Township staffing representative informs the new employee of the requirements of the Immigration Reform and Control Act upon acceptance of the position.
2. The new employee provides the required documents the first day of employment.
3. The new employee completes Part I (Employee Information and Verification) of the Employment Eligibility Verification (Forms I-9).
4. The Township staffing representative reviews the documents to confirm their acceptability and completes Part II (Employer Review and Verification) of the Employment Eligibility Verification (Form I-9).

NEW EMPLOYEE DOES NOT PRODUCE DOCUMENTS

1. If the new employee does not provide the documents on the first day of employment, the person is given a three-day grace period starting with the day of employment.
2. If the new hire fails to produce the necessary documentation after a five-day suspension, the person will be terminated for failure to comply with legal requirement.

5F. FAMILY AND MEDICAL LEAVE ACT

In accordance with the federal Family and Medical Leave Act (“FMLA”), the Employer 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 Employer’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 Employer 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 employer 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 Employer 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 Employer, 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 Employer, 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 Employer, at its expense, may require an examination by a second healthcare provider designated by the Employer. If the second healthcare provider's opinion conflicts with the original medical certification, the Employer, 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 Employer 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 Employer 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 Employer 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. An employee will be required to use any available accumulated paid leave concurrently with the employee's FMLA leave.

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 employer 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 Employer 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 Employer 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 Employer.

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 Employer 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 Employer 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 Employer. 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 Employer 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 Employer 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 twelve (12) weeks 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.

THIS PAGE INTENTIONALLY RESERVED

5G. DOMESTIC VIOLENCE LEAVE POLICY (revised 12/31/2023)

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:

Diana McLeod, CFO/Tax Collector/Assistant Administrator 201 891- 7000 ext. 1050

Secondary HRO:

Name / Title and contact information:

Nancy A. Brown, Municipal Clerk, 201 891-7000 ext. 1020

Robert J. Shannon, Jr. Township Administrator, 201 891-7000 ext. 1030

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. If there is a report of sexual assault or abuse, the victim should be offered services from the HRO Team.
- F. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy.
- G. 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

The Township Administrator will be responsible for distributing this policy to employees, volunteers, and other employees identified above.

The Township Administrator with assistance from the HRO's will be responsible for updating this policy at least annually to reflect circumstances changes in the organization.

The Township Administrator with assistance from the HRO's 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.

STATE OF NEW JERSEY
DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

APPENDIX

I. RESOURCES AND ADVOCACY INFORMATION

Statewide Domestic Violence Hotline 1-800-572-SAFE (7233).

Guide to Services for Victims of Domestic Violence

NJ Division on Women
Department of Community Affairs
101 South Broad Street
PO Box 801
Trenton, NJ 08625-0801
Phone: (609) 292-8840
Fax: (609) 633-6821
TTY: (609) 777-0799

Web: <https://www.nj.gov/dcf/women/>

New Jersey Coalition to End Domestic Violence

1670 Whitehorse-Hamilton Square Road • Trenton, New Jersey 08690-3541
24HR Helpline: 800-572-7233 / DV Legal Helpline: 844-403-2111 / VP: 609-434-3838
info@njcedv.org Training Institute <https://www.njcedv.org/>

The New Jersey Coalition to End Domestic Violence (NJCEDV) is a statewide coalition of domestic violence service programs and concerned individuals whose purpose and mission is to end domestic violence in New Jersey. NJCEDV performs its work through advocacy for survivors of domestic violence; collaboration with state agencies and its member programs; education and training; and technical assistance for its members and the community.

Futures Without Violence

FUTURES has been providing groundbreaking programs, policies, and campaigns that empower individuals and organizations working to end violence against women and children around the world. <https://www.futureswithoutviolence.org/>

Washington, DC Office
1320 19th St. NW
Suite 401

Washington, D.C. 20036
Phone: (202) 595-7382
Fax: (202) 499-6757

II. LAWS PROTECTING VICTIMS OF DOMESTIC VIOLENCE

The State of New Jersey Policy on Discrimination in the Workplace. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

<https://www.state.nj.us/csc/about/divisions/eeo/laws.html>

The New Jersey Law Against Discrimination (N.J.S.A. 10:5-12) (LAD) makes it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status. The LAD prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. Not all of the foregoing prohibited bases for discrimination are protected in all of these areas of activity. For example, familial status is only protected with respect to housing. The Division has promulgated regulations that explain that a place of public accommodation must make reasonable modifications to its policies, practices or procedures to ensure that people with disabilities have access to public places. The regulations also explain that under the LAD, these reasonable accommodations may include actions such as providing auxiliary aides and making physical changes to ensure paths of travel.

The Application of Title VII and the ADA to Applicants or Employees Who Experience Domestic or Dating Violence, Sexual Assault, or Stalking: Questions and Answers

https://www.eeoc.gov/eeoc/publications/qa_domestic_violence.cfm

New Jersey SAFE Act

The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act"), P.L. 2013, c.82, provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working

day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year.

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, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (2) Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner
- (3) Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- (6) Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in

the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

<https://nj.gov/labor/>

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III. RESOURCES

The Department of Children and Families Office of Domestic Violence Services (ODVS) funds 23 domestic violence programs and the New Jersey Coalition to End Domestic Violence. There is at least one DCF-funded domestic violence program in each of New Jersey's 21 counties.

The **Office of Domestic Violence Services** funds domestic violence services that serve the needs of victims in every county. Services for survivors, victims, and their families include emergency shelters, 24-hour hotlines, counseling, children's services, and financial, housing and legal advocacy.

The **Office of the Prevention of Violence Against Women** funds services that serve the needs of sexual assault victims and sexual violence prevention programs in every county. Services include a 24-hour hotline, crisis counseling, accompaniments by a confidential sexual violence advocate, and financial, housing and legal advocacy.

Through displaced homemaker programs, the **Office of Support, Employment, and Training** helps individuals gain or upgrade their skills for today's work force and become economically self-sufficient. Individuals can attend short term educational or training programs.

DOW Services

- Funds, monitors, and evaluates programs for the advancement of women
- Develops new programs to serve women
- Refers women to direct service providers
- Provides information on women's issue to the public
- Provides technical assistance to agencies representing women
- Represents women on boards, commissions, councils, committees, and task forces and provides input and recommendations on issues pertaining to the Division's Mission

**The Family and Community Partnerships/Division on Women
Community Program Directory**
<https://www.nj.gov/dcf/families/dfcp/DFCPDirectory.pdf>

This FCP/DOW Community Program Directory represents an ongoing commitment by DCF to increase access to resources that are designed to strengthen families, prevent child abuse or neglect, and empower survivors of domestic and sexual violence. The services identified in this Directory are funded by DCF's Family and Community Partnerships, a grant-making and best practices team committed to strengthening New Jersey's families. The directory receives continuous updates online as additional resources for families become available or as changes occur.

**Other Programs in New Jersey through the Division on Women Office of
Domestic Violence Services :**

To find domestic violence resources by county, click on the related link to view [DFCP/DOW's Community Program Directory](#).

For more information, contact DOW at DOW@dcf.state.nj.us or at 609-888-7164.
<http://www.nj.gov/dcf/women/domestic/>

Legal Services

Legal Services of New Jersey and Central Jersey Legal Services

New Jersey Legal Services assists victims who cannot afford legal advice and/or representation. Assistance includes referral, advice, brief assistance, preparation of a letter or routine legal document, extended representation, and technical assistance. The program also offers training to domestic violence legal advocates, programs, attorneys and others.

Legal Services of New Jersey Domestic Violence Representation Project:
(888) LSNJ-LAW (888) 576-5529
Central Jersey Legal Services (908) 354-4340
Website: www.LSNJLawHotline.org

Culturally Specific Services

Bolo Behen (Speak Sister)

Bolo Behen works with different faith-based leaders throughout Hudson County, collaborating with leaders of temples, mosques, Islamic centers, Gurudwaras, and more. Bolo Behen facilitates groups called Community Chai where women can come and express their problems and concerns openly, comfortably, and without fear. People listen to each other's story and offer support. Services are based on a holistic approach that addresses the large range of client needs.

Using culturally and linguistically appropriate methods, Bolo Behen builds trust with clients and creates an environment where South Asian women feel safe, respected, and understood.
24/7 Bilingual Hotline: (201) 795-5757

Project S.A.R.A.H (Stop Abusive Relationships at Home)

Project S.A.R.A.H. is a program that works to overcome cultural, legal, and religious barriers confronting victims of domestic violence and sexual abuse. Project S.A.R.A.H. operates within an environment that is sensitive to a victim's cultural and religious needs, serving as a bridge between abuse victims in the Orthodox community and support systems and resources. Project S.A.R.A.H. works closely with rabbis and rebbetzins, kallah teachers and mikvah attendants, camp directors and school administrators, parents, and the general public to keep the community safe for everyone. The program provides therapeutic interventions that enable victims to process the often unspeakable trauma they experienced and restore them toward fully functional and productive lives. Project S.A.R.A.H. connects victims and survivors with a broad array of services, including pro bono legal consultations, evaluations, individual and group therapy, psychiatric services, as well as emotional, financial and vocational support.
Confidential Hotline: (973) 777-7638.

Special Initiatives

Address Confidentiality Program

The New Jersey Address Confidentiality Program (ACP) assists individuals who, as a result of domestic violence, have relocated for their safety. This program limits the access to personal information that would reveal the new location of an ACP participant. ACP provides eligible victims of domestic violence with a substitute address that has no connection to their actual location. This substitute mailing address may be used when creating a new record with state or local government agencies.

New Jersey Address Confidentiality Program (ACP) Hotline 1 (877) 218-9133 Toll Free-Non-Emergency

The New Jersey Address Confidentiality Program Hotline provides services including – but not limited to – access to domestic violence information and referral services, including application procedures, and advocacy.

State of New Jersey

Department of Law and Public Safety

Office of the Attorney General

NJ State Police Victim Services Unit:

The Victim Services Unit will coordinate with State, County, and Municipal agencies to develop and implement domestic violence and sexual violence training programs, and continue to effectively work with road troopers to enhance training on the proper handling of these types of crimes.

<https://www.njsp.org/division/operations/domestic-violence-info.shtml>

5H. CONTAGIOUS/LIFE THREATENING ILLNESS POLICY

POLICY

The Employer is committed to providing and maintaining a healthy and safety work environment which allows all employees to perform their jobs in a safe and productive manner. The Employer respects the dignity and worth of every employee through its Equal Opportunity Employment statement, which explains its policy and practice with respect to prohibiting discrimination in every phase of employment. The Employer provides support for individual employees who may be facing the trauma of a life-threatening or catastrophic illness. The purpose of this policy is to support the physical and emotional health of all employees, minimize disruptions of productivity and morale caused by the presence of a worker with a life-threatening illness, and demonstrate the Employer's continued commitment to its affirmative action goals related to physically disabled employees.

If an employee has learned that he or she has a contagious or life threatening illness, including but not limited to HIV/AIDS, the employee should take all steps to protect further spread of the disease or illness. When appropriate, the employee's Department Head should be notified of any illnesses that may affect the health, safety, and welfare of any co-employee or member of the general public. Employees with such conditions, who are able to meet appropriate standards and whose continued employment does not pose a threat to their own health and safety or that of others, are assured equal employment opportunities and reasonable accommodations in their employment. If an employee is able to work, he or she is expected to be productive. If the individual cannot work, then he or she may be eligible for disability benefits.

Consistent with the concern for employees with life-threatening illness, the Employer offers the following resources through the human resources official:

- 1) Employee education and information on terminal illnesses and specific life-threatening illnesses.
- 2) Referral to agencies and organizations which offer supportive services for life-threatening illnesses.
- 3) Consultation in assisting employees in efficiently managing health, leave and other benefits. The Employer encourages employees who need these resources to contact the human resources official.

5I. AFFIRMATIVE ACTION POLICY

The Township of Wyckoff is dedicated to the principle that everyone should be assured equal employment opportunity. It is our further belief that equal opportunity should be assured not only in hiring practices, but also in promotion, training and benefits.

These opportunities will be afforded everyone without regard to race, religion, color, sex, national origin, political affiliation, physical disabilities, marital status, affectional or sexual orientation, age or military service.

The Affirmative Action Policy is developed to include all phases of recruiting, selection, hiring and dismissal, transfer, promotion, training, upgrading, compensation and benefits and conditions of employment.

The Township of Wyckoff implements its policy of providing equal employment opportunity for all through the Township Administrator who serves as the Affirmative Action Officer with the assistance of Department Managers for the Township of Wyckoff.

The Township expects the cooperation of all municipal employees in fulfilling these goals, which are moral, legal, social and economic obligations.

**5J. COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT
(ADA)/NEW JERSEY PREGNANT WORKER’S FAIRNESS ACT
(revised 12/31/2023)**

AMERICANS WITH DISABILITIES

The Employer complies with the New Jersey Law Against Discrimination and the Americans with Disabilities Act. The Employer will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The Employer also will make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that accommodations do not require significant difficulty or expense. The Employer's nondiscrimination policy applies to all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and termination.

Definitions. The Americans with Disabilities Act defines an individual with a disability as any person:

- (1) who has a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, walking, seeing, hearing, or speaking;
- (2) who has a record of such an impairment; or
- (3) who is regarded as having such an impairment.

An individual must satisfy at least one of the three prongs of the above definition to be considered an individual with a disability under the ADA. Temporary conditions, such as a broken leg, are not disabilities, nor are minor impairments, such as vision problems that are correctable with glasses.

The New Jersey Law Against Discrimination defines disability as a physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including

epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.

A qualified individual is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position held or sought. An individual who poses a threat to the health and safety of oneself or to others is not qualified. Reasonable accommodation means any change or adjustment to a job or work environment that does not impose an undue hardship on the Employer, or that permits a qualified applicant or employee with a disability to participate in the job application process, perform the essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Requesting Accommodation. Qualified employees or prospective employees with disabilities may request accommodations to perform the essential functions of their job or gain access to the hiring process. Employees or prospective employees should direct their written request to the Employer. In the written request, the employee or prospective employee should identify themselves as a person with a disability, eligible for protection, and identify the nature of the accommodation or consideration desired. The Employer may require the employee to provide adequate medical or other appropriate documentation of the disability and the need for the desired accommodation. The Employer will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or

employee with a disability unless the accommodation would impose an undue hardship on the Employer's business operation.

To further the Employer's nondiscrimination policy, the Employer will:

- Identify the essential functions of a job;
- Determine whether a person with a disability, with or without accommodation, is qualified to perform the duties; and
- Determine whether a reasonable accommodation can be made for a qualified individual.

Reasonable accommodations that the Employer may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include the following:

- Making existing facilities accessible and usable;
- Job restructuring;
- Part-time or modified work schedules;
- Acquiring or modifying equipment or devices;
- Appropriate adjustment or modifications of testing materials, training materials, and/or policies;
- Reassignment to a vacant position.

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 breast milk for the child.

The Employer is also committed to not discriminating against any qualified employee or applicant because he or she is related to or associated with a person with a disability. If any applicant or employee has questions concerning the Employer's equal employment opportunity policy, he or she should contact the Employer.

5K. ANTI-DISCRIMINATION POLICY

EQUAL OPPORTUNITY

The Employer is committed to providing equal opportunity through its employment practices and through the many activities, programs, and services it provides to the community. The Employer will make all personnel decisions without regard to race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities, AIDS or HIV infection), pregnancy, childbirth, breastfeeding, political affiliation (to the extent protected by law), atypical hereditary cellular or blood trait, or because of the liability for service in the Armed Forces of the United States, veteran status, citizenship status, or any other group status protected by law, unless required by a bona fide occupational qualification.

The Employer will ensure that personnel decisions are made in accordance with principles of Equal Employment Opportunity by imposing only nondiscriminatory job requirements. The Employer will not discriminate with regard to any term, condition or privilege of employment, including compensation. Employer-sponsored training, education, tuition assistance, and social and recreation programs will be administered without discrimination. The Employer has an Affirmative Action Officer (“AAO”), who is assigned overall responsibility of the Affirmative Action Program. Any employee or applicant with a question or grievance should contact the Affirmative Action Officer at:

[Township of Wyckoff)

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act (“ADA”), the ADA Amendments, and the New Jersey Law Against Discrimination (“NJLAD”), the Employer does not discriminate based on disability. The Employer will endeavor to make every work environment handicap accessible and consider reasonable accommodations, when appropriate. Future construction and renovation of facilities will be in accordance with the ADA Accessibility Guidelines, as well as the ADA Amendments Act.

“Whistleblower” Policy

Under the New Jersey Conscientious Employee Protection Act (“CEPA”), N.J.S.A. 34:19-1, it is unlawful for an employer to discharge, suspend, demote, or take other action against an employee because they disclose a policy or practice they reasonably believe is a violation of law, rule, or regulation pursuant to law. CEPA also protects employees who provide information to a public body conducting an investigation into a violation of a law or rule, or if an employee refuses to participate in any activity that the employee believes is in violation of a law, is fraudulent or criminal, or is against public policy concerning public health, safety or welfare. Reprisals against anyone who makes a complaint under this policy will not be tolerated and violators of the policy will be subject to discipline, up to and including termination, and may be subject to any other liability authorized under applicable law.

5L. WORKPLACE VIOLENCE POLICY

POLICY PROHIBITING WORKPLACE VIOLENCE

The Employer has adopted this Zero Tolerance Policy for workplace violence because it recognizes that workplace violence is a growing problem nationally that needs to be addressed by all employers. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect the Employer, its employees or which occur on the Employer's property will not be tolerated.

Threats or Acts of Violence Defined. "Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions with the Employer, or to create a hostile, abusive, or intimidating work environment for one or more employees.

Examples of Workplace Violence. General examples of prohibited workplace violence include, but are not limited to, the following:

All threats or acts of violence occurring on Employer property, regardless of the relationship between the Employer and the parties involved in the incident.

All threats or acts of violence not occurring on Employer property but involving someone who is acting in the capacity of a representative of the Employer.

All threats and acts of violence not occurring on Employer property involving an employee of the Employer if the threats or acts of violence affect the legitimate interest of the Employer.

Any threats or acts resulting in the conviction of an employee or agent of the Employer, or of an individual performing services on the Employer's behalf on a contract or temporary basis, under any

criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the Employer.

Specific Examples of Prohibited Conduct. Specific examples of conduct which may be considered “threats or acts of violence” prohibited under this policy include, but are not limited to:

Hitting, fighting, pushing, or shoving an individual or throwing objects;

Threatening to harm an individual or his/her family, friends, associates, or their property;

The intentional destruction or threat of destruction of property owned, operated, or controlled by the Employer;

Making harassing or threatening telephone calls, letters or other forms of written or electronic communications;

Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the Employer;

Harassing surveillance, also known as “stalking,” the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety;

Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate,” without regard to the location where such suggestion or intimation occurs;

Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Employer property.

While employees of the Employer may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law,

employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

Application of Prohibition. The Employer's prohibition against threats and acts of violence applies to all persons involved in the Employer's operation, including but not limited to Employer personnel, volunteer, contract and temporary workers, and anyone else on Employer property. Violation of this policy by any individual on Employer property, by any individual acting as a representative of the Employer while not on Employer property, or any individual acting off of the Employer property when his or her actions affect the public interest or the Employer's business interests will be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination.

Warning Signs, Symptoms and Risk Factors. The following are examples of warning signs, symptoms, and risk factors which MAY indicate an employee's potential for workplace violence:

Dropping hints about a knowledge of firearms;

Making intimidating statements like: "You know what happened at the Post Office," "I'll get even," or "You haven't heard the last from me";

Possessing reading material with themes of violence, revenge and harassment;

Physical signs of hard breathing, reddening of complexion, menacing stare, loudness, fast profane speech;

Acting out either verbally or physically;

Disgruntled employee or ex-employee who is excessively bitter;

Being a loner;

Having a romantic obsession with a co-worker who does not share that interest;

History of interpersonal conflict;

Intense anger, lack of empathy;

Domestic problems, unstable/dysfunctional family;

Brooding, depressed strange behavior, “time bomb ready to go off.”

Supervisors should be alerted to and aware of these indicators. If an employee exhibits such behavior, the employee should be monitored and such behavior should be documented.

Procedures for Dealing with Acts of Workplace Violence. When a violent act occurs in the workplace:

If a violent act or altercation constitutes an emergency, call 9-1-1 or the local police department. In instances that are not emergency situations, contact your Department Head or the designated human resources official. If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or if it would be too dangerous for the employee to separate the parties, call 9-1-1 or the local police department, and contact your Department Head or the designated human resources official. The Department Head will contact the designated human resource officer, who will take responsibility for coordinating a response to the incident.

In instances that involve criminal situations, the designated human resources official will contact the appropriate local police department for assessment, and if necessary, a criminal investigation.

Employee Reporting Obligations and Procedure. Each employee and every person on Employer property is encouraged to report incidents or threats or acts of physical violence of which he or she is aware. In cases where the reporting individual is not an employee, the report should be made to the local police department. In cases where the reporting individual is an employee, the report should be made to the employee’s Department Head or the designated human resources official. Each Department Head shall promptly refer any such incident to the designated human resources official.

The Employer will promptly and thoroughly investigate all reports of threats of (or actual) violence and/or suspicious individuals or activities. Any individual determined to be responsible for conduct in violation of this policy will be subjected to disciplinary action up to and including termination of employment, arrest and prosecution.

Nothing in the policy alters any other reporting obligation established in the Employer's policies or in state, federal or other applicable law.

Confidentiality and Retaliation. This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort to the extent practicable will be made to protect the safety and identity of anyone who comes forward with concerns about a threat or act of violence. Employees shall refer any questions regarding his or her rights and obligations under the policy to the designated human resources official.

5M. ANTI-HARASSMENT POLICY

POLICY AGAINST HARASSMENT

The Employer is committed to providing a work environment that is free of discrimination. The Employer will not tolerate harassment of or by employees towards anyone, including any supervisor, co-worker, or non-employee, including vendors and citizens.

Applicability. This policy applies to all people employed by the Employer, as well as volunteers working on behalf of the Employer, and prohibits such conduct by or towards all such employees/volunteers. Independent contractors, vendors and all other parties, engaged in a professional business relationship with the Employer are also expected to abide by the policy. In addition, no employee shall be required to withstand behavior from the public which violates this policy.

Purpose. This policy is designed to ensure all employees a work environment free of any type of discrimination based upon a protected status, including freedom from sexual harassment. The purpose of this policy is to inform employees that harassment based upon a protected status is prohibited, to educate employees about harassment based upon a protected status and to provide employees with a procedure to bring complaints to management's attention.

Provisions. All employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The Employer prohibits any form of harassment or discrimination related to an employee's protected group status, including race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities), atypical hereditary cellular or blood trait, or because of

the liability for service in the Armed Forces of the United States, veteran status, citizenship status, or any other group status protected by law. Harassment includes, but is not limited to:

- A. Treating an individual less favorably based on a person's protected group status;
- B. Using derogatory or demeaning slurs to refer to a person's protected group status;
- C. Calling another by an unwanted nickname which refers to one or more protected group statuses, or telling ethnic jokes that harass an employee or create a hostile work environment;
- D. Using derogatory references regarding a protected group status in any job-related communication;
- E. Engaging in threatening, intimidating, or hostile acts, in the workplace, based on a protected group status; or
- F. Displaying or distributing material in the workplace that contains language or derogatory or demeaning images, based on any protected group status.

Any form of harassment or discrimination related to an employee's protected group status violates this policy.

This policy applies to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, compensation, fringe benefits, working conditions and career development.

Violations of this policy will result in appropriate disciplinary action up to and including termination of employment.

Sexual Harassment. The Employer prohibits sexual harassment of its employees in any form. Such conduct shall result in appropriate disciplinary action up to and including dismissal from employment.

A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct, gestures or communications, expressed or implied, of a sexual nature when:

- (1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
- (2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or
- (3) That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.

B. **Prohibited Conduct:** No supervisory employee shall threaten or insinuate either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment, advancement, or any other condition of employment. Similarly, no supervisory employee shall promise or suggest either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment for the employee.

Other sexually harassing conduct in the workplace, whether committed by supervisory or non-supervisory personnel is also prohibited. This includes, but shall not be limited to:

- (1) Sexual flirtations, advances, propositions, subtle pressure for sexual activity, flirtatious whistling, discussing sexual activities;

(2) Verbal abuse of a sexual nature including sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, and foul or obscene language or gestures;

(3) The display of sexually graphic pictures or pictures of an offensive nature, or objects in the workplace, including sexually suggestive written material such as letters, notes, facsimiles, text messages and e-mails;

(4) Any unwelcome sexually motivated touching, including, for example, patting, pinching, hugging, cornering, blocking or impeding movement and repeated brushing against another employee's body.

Sexual harassment also occurs when one person harasses another solely because of the victim's gender. This type of sexual harassment may involve unwelcome sexual demands or overtures, but it may also take the form of other harassing conduct not necessarily sexual in nature. For example, this would include gender stereotyping such as comments about the lesser abilities, capacities, or the "proper role" of females. It also includes subjecting a woman or a man to non-sexual harassment solely because of her or his gender. Sexual harassment is prohibited whether the harasser is male or female, and whether the harassment is opposite sex or same-sex harassment.

Complaint Procedure. Any employee who feels he or she has been subject to harassment should report the incident directly to the designated Affirmative Action Officer. The designated Affirmative Action Officer will ask the employee to complete a Harassment Complaint Form. Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this policy.

Alternatively, any employee who feels he or she has been subject to harassment should report the incident directly to the Chief Administrative Officer. The Chief Administrative Officer will ask the employee to complete a Harassment Complaint Form. Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this policy. The names and

telephone numbers of the designated Affirmative Action Officer and Chief Administrative Officer are contained in the Contact Information attached to this policy.

Any individual uncomfortable reporting an incident to the designated Affirmative Action Officer and/or Chief Administrative Officer should feel free to go to any management representative which he or she feels most comfortable to relay the problem. When any management representative learns of a violation of this policy, the management representative shall assist the victim in reporting the alleged incident(s) of harassment.

All Employer employees should notify the alleged harasser that the behavior in question is thought to be offensive and unwelcome. However, failure to inform the alleged harasser that the behavior is unwelcome does not prevent the victim from filing a complaint pursuant to this policy. The harassment or discrimination does not have to occur on the Employer's property during regular work hours for an employee to file a complaint under this policy.

The Employer strongly encourages employees who witness conduct which they believe violates the Employer's Policy Against Harassment to report the violation pursuant to this complaint procedure. The Employer encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within sixty (60) days to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

Investigation Procedure. The Employer shall conduct an investigation into the harassment complaint to determine the merits of the allegations. The designated Affirmative Action Officer and/or Chief Administrative Officer shall designate an objective investigator to determine the validity of any complaint. The objective investigator may include any third party deemed appropriate.

The investigation shall be completed in a reasonable time to resolve the issue and minimize the effects of such investigation on the parties involved. The investigation will, at a minimum, include an interview with the employee bringing the complaint and the accused.

If the Employer determines that the complaint has merit, the accused shall face appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges against the individual. Disciplinary action may include a written warning, suspension, demotion, and/or termination of employment. Any disciplinary action shall be consistent with applicable collective bargaining agreements, regulations and applicable due process safeguards. Upon completion of the investigation, the entire file shall be maintained in a secure location with the Employer.

In the event that the Employer determines the complaint to be intentionally dishonest, appropriate disciplinary action may be taken against the employee who caused the complaint to be filed.

Privacy. To the extent possible, all persons involved in a harassment complaint will be given the utmost protection of privacy. Specifically, the Employer will strive, both during and after the investigation, to maintain confidentiality to the fullest extent possible, including confidentiality of the identities of all persons involved or alleged to be involved in the incident, revealing only those particulars of the matter to the extent necessary for a thorough investigation. Any employee who unnecessarily compromises the confidentiality of an investigation will be subject to appropriate discipline.

Responsibility of Supervisory Personnel. Supervisors are to monitor the work environment to ensure that all subordinates comply with this Policy Against Harassment. When a supervisor learns of a violation of this policy, the supervisor shall assist the victim in reporting the alleged incident(s) of harassment.

Alternatively, the supervisor shall report the matter to the designated Affirmative Action Officer and/or Chief Administrative Officer for resolution.

Retaliation Prohibited. The Employer encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result from the good faith reporting of harassment. The filing of a complaint, in good faith, shall not, under any circumstances provide cause for discipline. Additionally, it is a violation of this policy for any personnel to retaliate against another because he or she filed a complaint or otherwise participated in the complaint procedure.

Any supervisor who receives a harassment complaint from any employee must bring it to the attention of the designated Affirmative Action Officer and/or Chief Administrative Officer for resolution. Supervisors shall closely monitor the work environment for any forms of retaliation once an allegation has been made. This will include but not be limited to verbal remarks, irregular assignments or any other activity that may contribute to a hostile work environment.

Legal Effect. This Policy Against Harassment is to be construed as a unilateral expression of the policy of the Employer concerning harassment in the workplace. It is not intended to create any contractual rights or duties and any such intention or effect is hereby disclaimed. This policy may be amended, supplemented, modified and/or revised at any time. Any employee with questions regarding the Employer's Policy Against Harassment should contact the designated Affirmative Action Officer and/or Chief Administrative Officer.

Training. The Employer recognizes the need to reinforce its policies with effective training. Training is to be provided to all supervisory and non-supervisory employees. Ultimately, the goal of effective training is to build a culture in which all employees feel safe. Training may be conducted in person or through electronic means. To the extent economically and operationally feasible, training should be

conducted live whenever possible. Training should empower participants to intervene appropriately when they witness harassment or discrimination. This means not only training participants on the requirements of the policy prohibiting harassment and discrimination, but also training participants on tools for response and lodging complaints. Training should emphasize the negative impact of harassment and discrimination on employees, workplace productivity, workplace culture, and encouraging those employees who either experience harassment/discrimination or witness it to report it.

Monitor for Compliance. The Employer acknowledges the importance of ensuring that employers' policies and procedures are actually working as intended to prevent sexual harassment and other forms of discrimination from occurring in the workplace. It is the expectation of the Employer that all supervisors shall enforce anti-harassment policies and that setting the proper example is part of their job description and part of the evaluation of their job performance. The Employer will engage in proactive efforts to monitor and ensure compliance with its policies within their workplaces.

Contact Information

1. CHIEF ADMINISTRATIVE OFFICER – Township Administrator
2. AFFIRMATIVE ACTION OFFICER- Township Administrator

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: _____

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:

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: _____

Attach Additional Sheets if Necessary)

5N. EMPLOYEE COMPLAINT POLICY

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Township Administrator, the Chief of Police or the Chief Financial Officer. Reporting of such incidents is encouraged both when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing. No employee will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with 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 reported incident.

THE TOWNSHIP OF WYCKOFF
EMPLOYEE COMPLAINT FORM

Date: _____

Attach additional sheets if necessary to fully complete all questions.

Name: _____ Department: _____

Title: _____ Supervisor: _____

Time period covered by this complaint: _____

Individuals who allegedly committed the acts being complained of: _____

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

Identify all persons with knowledge of the complained conduct: _____

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

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

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

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

What is your requested remedy for this complaint?

ACKNOWLEDGMENT

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

BY: _____ DATE: _____

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

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

BY: _____ DATE: _____

50. DRUG AND ALCOHOL FREE WORK PLACE (revised 12/31/2023)

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 Wyckoff 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 Wyckoff. This Policy highlights the Township of Wyckoff, New Jersey Drug-Free Workplace Policy. The Township of Wyckoff Designated Employer Representative (DER) is Scott Fisher, DPW Manager and the Alternative DER is Joseph Vander Plaats.

The Township of Wyckoff recognizes the prime importance to the Township of Wyckoff 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 Wyckoff has no intention of intruding into the private lives of its employees, the Township of Wyckoff 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 Wyckoff 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 Wyckoff. 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 Wyckoff 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 Wyckoff 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 Wyckoff 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 Wyckoff 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 our Employee Assistance Program (EAP) Substance Abuse Professional (SAP) for a confidential evaluation and referral for substance abuse treatment if necessary. Notice of the Township of Wyckoff's New Jersey Drug-Free Workplace testing will be provided on vacancy announcement and is posted in conspicuous locations on Township of Wyckoff 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 Wyckoff 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 Wyckoff 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 January 1, 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.

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 Wyckoff as safety-sensitive. Elected officials who are not otherwise classified as employees are not subject to testing under this Policy.

Public Works Manager
Public Works Foreman
Public Works Lead Laborer
Public Works Laborer

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. (Attach safety-sensitive job classifications on separate sheet if necessary.)

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 Wyckoff. 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 Wyckoff 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 Wyckoff 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 Wyckoff 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 Wyckoff for the cost of the test and any lost time. Under federal regulations, the MRO has the discretionary authority to notify the Township of Wyckoff 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 Wyckoff 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 Wyckoff'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.

As it relates to cannabis, an employee will be subject to adverse action if there is both a positive drug test, confirmed by a licensed laboratory, and a determination of reasonable suspicion based on documentation of physical signs or other evidence of impairment during the employee's work hours. When the New Jersey Cannabis Regulatory Commission issues standards for certification of a Workplace Impairment Recognition Expert ("WIRE"), an employee will be subject to adverse action if there is both a positive drug test and a physical evaluation by a WIRE.

Applicants for non-CDL positions will not be denied employment based solely on a positive pre-employment drug test for cannabis, except for law enforcement officers assigned to a federal task force, holding a federally regulated license requiring testing, or applying to an agency that is specifically required to test for cannabis by the terms of a federal contract or federal grant.

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 Wyckoff 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 Wyckoff Policy.

WHAT ABOUT IMPAIRING EFFECT MEDICATIONS OR SUBSTANCES?

Any employee working in a safety-sensitive position as defined by Township of Wyckoff 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. 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 Wyckoff 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 Wyckoff 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 Wyckoff, 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 Wyckoff 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 Wyckoff 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 EAP.

WHAT IF YOU HAVE A SUBSTANCE ABUSE PROBLEM?

The Township of Wyckoff will provide support for employees who need support and help with alcohol or drug dependency via confidential Employee Assistance Program (EAP), 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, 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 Wyckoff will assume no direct financial responsibility for counseling or rehabilitation costs of an employee, not covered by the EAP. 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 Wyckoff 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 Wyckoff'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 Wyckoff 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 Wyckoff 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 Wyckoff premises or property, including Township of Wyckoff -owned or leased vehicles, or vehicles used for Township of Wyckoff 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 Wyckoff 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 Wyckoff 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 Wyckoff'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 Wyckoff and other factors related to the impact of the employee's conviction on the Township of Wyckoff.
- 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 Wyckoff or its designee, is a violation of Township of Wyckoff 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 Wyckoff 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.
2. With respect to alcohol and cannabis, employees violate this Policy by engaging in the following conduct during work time or on Township of Wyckoff premises or property:
 - a. Bringing and/or storing (including in a desk, locker, automobile, or other repository) alcohol or cannabis on Township of Wyckoff premises or property, including Township of Wyckoff owned or leased vehicles, or vehicles used for Township of Wyckoff purposes.
 - b. Having possession of, being under the influence of, testing positive for or having in one's system, alcohol or cannabis. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing alcohol or cannabis. As it relates to a positive drug test for cannabis, an employee violates this policy if there is both positive drug test and evidence-based documentation of physical signs or other evidence of impairment during the employee's work hours. *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 or cannabis offense occurring in the workplace. All employees must notify Township of Wyckoff in writing of any criminal alcohol or cannabis conviction not later than five calendar days after such conviction. Alcohol or cannabis 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 Township of Wyckoff'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 alcohol or cannabis offense. 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 Wyckoff and other factors related to the impact of the employee's conviction on the Township of Wyckoff.

- 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 or drug testing, medical or physical tests or examinations, when requested or conducted by Township of Wyckoff or its designee, is a violation of Township of Wyckoff 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 or cannabis.

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 Wyckoff.

Township of Wyckoff
340 Franklin Avenue
Wyckoff, NJ 07481
201 891-7000
201 891-9359

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 effected 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
www.naadac.org Fax:.....	1-800-377-1136
National Association of Addiction Treatment Professionals	1-717-581-1901
www.naatp.org	
National Council on Alcoholism and Drug Dependence, Inc.	1-212-269-7797
www.ncadd.org	
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, Treatment & referral Hotline.....	1-800-662-HELP
(Spanish-Espanol)	1-800-66-AYUDA

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

NOTICE TO ALL EMPLOYEES AND APPLICANTS

DRUG-FREE WORKPLACE

Township of Wyckoff, (the Township of Wyckoff) 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 Wyckoff's New Jersey Drug-Free Workplace Policy. The Township of Wyckoff's Designated Employer Representative (DER) is Scott Fisher, DPW Manager, The Alternative DER is Joseph Vander Plaat.

The Township of Wyckoff recognizes the prime importance to the Township of Wyckoff 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 Wyckoff 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 Wyckoff 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 Wyckoff 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 Wyckoff's New Jersey Non-DOT Drug and Alcohol testing will be provided on vacancy announcement and is posted in conspicuous locations on Township of Wyckoff 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 Wyckoff 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 Wyckoff 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 **July 1, 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 WYCKOFF

DESIGNATED EMPLOYER REPRESENTATIVE (DER) GUIDELINES ON USE OF FORM TOOLKITS

The following are helpful tips the DER and/or alternate DER may wish to consult fulfilling their duties and responsibilities:

Getting Started:

Populate the **Drug and Alcohol Testing Policy Development Worksheet** with the information specific to your entity and have this reviewed by legal counsel. As part of this process, you should complete the **Determination of Safety-Sensitive Positions [DFW04]**. That is a significant role in designating those as safety-sensitive in your policy.

Establish date for introduction of the **Drug and Alcohol Testing Policy** to employees. This Policy includes the following parts: (1) Policy, (2) Drug Education Information, (3) Substance Abuse Professionals resource list. You should secure a drug and alcohol awareness video for the meeting and send out notice of meeting date and time. Make a copy of the **Policy** for each employee. **Note:** the **Forms Toolkit** and **DER Guidelines** are not to be given to the employees at the meeting but can be viewed by them at any time.

On the date of the employee awareness training, have an **Employee Awareness Training Session Log** out for employees to sign. Distribute to each employee the following 4 part Policy: **Drug and Alcohol Testing Policy, Drug Education Information, Substance Abuse Professional resource list, and the Active Employee Certificate of Agreement, Receipt of**

Drug-Free Workplace Policy Consent Form. Then walk through significant Policy provisions. At the end of the program have each active employee sign the **Active Employee Certificate of Agreement Receipt of Employee Policy Statement Consent Form [DFW01]** and place in their personnel file.

Establish a time and date to conduct reasonable suspicion training for supervisors. This training should be one hour for alcohol and one hour for drugs and conducted by someone who can issue certifications of such training.

Prepare file folders for your Drug and Alcohol Testing Policy records retention and maintain these files separate from personnel files as you would all medical records.

Select a Certified Medical Review Officer, Laboratory, collection site and Third Party Administrator to assist with your program.

Applicant/Employee Testing

Have all applicants sign the **Pre-Employment Substance Testing, Consent and Release Form [DFW02]** before you schedule them for a pre-employment drug test.

If the employee fails to show for testing on time, you should receive a call from the collection site. Failure to show up on time is usually determined to be a “refusal to test” subjecting the employee to discipline or rejection of application under your **Policy**. If there is a refusal, you may wish to consider faxing an **Acknowledgment of Consequences of Refusal to Participate in Drug or Alcohol Testing [DFW03]** to the collection site while the employee is still present.

CMRO Report

You should get to know your Certified Medical Review Officer (CMRO) and request that he/she explain their role and answer your questions.

Post-Accident

In the event the employee is involved in a work place accident, check that the employee is drug tested in accordance with your Policy and worker's compensation requirements.

Reasonable Suspicion

The trainer that you have selected for Supervisory Reasonable Suspicion training should be able to provide you both Contemporaneous and Long-term Observation checklists.

Refusal to Submit to Testing

Use **Acknowledgment of Consequences of Refusal to Participate in Drug or Alcohol Testing [DFW03]** and have two (2) supervisors sign verifying that refusal.

Removal from Safety-Sensitive Duty on a Verified Positive or Refusal

Do not wait on the CMRO's written report but act upon the CMRO's oral report of verified positive drug test, adulterated or substituted drug test.

TOWNSHIP OF WYCKOFF
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 Wyckoff's adherence to New Jersey Laws. I have had the terms and conditions of the Township of Wyckoff 's Drug and Alcohol Testing policy explained to me relative to screening or tests by the Township of Wyckoff 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 Wyckoff 's Policy:

- | | |
|--|------------------------|
| 1. Amphetamines | 4. Phencyclidine (PCP) |
| 2. Cannabinoids (for certain employment positions) | 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 Wyckoff 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 Wyckoff, its DERs, to the Township of Wyckoff '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 WYCKOFF
Pre-Employment Substance Testing
Consent and Release Form [DFW02]

I do hereby certify that I have been given notice of the Township of Wyckoff 's pre-employment substance abuse testing policy; that I have been provided with access to a copy of the Township of Wyckoff '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 Wyckoff 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 Wyckoff, its DERs, and to the Township of Wyckoff '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 Wyckoff 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 WYCKOFF
ACKNOWLEDGMENT OF CONSEQUENCES OF
REFUSAL TO PARTICIPATE IN DRUG TESTING [DFW03]**

I, _____, an employee of Township of Wyckoff, acknowledge that I am refusing to report for Drug and Alcohol testing in accordance with the requirements of Township of Wyckoff 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)

TOWNSHIP OF WYCKOFF
Determination of Safety-Sensitive Positions [DFW04]

To: Scott Fisher, DPW Manager/DER, Joseph Vander Plaat, DPW Lead Laborer
From: Township Administrator
Re: Determination of Positions Classified as Safety Sensitive

I have reviewed the job descriptions and duties for the following positions and have determined that they meet the criteria for a safety-sensitive position as set forth in the Policy, in that:

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.

Using the above criteria, the following positions have been classified by the Township of Wyckoff as safety-sensitive: *as set forth below*. Elected officials who are not otherwise classified as employees are not subject to testing under this Policy.

Safety sensitive job classifications

DPW Manager
Public Works Foreman
Public Works Lead Laborer
Public Works Laborer

Township Administrator

Date

5P. EMPLOYEE ASSISTANCE PROGRAM

The Township of Wyckoff has established an Employee Assistance Program which provides confidential information and referral services to staff and family members who are experiencing difficulty with alcohol or drug abuse.

Township Program Coordinator: Township Administrator, 201-891-7000 ext. 1040.

5Q. VIDEO SURVEILLANCE

The Township of Wyckoff may install video surveillance camera systems within public buildings and throughout public areas within the Township of Wyckoff 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 Wyckoff will ensure compliance with federal, state and local laws governing such usage.

The Township of Wyckoff's video surveillance camera systems are a significant tool to which the employees of the Township of Wyckoff will avail themselves in order to complete the goals and objectives of the Township of Wyckoff. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Township of Wyckoff'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 Wyckoff's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission for the designee of the Township of Wyckoff.

The Township of Wyckoff 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 store 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 Township Administrator of the Township of Wyckoff are immediately informed of such breach.

5R. PROTECTION AND SAFE TREATMENT OF MINORS

I. Purpose and Scope:

Under New Jersey law (N.J.S.A. 6-8.21), an abused or neglected child is anyone “under the age of 18 who is caused harm by a parent, guardian or other person having custody or control of that minor.” A child who is under the age of eighteen (18) is considered to be abused or neglected when a parent, caregiver, another child or another adult does one of more of the following:

1. Inflicts or allows to be inflicted physical injury by other than accidental means that creates substantial harm or risk of substantial harm, and/or
2. Fails to provide proper supervision or adequate food, clothing, shelter, education or medical care although financially able or assisted to do so, and/or
3. Commits or allows to be committed an act of sexual abuse against a child.

Child abuse can have long-term effects on victims. A lack of trust and difficulty with healthy relationships is common, as is a core feeling of worthlessness and low self-esteem. There may even be long-term trouble with regulating emotions that can lead to destructive behaviors.

There are typically four common types of abuse:

- The failure to meet a child’s basic needs, physically or emotionally, which is called *neglect*.
- The intentional use of physical force that results in injury, which is called *physical abuse*.
- The practice of any behaviors that harm a child’s feelings of self-worth or emotional well-being, which is *emotional abuse*.
- Engaging in sexual acts with a child including pornography, which is *sexual abuse*.

Unfortunately, statistics reflect that abuse is all too common in any form.

- In New Jersey, abuse reports involving 80,000 children are filed each year. 50,000 of those children receive prevention and post-response services.
- 75% of the cases involve neglect, 18% of the cases involve physical abuse, and psychological abuse accounts for 7% of the cases.
- 55% of the perpetrators are female, while males account for 45%.
- Sadly, child abuse is a vicious cycle, in that 30% of abused children will later abuse their own children.

The statistics and characteristics pertaining to *sexual abuse* are sobering and equally as disheartening:

- ✓ **“Peer-to-Peer”** abuse is by far the most common, where one or more children or adolescent(s) sexually abuses or inappropriately touches another. Legally, the abuser must be at least 4 years older to trigger the statute. The *American Psychological Association* reports this type of abuse is driven by power and dominance, the same factors that drive bullying within this age group. In fact, bullying can be a precursor to sexual abuse, especially when there is a lack of supervision.
- ✓ In contrast, **“adult-to-child”** abuse is typically thought out and planned in advance, demanding access and privacy and control. These three factors demand a specific type of relationship and setting, meaning that 90% of juvenile sexual abuse victims know their abuser. The scope of the problem is massive: by the age of 18, 1 in 4 girls and 1 in 6 boys have experienced sexual abuse. From those figures, 88% of those molestations are attributed to individuals with pedophilia. ***Pedophilia is a psychotic disorder in which an adult or adolescent demonstrates a primary sexual attraction to prepubescent children.*** It is important, however, not to confuse pedophilia with actual child molestation, as many pedophiles never act on their attractions.
- ✓ Child sexual abusers are not always easy to spot. Though 7 out of every 8 molesters are male, they match the general population in ethnicity, religion, education, and marital status. So there is no stereotype, especially since abusers

go to great lengths to blend in. However, only 10% of them abuse children that they don't know, and 68% look no further than their own families for victims.

- ✓ 40% of abusers first begin molesting children before they themselves reach the age of 15, and the vast majority before the age of 20.
- ✓ Adolescent abusers generally begin their acts of abuse on younger siblings.
- ✓ Most sexual abuse occurs within the family. However, molesters can gain access to children outside of their own families through employment or volunteer work with an organization that works primarily with children. This allows them both time alone with potential victims and the ability to build trust and credibility. In fact, child abusers are often known and respected in their communities for dedication to children.
- ✓ In terms of a victim profile, it is important to remember that, although there are characteristics that make some children more vulnerable, every child is in danger. Passive, lonely or troubled children, especially those who live with step-parents or single parents may be targeted. Children between the ages of 7 and 13 years old are most at risk, and children from low socioeconomic backgrounds or rural areas are more likely to be victimized.
- ✓ Molesters have behavioral patterns that can be identified as *“grooming”* their victims. Sexual abuse is rarely violent. The molester's goal is to solicit compliance by beginning to win the victim's trust. There might be pet names, gifts to foster exclusivity and encouragement to “keep secrets.” The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child's life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed trustworthy. Inevitably, the favoritism is not enough to keep the victim silent any more, and the abuser resorts to threats—threats that play off of a child's guilt over the sexual contact.
- ✓ During the grooming process and abuse, victims often begin to show signs such as sexual behaviors or strong sexual language that is too adult for their age. Many

children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm. They may begin to display cuts and scratches or other self-inflicted injuries. However, some children are naïve and unaware of the gravity of the abusive nature of their experience. Research shows that children often delay reporting sexual abuse. They should not be disbelieved just because they waited a long time to seek help.

In the State of New Jersey every level of government has a role in protecting minors.

- At the State level:
 - State law is enforced through the NJ Family Division of the State court system. The court has broad powers including the ability to remove children from dangerous situations
 - The Department of Children and Families, specifically the Division of Child Protection and Permanency, combines all state operations intended to safeguard children into a single, coordinated program working closely with the Courts, legal advocates and law enforcement.
 - The Department of Corrections operates adult prisons and youth correctional centers to deal with perpetrators, while individual counties operate youth detention centers and special purpose schools.

- At the local level:
 - Educational professionals have the most contact with children, meaning they are often the first to detect issues.
 - Housing Authority employees may also frequently come into contact with children.
 - Municipalities and counties operate or sponsor a variety of programs that involve children including but not limited to:
 - Recreation programs
 - Before and After Care programs
 - Youth sports leagues
 - Youth centers
 - Youth in Government programs
 - Junior law enforcement training programs

- The role of **Police and law enforcement agencies** is especially important. Police officers assist in resolving reported situations, often acting as first identifiers. In New Jersey, police are given broad authority to protect children, including the authority to remove them from their parents or caregivers without a court order if necessary to prevent imminent danger to a child. Under the **Prevention of Domestic Violence Act**, a law enforcement officer must make an arrest when the officer finds “probable cause” that domestic violence has occurred. This holds even if the victim refuses to make a complaint. The Act is invoked in situations where the victim exhibits signs of injury caused by domestic violence, when a warrant is in effect, or when there is probable cause to believe that a weapon has been involved in an act of domestic violence. Abusers often use psychological tactics or coercive control over their partners, such as making threats to prevent a victim from leaving or contacting friends, family or police. But even if these conditions are not met, an officer may still make an arrest or sign a criminal complaint if there is probable cause to believe acts of domestic violence have been committed. Now if there is no visible sign of injury but the victim states that an injury did, in fact, occur, the officer must take other factors into consideration in determining probable cause.

The Employer is committed to the safety of all individuals in its community; however, the Employer has particular concern for those who are potentially vulnerable, including minor children. The Employer regards the abuse of children as abhorrent in all its forms and pledges to hold its officials, employees and volunteers to the highest standards of conduct in interacting with children. Statistics show that 93% of victims under the age of 18 know the abuser. Further, a perpetrator does not have to be an adult to harm a child but are typically in a caregiver role. They can have any relationship to the child including a playmate, family member, a teacher, a coach, or instructor.

The Employer is fully committed to protecting the health, safety and welfare of minors who interact with officials, employees, and volunteers of the Employer to the maximum extent possible. These Policy and Procedures establish the guidelines for officials, employees, and volunteers who set policy for the Employer or may work with or interact with individuals under 18 years of age, and those who supervise employees, and volunteers who may work with or interact with individuals under 18 years of age, with the goal of promoting the safety and wellbeing of minors.

This Model Policy provides guidelines that apply broadly to interactions between minors and officials, employees, and volunteers in programs operated by the Employer or affiliated programs or activities. All officials, employees, and volunteers are responsible for understanding and complying with this policy.

II. Definitions:

- *Authorized Adult* - Individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee and/or interact with minors in program activities, recreational, and/or residential facilities. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc.
- *Child or Minor* - A person under the age of eighteen (18).
- *Department Heads* - Appointed department heads of the Employer, including the chief administrative officer, and any assistants.
- *Direct Contact* - Positions with the possibility of care, supervision, guidance or control of children or routine interaction with children.
- *Dual Reporting* – Reporting possible abuse to both the NJ Department of Children and Families and law enforcement at the same time by the individual designated by the Employer to report all possible cases of abuse.
- *Employees, Staff, or Counselors* – persons working for the Employer on a full-time or part-time basis, and compensated by the Employer.
- *Facilities* - Facilities owned by, under the control of, or rented or leased to the Employer.

- *Grooming* - is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them. Refer to Appendix B for more detailed information on grooming.
- *NJMEL JIF* - New Jersey Municipal Excess Liability Fund Joint Insurance fund.
- *Officials* – Elected officials of the Employer, appointed Board members, and Authority Commissioners.
- *One-On-One Contact* - Personal, unsupervised interaction between any Authorized Adult and a participant without at least one other Authorized Adult, parent or legal guardian being present.
- *Programs* - Programs and activities offered or sponsored by the Employer.
- *Volunteers* - Individuals volunteering their time to provide services to the Employer who are not on the payroll and receive no compensation.

III. POLICY:

The Employer is charged with protecting the health, safety, and welfare of all its citizens, including children under the age of 18. To that end, the Employer is firmly committed to protecting children under the care and supervision of the Employer from all forms of physical, mental, sexual and emotional abuse. The Employer is committed to establishing and implementing safeguards to eliminate opportunities for abuse of children entrusted to the care of the Employer. The procedures outlined below shall apply to all officials, employees, and volunteers of the Employer.

IV. Recruitment and Hiring of Employees and Vetting of Individuals Volunteering Their Time:

- All prospective employees and volunteers shall undergo a thorough and complete background check, including but not limited to a fingerprint identification check, credit check, motor vehicle record check, reference check (personal and professional), and a check of the Megan’s Law directory for New Jersey and any other State where the applicant previously resided. *Written documentation of the background check shall be maintained by the Employer in perpetuity.*

- Background checks that disclose any negative or questionable results must be reviewed and approved by the Employer prior to the individual being hired and/or working with minors. **Provisional hiring is not permitted.**
- All prospective employees and volunteers must complete the training adopted by the Employer **PRIOR TO** starting employment or volunteer service. **In addition to completing the training course adopted by the Employer,** all volunteer coaches shall complete the Rutgers SAFETY Clinic course (*Sports Awareness for Educating Today's Youth*™) which is a three-hour program that meets the "Minimum Standards for Volunteer Coaches Safety Orientation and Training Skills Programs" under (N.J.A.C. 5:52) and provides partial civil immunity protection to volunteer coaches under the "Little League Law" (2A:62A-6 et. seq.)
- The Employer shall **annually** re-check and document the Megan's Law directory for New Jersey to make certain that current employees are not listed.
- Once employed, authorized Adults who are employed are required to notify the appropriate Human Resources representative of an arrest (charged with a misdemeanor or felony) or conviction for an offense within 72 hours of knowledge of the arrest or conviction.

V. Procedures and Responsibilities of Officials:

Under New Jersey Law, an official may be held liable for the abuse or neglect of a child if he or she fails to implement appropriate safeguards to protect the child while the minor has been entrusted to the care of the Employer. Most importantly, recent changes in the law in New Jersey extended the statute of limitations for child abuse and neglect cases substantially, thus placing local officials and employees at a far greater risk.

A valid cause of action can be filed by an alleged victim well after the official has left office. It is, therefore, critically important for officials to establish and monitor policies and procedures designed to safeguard minors entrusted to the care of the Employer.

- Officials of the Employer are required to:
- i. Complete the initial training course adopted by the Employer, and any updated/refresher course, in order to better understand their legal duties and responsibilities under Federal and NJ State Law. The training program will include the following concepts:
 - Recognizing the signs of abuse and neglect of minors.
 - Establishing guidelines for protecting minors from emotional and physical abuse and neglect.
 - Understanding and being prepared to implement the procedures necessary to eliminate opportunities for abuse.
 - Becoming familiar with the legal requirements to report suspected cases of abuse.
 - Fully understanding the legal consequences for not being diligent in making certain that employees of the Employer adhere to all policies and procedures as adopted.
 - ii. Meet **annually** with all Department Heads to review the “Policy Addressing Sexual Abuse of Minors”, and to verify that the administration is adhering to this policy which includes all of the following provisions. *If the policy is not being adhered to, it is the legal obligation of the officials of the Employer to implement whatever changes are necessary as soon as possible to make certain the policy is followed.*
 - iii. Conduct **random and unannounced** visits to program sites to observe the setup of the programs and conduct of the employees and volunteers of the Employer.

VI. PROCEDURES:

All Employer programs operated by, sponsored by, or affiliated with the Employer shall comply with the following procedures. All officials, employees, and volunteers who interact with or could possibly interact with minors, and those employees who supervise employees who interact with or could possibly interact with minors, shall adhere to the following policy.

VII. SPECIFIC PROGRAM PROCEDURES:

The following policies shall apply to **all programs** offered by, sponsored by or affiliated with the Employer. As an essential element of compliance with the overall objective of protecting and addressing the safe treatment of minors, the Employer shall:

- a. Establish a written procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program. In addition, the Employer shall provide information to parents or legal guardians detailing the manner in which the participant can be contacted during the program.
- b. Make certain that all program participants provide a *Medical Treatment Authorization form* to the Employer.
- c. Implement and adopt a *“Code of Conduct”* for volunteer and paid staff members which, *at a minimum*, will include the following:

Code of Conduct

- Staff members will, at all times, respect the rights of program participants and use positive techniques of guidance including positive reinforcement and encouragement.
- Staff members will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
- Staff members shall not transport children in their own vehicles, unless written authorization from the child's parent or guardian has been received.
- Members of the staff shall not be alone with children they meet in the programs outside of the camp. This includes babysitting, sleepovers, and inviting children to their home.
- Staff members shall, at all times, be visible to other staff members while supervising minors. Any exceptions require a written explanation before the fact and approval of the Program Director.
- Staff members will appear neat, clean, and appropriately attired.
- Staff members will refrain from intimate displays of affection towards others in the presence of children, parents and staff.
- Staff members are required to refrain from texting, and posting or checking any of the social media outlets while they are working or volunteering. The only exception is for texting for the purposes of communicating with another staff member or parent regarding a programmatic issue pertaining to a child.
- Staff members are prohibited from buying gifts for program participants.

In addition to the Code of Conduct, the following shall be a part of the specific program provisions:

- The possession or use of alcohol and other drugs, fireworks, guns and other weapons is prohibited.
- The Employer shall set forth rules and procedures governing when and under what circumstances participants may leave the Employer property during the program.
- No violence, including sexual abuse or harassment, will be tolerated.
- Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited and will be addressed immediately.
- No theft of property will be tolerated.
- No use of tobacco products will be tolerated.

- Misuse or damage of Employer property is prohibited. Charges will be assessed against those participants who are responsible for damage or misuse of property.
- The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
- Under no circumstances are any images of any child taken during any of the activities conducted or sponsored by the Employer to be shared on any social media platform without the expressed written consent of a parent or legal guardian.
- The Employer shall assign a staff member who is at least 21 years of age to be accessible to participants. Additional Authorized Adults will be assigned to ensure one-on-one contact with minors does not occur and that appropriate levels of supervision are implemented.
- Take appropriate steps to make certain that children are not released to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written authorization on file in advance.)
- Develop and made available to participants and their parents or guardians, the rules and discipline measures applicable to the program. Program participants and staff must abide by all regulations and may be removed from the program for non-compliance with rules.
- The recommended ratio of counselors to program participants should reflect the gender distribution of the participants, and should meet the following:
 1. One staff member for every six participants ages 4 and 5
 2. One staff member for every eight participants ages 6 to 8
 3. One staff member for every ten participants ages 9 to 14
 4. One staff member for every twelve participants ages 15 to 17
- Responsibilities of the counselors must include, at a minimum, informing program participants about safety and security procedures, rules established by the program, and behavioral expectations. Counselors are responsible for following and enforcing all rules and must be able to provide information included herein to program participants and be able to respond to emergencies.

Specific Policy and Procedures for Use of Restrooms by Children/Minors:

- All restrooms shall be checked in advance by staff persons before minor children enter to make certain that no other individuals are present.
- Staff members (of the same sex) are to stand guard at the doorway to make certain that no one else enters the restroom while a child is there. Children should not be permitted enter restrooms in pairs or in groups, unless it is absolutely necessary.

VIII. Procedures for Law Enforcement Officers:

Law enforcement officers of the Employer frequently interact with minors in a variety of ways. It is important to establish guidelines to assist law enforcement officers in being aware of how to act and react in these circumstances. To that end, the Chief of Police or his or her designee of the Employer shall formulate a written policy addressing the safe treatment of minors for consideration and approval by the governing body for law enforcement officers who interact with minors.

The policy shall, at a minimum, incorporate and address the following:

- a. **Transporting minors in a police vehicle.** Whenever possible, victims or alleged victims of sexual assault or other crimes, or minors removed from a situation for protective purposes, shall be transported by two officers (at least one of whom shall be of the same sex as the victim) in unmarked vehicles that does not have a prisoner compartment/partition. Officers transporting a minor for whatever reason shall document starting and stopping mileage through radio contact.
- b. Directives issued by the NJ State Attorney General pertaining to interaction with minors shall be incorporated into the policy.
- c. The following provisions from the *“Code of Conduct”* for counselors shall be included in the policy for officers assigned to work in school settings (i.e. Class 3 officers):
 - i. Officers will, at all times, respect the rights of students and use positive techniques of guidance including positive reinforcement and encouragement.
 - ii. Officers will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
 - iii. Officers shall not transport children in their own vehicles. Officers shall not arrange to see students outside of school and this includes babysitting, sleepovers, and inviting children to their home. Any exceptions require a written explanation before the fact and approval of the Chief.
 - iv. Officers shall make certain that they are neat, clean, and appropriately attired.
 - v. Officers will refrain from intimate displays of affection towards others in the presence of children, parents and staff. Officers shall not buy gifts for students at any time.
 - vi. All officers are required to complete the initial training course offered by the NJMEL JIF, and any refresher courses as well.

IX. Training Requirements:

Individual training courses have been designed for each of the following categories and **all** officials, employees, and volunteers of the Employer are required to complete training (and refresher course training) adopted by the Employer. ALL employees of the Employer shall complete the training course whether they interact with children/minors or not. Although training records will be maintained, it is recommended that each Employer and individual trainees also keep copies of their own training records.

a. Officials

Complete the initial training course adopted by the Employer, and any updated/refresher course, in order to better understand their legal duties and responsibilities under Federal and NJ State Law. The training program will include the following concepts.

- Recognizing the signs of abuse and neglect of minors.
- Establishing guidelines for protecting minors from emotional and physical abuse and neglect.
- Understanding and being prepared to implement the procedures necessary to eliminate opportunities for abuse.
- Becoming familiar with the legal requirements to report suspected cases of abuse.
- Fully understanding the legal consequences for not being diligent in making certain that employees of the Employer adhere to all policies and procedures as adopted.

b. Department Heads

i. Content of course shall include:

1. Current State NJ State Law pertaining to Sexual Abuse of Minors
2. Recognizing the signs of abuse and neglect
3. Different types of abuse (i.e. Peer to Peer, Adult to Child, etc...)
4. Your legal responsibility for implementing and monitoring procedures and employees
5. Reporting cases of abuse

c. Volunteers and Employees of the Employer

i. Content of course shall include:

1. Current State NJ State Law pertaining to Sexual Abuse of Minors
2. Recognizing the signs of abuse and neglect
3. Different types of abuse (i.e. Peer to Peer, Adult to Child, etc...)
4. Your legal responsibility for implementing and monitoring procedures and employees
5. Reporting cases of abuse

d. **Law Enforcement Officers**

i. Content of course shall include:

1. Current Status of NJ Law and Directives from the Attorney General for Law Enforcement personnel
2. Your responsibilities
3. Officers in Schools
4. Reporting Abuse

X. **Reporting Suspected Child Abuse/Neglect:**

In light of the importance and priority placed on safeguarding the health and safety of minors, it is critically important that suspected cases of child abuse and neglect are reported as soon as possible. **As a government official, employee or volunteer, you are legally required to report suspected child abuse. This requirement includes all governmental officials, employees and volunteers.**

The following procedures shall be utilized in reporting suspected cases of abuse. The Employer shall also train officials, department heads, employees and volunteers in the concept of “**dual reporting**” as listed and defined below and shall encourage all staff and volunteers to utilize this process as much as possible in reporting suspected cases of abuse.

Child Abuse is hard thing to talk about, especially with victims. The most important thing to remember is to **show calm reassurance and unconditional support**. Avoid interrogation and leading questions. Understand that denial and embarrassment are common reactions. Don't display disbelief, shock, or disgust. Instead, be reassuring. Make sure the child knows that they did nothing wrong. Reassure them that this is not their fault and make sure they know that you take it seriously.

Interviewing children to investigate sexual abuse requires highly technical expertise. ***Do not “investigate” an abuse situation. Do not interrogate the child.*** Rather report it immediately as shown below. And finally, keep safety as the priority. If there is the possibility of violence against yourself or the child, get the appropriate professionals or agencies involved as soon as possible.

It is recommended that, whenever possible, officials, employees and volunteers report the suspected abuse to both the NJ Department of Children and Families and law enforcement at the same time, which is known as “dual reporting.”

For employees or volunteers of programs conducted by the Employer:

- Immediately report suspected cases to the Program Director in charge.
- The Program Director shall immediately investigate the alleged incident. The Director shall document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

- a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
 - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
 - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
 - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
- After documenting all of the facts surrounding the alleged abuse, the Program Director shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the supervisor's role to make a decision on whether a case should be reported. All cases shall be reported.

For Volunteer coaches or other volunteers in charge of programs sponsored by or affiliated with the Employer.

1. The Volunteer shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
 - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
 - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
 - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
 - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
2. After documenting all of the facts surrounding the alleged abuse, the Volunteer shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

For Officials and Department Heads who witness or become aware of alleged cases of abuse or neglect:

1. The Officials and Department Heads shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
 - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
 - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.

- d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
- e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
 - After documenting all of the facts surrounding the alleged abuse, the Officials or Department Heads shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

For Law Enforcement Officers:

- Immediately report any suspected or alleged cases of abuse or neglect to the County Prosecutor.

XI. Important Information Regarding Reporting Suspected Abuse Under NJ Law:

The following guidelines have been established under New Jersey law, for those reporting suspected or alleged cases of abuse or neglect. The Employer encourages all officials, employees, and volunteers in programs operated by the Employer or affiliated programs or activities to report suspected cases of abuse with the following in mind.

- i. Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.*
- ii. However, any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.*
- iii. When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and Family Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.*

XII. Acknowledgement of Receipt and Review of Policy:

All officials, employees/counselors, and volunteers shall sign and date an acknowledgement form that confirms they have received and reviewed the Policy Addressing the Protection and Safe Treatment of Minors, issued to them by the Employer. The same process shall be used for any revised policy issued in the future.

Indicators of Child Abuse/Neglect

The New Jersey Department of Children and Families issued the following guidelines to assist in recognizing the indicators of child abuse/neglect.

Indicators of Child Abuse / Neglect

Different types of abuse and neglect have different physical and behavioral indicators.

Physical Abuse

Physical Indicators	Behavioral Indicators
<p>Unexplained bruises and welts:</p> <ul style="list-style-type: none"> • On face, lips, mouth • On torso, back, buttocks, thighs • In various stages of healing • Cluster, forming regular patterns • Reflecting shape of article used to inflict (electric cord, belt buckle) • On several different surface areas • Regularly appear after absence, weekend or vacation <p>Unexplained burns:</p> <ul style="list-style-type: none"> • Cigar, cigarette burns, especially on soles, palms, bac or buttocks • Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) • Patterned like electric burner, iron, etc. • Rope burns on arms, legs, neck or torso <p>Unexplained fractures:</p> <ul style="list-style-type: none"> • To skull, nose, facial structure • In various stages of healing • Multiple or spiral fractures <p>Unexplained laceration or abrasions:</p> <ul style="list-style-type: none"> • To mouth, lips, gums, eyes • To external genitalia 	<p>Wary of adult contacts Apprehensive when other children cry Behavioral extremes:</p> <ul style="list-style-type: none"> • Aggressiveness • Withdrawal <p>Frightened of parents Afraid to go home Reports injury by parents</p>

Physical Neglect

Physical Indicators	Behavioral Indicators
Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, especially in dangerous activities or long periods Constant fatigue or listlessness Unattended physical problems or medical needs Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) Constantly falling asleep in class Alcohol or drug abuse Delinquency (e.g. thefts) States there is no caregiver

Sexual Abuse

Physical Indicators	Behavioral Indicators
Difficulty in walking or sitting Torn, stained or bloody underclothing Pain or itching in genital area Bruises or bleeding in external genitalia, vaginal or anal areas Venereal disease, especially in pre-teens Pregnancy	Unwilling to change for gym or participate in PE Withdrawn, fantasy or infantile behavior Bizarre, sophisticated or unusual sexual behavior or knowledge Poor peer relationships Delinquent or run away Reports sexual assault by caregiver

Emotional Maltreatment

Physical Indicators	Behavioral Indicators
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructive, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: <ul style="list-style-type: none">• Compliant, passive• Aggressive, demanding Overly adoptive behavior: <ul style="list-style-type: none">• Inappropriately adult• Inappropriately infant

Grooming Behavior

Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them.

Here are some common characteristics of someone attempting to “groom” a child.

- Molesters often refer to their intended victims by pet names and use gifts to foster exclusivity and build a relationship while starting the practice of keeping secrets.
- The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child’s life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed so good – too good to be true, in fact.
- Inevitably, the favoritism is not enough to keep the victim, and the abuser resorts to threats—threats that play off of a child’s guilt over the sexual contact.
- During the grooming process and abuse itself, victims often begin to show tell-tale signs including:
 - Sexual behaviors or strong sexual language that is too adult for their age.
 - Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm.
 - Also look for cuts and scratches or other self-inflicted injuries.

B

PERSONNEL ACTIONS

6 EMPLOYMENT DEFINITIONS

A. FULL-TIME EMPLOYEE

Full-time employees are regularly employed working (see hours per employee group below) per week or more, require probationary period and listed on the regular payroll of the Township Departments and Boards. These employees must work a full day and a full work week, adhere to a time schedule established by the Township ordinances, Departmental policy or as may from time to time be required by an appropriate Supervisor.

- Town Hall and Recreation Department civilian employees thirty-five (35) hours per week.
- Department of Public Works employees forty (40) hours per week.
- Sworn Police Officers and civilian employees assigned to the Police Department forty (40) hours.

Full-time employees shall be offered all fringe benefits provided by the Township among which are approved sick leave, holiday leave, health insurance coverage from time to time, and other benefits relating to the employee's position with the Township of Wyckoff.

B. PROBATIONARY EMPLOYEE

A probationary employee is one whose regular status is pending satisfactory completion of the initial twenty four (24) month probationary period.

C. TEMPORARY EMPLOYEE

A temporary employee is one who is hired for seasonal or temporary work, either full-time or part-time for a specified or unspecified duration. A temporary employee is not eligible for any fringe benefits.

D. PART-TIME EMPLOYEE

A part-time employee is one employed on a regular basis, whose hours of duty are less than those assigned to full-time employees in the same work unit.

Part-time employees working less than thirty (30) hours per week (as described above) are not entitled to any fringe benefits.

The eligibility of part-time employees for pension benefits is not within the authority or control of the Township of Wyckoff. Pension benefits and eligibility are determined by State Statute and Regulations enacted by the State Division of Pensions. The Township has no control, authority or discretion in these matters. Any questions by employees covering these benefits should be referred to the Division of Pensions.

7. WRITTEN JOB DESCRIPTIONS

The Township of Wyckoff shall develop, maintain and update where and when necessary written job descriptions including qualifications for all full-time, part-time and seasonal employees except recreation program assistants paid by voucher.

The Township Administrator shall approve all job descriptions and he shall be the custodian of said job descriptions and he shall periodically review them for updating when appropriate.

The Township Administrator will make copies available upon request.

8. EMPLOYMENT REFERENCES

To ensure that individuals who work for the Employer are well-qualified and have a strong potential to be productive and successful, it is the policy of the Employer to check the employment references of all applicants at the Employer's discretion.

Employees should not, under any circumstances, provide another individual with information regarding a current or former employee. Any employee, including Department Heads, who receives a request for reference information should forward the request to the Township Administrator. Generally, unless otherwise required by law, the Employer will only confirm employees' name, title, salary, compensation, dates of service, reason for separation, if applicable, and specific educational or medical qualifications required for employment. The Employer's response to a request for reference information shall be communicated in writing only. The Employer does not honor oral requests for employment references.

A current or former employee may also authorize the Employer to release additional information. Unless otherwise required by law, the Employer will only release additional information if the current or former employee provides authorization, in writing.

9. NEPOTISM

The hiring, promoting, transferring, demoting or reassigning of relatives is prohibited 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 supervise either directly or from one level above, 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.

Employees who marry or become related by marriage may continue in their employment if the marriage does not result in the creation of a prohibited relationship. Where the marriage results in the creation of a prohibited relationship, the Employer will explore potential accommodations including the reassignment of one or both employees to available positions for which the employees are qualified. 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 first cousins.

This policy applies to all employees hired, promoted, transferred, demoted, or reassigned on or after the date of adoption and to all prohibited relationships created on or after the date of adoption.

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: _____

10. PHYSICAL AND MENTAL EXAMINATIONS POLICY

The Township of Wyckoff strives to hire employees in compliance with all relevant State and Federal laws including the Americans with Disabilities Act. Once an individual has been offered a position with the Township, he/she may be required to undergo physical, psychological or mental examination to ensure that he/she is in satisfactory health to perform the required functions and duties of the position. In addition, special physical agility tests, written and oral examinations, psychiatric and/or psychological tests may be required for employment. In accordance with the Americans with Disabilities Act, reasonable accommodations will be offered to an employee as required by the Act.

During the course of employment, and for good cause, the Township may order any employee to undergo a physical, psychiatric and/or psychological examination. In accordance with the Americans with Disabilities Act, reasonable accommodations will be offered to an employee as required by the Act.

PROCEDURE

Prospective Employees

Once a conditional offer of employment has been made, the Township Administrator shall arrange for the required physical, psychological, psychiatric or other required examinations by the Township Physician. The prospective employee shall be notified of the time and location of the examination and shall be given a medical evaluation form to be completed by the Township Physician.

The report from the Township Physician shall become a permanent part of the employee's personnel folder.

During the Course of Employment

If a physical, psychiatric and/or psychological examination is ordered during the term of employment, the employee shall be provided with written notice of the time and location of the examination. In the case of psychiatric and/or psychological examination, upon request the employee shall also be provided with a written statement of reasons upon explaining the necessity for such examination.

All medical records of employees and prospective employees are confidential and are to be maintained by the Township Administrator (separate from the employee's official personnel file). Medical exams may include tests for drug and alcohol use.

11. PROBATION

POLICY

Probation is a period of fixed duration during which an employee learns the duties and responsibilities of the position. During this period the Department Head evaluates whether the employee merits regular status. New employees shall serve a twenty-four (24) month probationary period. Promoted employees shall serve a twelve (12) month probationary period. The period may be extended by the Township Administrator, if agreed to by the employee. Failure to agree shall result in termination.

PROCEDURE

If the employee's performance has been satisfactory during the required probationary period, upon written recommendation of his/her Department Head and approval of the Township Administrator, the employee shall attain regular status in that position.

Upon completion of the probationary period, the employee shall be assigned the date of the initial hire for purposes of defining seniority, length of service and fringe benefits.

In the event a promoted employee is unsuccessful in completing the probation period following promotion, then, he/she shall be returned to his/her prior position and, for purposes of seniority, length of service or fringe benefits, shall be treated as if he/she had never left the original position.

12. ORIENTATION

POLICY

All new employees of the Township of Wyckoff will receive an orientation of the Township organization, from his/her Department Head.

PROCEDURE

Orientation of new employees includes:

1. A tour of the Township facilities in order to acquaint the employee with the numerous functions of the Township organization and the relationship of his/her specific job with the governmental structure.
2. Distribution of health and benefit plan booklets and other materials.
3. Distribution and explanation of all ordinances applicable to the employee.
4. Completion of personnel and payroll forms.
5. All new employees shall complete the Vital Information Form.
6. At the conclusion of the orientation process, a check sheet will be signed by the new employee and his/her Department Head. (See Orientation Form, Part I and II, attached).
This becomes a part of the employee's personnel file.
7. A review of the Personnel Policies and Procedures Manual/Employee Handbook and acknowledgement of receipt.
8. The Employee Complaint Policy letter and acknowledgement.
9. A safety orientation and acknowledgement to include review of MEL Safety video for new employees.
10. Arrangements for the new employee to complete required PEOSHA safety training.

A. PART I. ORIENTATION

Explained

Explanation of Duties and Responsibilities _____

Hours of Employment: _____

Medical Benefits: _____

Pension Benefits Booklets (S.S., P.E.R.S.): _____

Vacation Schedule: _____

Holidays: _____

Sick Leave Policy: _____

In-Service Training Policy: _____

Salary Range \$ _____ - \$ _____

Overtime Policy: _____

Probation Policy: _____

Promotion Policy: _____

Employee Manual: _____

Safety Orientation/Overview _____

Department Head

Date

Employee

Date

B. PART II. ORIENTATION

	<u>Issued</u>	<u>Completed</u>	<u>Date</u>
I-9 Form	_____	_____	_____
W-4 Form	_____	_____	_____
Pension Enrollment Application	_____	_____	_____
Pension Designation of Beneficiary Application	_____	_____	_____
Personnel Manual/Employee Handbook	_____	_____	_____
Health Insurance Application	_____	_____	_____
Personnel File	_____	_____	_____
Safety Procedures	_____	_____	_____
Vital Information Form	_____	_____	_____
Physical Examination (if required)	_____	_____	_____
Written Examination (if required)	_____	_____	_____
Physical Agility Test (if required)	_____	_____	_____
Psychological/Psychiatric Examination (if required)	_____	_____	_____
Ordinances	_____	_____	_____

Department Head

Date

Employee

Date

13. ACCESS TO PERSONNEL FILES

The official personnel file for each employee shall be maintained by the Township Administrator, except Library employee files shall be maintained and safeguarded by the Library Director, and Police Department employee files shall be maintained and safeguarded by the Police Chief. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access. Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Township premises in the presence of the Township Administrator or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

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

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

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

Confidentiality of Personnel Records

The human resources official will ensure that adequate personnel records are maintained for each employee in accordance with applicable Federal and State requirements. These records shall include: dates of appointments, transfers, promotions and terminations, job titles, salaries, commendations, complaints, performance evaluations, disciplinary actions, amount of leave accrued and used, a record of the employee's training and other related matters, and attendance records.

A new employee's employment application, letters of reference, reference verification and any other supporting documents will be included in the personnel file. Confidential medical records are maintained in a separate file.

Personnel records, other than name, title, salary, compensation, dates of service, reason for separation, and information on specific educational or medical qualifications required for employment, are confidential and are available only to the employee, an authorized representative of the employee, and the human resources official. Personnel records may also be available to the Chief Administrative Officer, other members of management, the Employer's legal counsel, and members of the governing body on a need-to-know basis in connection with official duties. Additionally, the Employer will make the records available as required by law.

Employees are entitled to review the contents of their personnel folder, except for reference checks and other information provided to the Employer in the hiring process, but may not review the contents of other employees' personnel file. Employees who want to review their own personnel folder should request an appointment with the human resources official. Employees should provide the Employer with at least twenty-four (24) hours advance notice of his or her need for an appointment to review his or her personnel file. To protect the integrity of the personnel files, the employee will review the personnel file in the presence of the human resources official or his/her designee. Employees will not be permitted to photocopy the contents of their folder, take personnel folders outside of the human resources office or remove any documents from the folder.

Employees whose duties require access to personnel documents or information must maintain their confidentiality. Violators of this confidentiality will be subject to disciplinary action up to and including termination.

14. CHANGING VITAL INFORMATION

POLICY

It is the responsibility of each employee to notify the Finance office, through his/her Department Head, in writing, of any change of vital information regarding:

1. Name
2. Address
3. Telephone Number
4. Marital Status
5. Dependents
6. Deduction(s) to be included on W-4 Form
7. Change in Status for Health Care Programs
8. Change of Beneficiary on Pension or Life Insurance Policies
9. Whom to notify in case of accident
10. Military Status
11. Email Address

PROCEDURE

Changes will be accomplished by the employee personally correcting the Vital Information Form.

A copy of this form shall be maintained in the employee's personnel record.

VITAL INFORMATION FORM

In the continuing effort to keep employee files up-to-date, review the following information include any "Life Event" (birth of a child, divorce, marriage, death of a dependent) changes and have correct information in the event of an emergency. Please return this form to the Payroll Officer by _____.

1. Name: _____

2. Address: _____

3. Telephone: _____

4. Marital Status: _____

5. Date of Birth: _____

6. Dependents (Name and Birth Date): _____

7. Deduction(s) for W-4 Form: _____

8. Health Care Program Status: _____

9. Pension Beneficiary: _____

10. Life Insurance Beneficiary: _____

11. Emergency Notification:

Name: _____

Address: _____

Telephone: _____

12. Military Status: _____

13. Email Address: _____

Date: _____

Employee: _____

Changing Vital Information

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 dental coverage
- ▶ Persons to notify in case of emergency
- ▶ Change in status for health care programs
- ▶ Change of beneficiary on pension or life insurance policies
- ▶ Change in tax status for tax withholding purposes

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.

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: _____

15. EMPLOYEE EVALUATION POLICY

The Department Head will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement once (1) every two years. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. After completing the evaluation, the Supervisor or Department Head will review the result with the employee and return the form(s) with the signed acknowledgment to the Township Administrator. After review by the Township Administrator, the form(s) are to be forwarded to the Township Administrator's Office, Library Director, or Chief of Police 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 Township Administrator or Chief Financial Officer.

PERFORMANCE EVALUATION

The Employer recognizes that an employee job performance evaluation system is the basis for assisting in employee growth and development. The Employer requires supervisors to conduct performance appraisals to ensure that:

- (1) each employee receives feedback on objectives, accomplishments, strengths, and areas for improvement;
- (2) each employee receives advice from his or her supervisor on ways to improve performance and has the chance to identify with his or her supervisor areas where greater contribution is possible, or where either feels more development would be beneficial; and
- (3) essential information is recorded concerning strengths and weaknesses of all employees in relation to career development, including potential for advancement and suitability for other positions and training.

The performance evaluation provides the vehicle for a dialogue between the employee and the supervisor and ensures shared expectations of the requirements for the employee's job and the

employee's performance in the job. Accordingly, the Employer will use a performance review/evaluation system for all employees.

During performance reviews, supervisors will consider, among others:

- Initiative, dependability and effort
- Knowledge of work
- Attitude and willingness
- Quantity and quality of work
- Disciplinary record
- Attendance and tardiness

A copy of an employee performance evaluation shall be maintained in the employee's personnel file.

**THE TOWNSHIP OF WYCKOFF
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 the 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 probationary status and will be re-evaluated on _____
- Employee is suspended: Dates:_____

Consequences of failure to improve or achieve goals:

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

Employee's Comments:

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

Employee Signature: _____ Date: _____

Department Head Signature: _____ Date: _____

Township Administrator Signature: _____ Date: _____

16. JURY DUTY

POLICY

An employee required to render jury service shall be entitled to be absent from work during that service and will be paid the difference between any payment received for jury duty and the employee's regular salary.

PROCEDURE

The employee will present the official summons to jury duty immediately upon receipt to his/her Department Head. The Department Head will forward the official notice to the Township Administrator.

Employees will immediately present any subpoenas served upon them in connection with their official duties to their Department Heads.

In the event an employee is released from jury duty on any day more than two (2) hours prior to the end of their normal work day they are to report by telephone to their Department Head. Normally, they will be expected to return to work.

Any payment received by an employee from the Court or the County for serving on jury duty for those days during which the employee receives his/her full pay from the Township shall be signed over to the Township of Wyckoff.

LEAVE

When an employee is called for jury duty and for the duration of such service, the employee shall be entitled to a temporary leave with pay provided that:

- The employee submits a written request with a copy of the summons to his or her Department Head within three (3) business days after receipt of the summons;
- The employee inquires about the anticipated length of service and informs his or her Department Head of the expected duration in advance of accepting service;
- The employee notifies his or her Department Head as soon as possible if the length of jury duty has been extended beyond the original return date;

- The employee communicates with their Department Head to determine when they will report to work at such time as his or her presence as a juror is not required;
- The employee provides his or her Department Head with an appropriate certification or order from the assignment judge, clerk of the court or such other officer as shall be appropriate setting forth the period of such jury duty service to be attached to the weekly time sheet; and
- The employee reimburses the Employer for any payments or fees received as a result of such jury service less any meal or travel expenses.

The Employer will reassign shift workers to the day shift during jury duty leave.

Witness Duty Leave of Absence. The Employer is aware that employees may be subpoenaed to appear as witnesses in trials before the court. The Employer will provide employees with a paid leave of absence for matters stemming from their employment. For personal matters, employees will use available personal days or vacation days.

17. PROMOTIONS

POLICY

“Promotion” is defined as an advancement to a job classification having a higher level of duties and responsibilities and a salary range having a greater maximum. When there is a major change in the duties or responsibilities of a position resulting in the need to re-assign the function to a higher classification, the position may be considered vacant and subject to promotional policy and procedures.

The promotional policy is based upon the operational needs of the Township, job requirements and individual merit, experience, training and qualifications. Employment reviews and, if appropriate, testing may be used in the determination of qualifications. Seniority will be used as a basis for promotion only in instances where two or more individuals are equally capable in all other respects. Whenever possible, promotion shall be made from within the Township organization.

PROCEDURE

The Governing Body, upon the advice of the Township Administrator and the appropriate Department Head, makes all promotions. Following promotion, the first twelve (12) months an individual occupies the new position shall be considered as a probationary period. See #9, Probation, for further information on probationary status.

When an employee is promoted to a classification with a higher compensation range, the entrance rate shall be at a higher salary than the salary received immediately prior to such promotion.

NOTICE OF PROMOTION

Employee: _____

New Job Title: _____

Salary: _____

Effective Date: _____

Probationary Period: _____

Supervisor: _____

Evaluation Schedule: _____

Cc: Payroll
Supervisor
Personnel File
Tickler File

18. TRANSFERS

POLICY

A transfer is the assignment of an employee from a job classification in one organizational unit to a different position at the same pay in another organizational unit.

The service of an employee who is transferred will be considered continuous for the purposes of seniority and fringe benefits.

PROCEDURE

Transfers may either be requested by an employee or initiated by a Department Head.

If the employee requests the transfer, then, the request shall be in writing and shall set forth reasons why the transfer should occur. This request shall be submitted to the Department Head who shall submit it to the Township Administrator along with an analysis as required below.

In any case of a request for a transfer, a memorandum shall be prepared and submitted by the Department Head to the Township Administrator setting forth the reasons for the request and the benefits which may or may not accrue to the Township, the receiving Department and the individual employee.

The Township Administrator will be responsible for approving any transfer after consultation with the Governing Body.

REQUEST FOR TRANSFER

Employee: _____

Current Position: _____

Requested Position: _____

Date of Request: _____

Reasons for request: _____

Department Head's Comment: _____

Township Administrator:

Granted: _____

Denied: _____

Effective Date: _____

Condition (if any): _____

19. RESIGNATION

An employee who intends to resign must notify the Department Head personally in writing at least fourteen (14) days in advance. The Employer may waive this requirement and consent to a shorter notice. If an employee resigns without giving the required notice, he/she will be considered to have resigned not in good standing.

Employees who resign will be notified by the Employer as to the status of various employee benefits. At times, an exit interview may be held. An employee who is absent from work for a period of three (3) consecutive work days, without personally providing written notice to the Department Manager and personally speaking to or obtaining authorization from the Department Manager, will be considered as having voluntarily resigned. After giving notice of resignation, employees are expected to assist their Supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two (2) weeks, the employee may not use paid time off except paid holidays. Any vacation leave owed the employee will be pro-rated on an earned basis. If the employee has taken more vacation than his/her pro-rated leave, reimbursement will be made to the Township by deduction from the employee's final paycheck. Any vacation leave in lieu of vacation pay will be at the discretion of the Township Administrator based on the recommendation of the Department Manager. The Department Manager will prepare an Employee Action form showing any pay or other money owed the employee. The Payroll Control Officer and/or the Township Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

20. RETIREMENT

POLICY

The mandatory retirement age for all full-time regular employees is seventy (70). On the recommendation of the Township Administrator, the Governing Body may extend the time for mandatory retirement for individual employees on an annual basis.

The Township employees enrolled in the Public Employees Retirement System are subject to the requirements and provisions of that Retirement System.

For the information of employees, applicable sections of the Public Employees Retirement System manual should be consulted. This information is available on the State's website.

PROCEDURE

An employee intending to retire should give written notice to his/her Department Head during the fiscal year prior to the fiscal year in which he or she wishes to retire. This notification should be given at least six (6) months before planned retirement.

The employed, upon advice of the Township Treasurer, should apply to the appropriate Pension Fund for benefit information at least six (6) months prior to planned retirement to effect the smooth transition without a lapse of time between the retirement date and the commencement of retirement benefits.

Under State law, all employees must enroll in the New Jersey Public Retirement System or the Police and Firefighters Retirement System as applicable. The employee's contribution to the Plan will be deducted from the employee's pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the Department in writing. The State retirement plans request six (6) months advance notice to process the application. After giving notice of retirement, employees are expected to assist their Supervisor and co-employees by providing information concerning their current projects and

help in the training of a replacement. The Department Head will prepare the Employee Action Form showing any pay or other money owed the employee. The Chief Financial Officer will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment. At this time, the employee will sign the termination memo designating all monies owed and this memo will be retained in the official personnel file.

21. EMPLOYEE DISCIPLINE POLICY

An employee may be subject to discipline for all 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 visitors.
- Theft or attempted theft of property belonging to the Township of Wyckoff, 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 Wyckoff property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on the Township of Wyckoff property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on Township of Wyckoff property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Township of Wyckoff 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 Wyckoff or suppliers' property.
- Sleeping on the job.
- Carrying weapons of any kind on Township of Wyckoff 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 Wyckoff or supplier property.
- Failure to perform duties, inefficiency or substandard performance,
- Unauthorized disclosure of confidential Township of Wyckoff information.
- Gambling on Township of Wyckoff premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Township of Wyckoff 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 Wyckoff rules or policies.
- Conduct unbecoming a public employee.
- Violation of Township of Wyckoff policies, procedures and regulations.
- Violation of Federal, State or Township of Wyckoff laws, rules, or regulations concerning drugs and alcohol use and possession.
- Misuse of public property, including motor vehicles.
- Unauthorized use of computers, Internet, and email.
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. Employees who object to the terms or conditions

of the discipline are entitled to a hearing under the applicable grievance procedure. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

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

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

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

DISCIPLINE AND TERMINATION POLICY

Corrective disciplinary action, as appropriate, will be taken against any employee found to be in violation of established procedures. All disciplinary action shall be based upon total concern for the employee, the employee's relationship with his/her fellow workers, the employee's relationship with his/her supervisor, and the best interest of the Employer. Such disciplinary action shall be of a positive, educational and corrective nature, and shall not be used in an abusive or vindictive manner.

Discipline is considered to be major or minor. Major discipline shall include:

- Removal
- Disciplinary demotion
- Suspension of greater than five (5) days

Minor discipline is a formal written reprimand or a suspension or fine of five (5) or less days.

This policy covers non-union employees. It also covers union employees to the extent that their collective bargaining agreements do not cover this subject matter.

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

- Incompetency, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Chronic or excessive absenteeism or lateness;
- Conviction of a crime;
- Conduct unbecoming a public employee;
- Neglect of duty;
- Misuse of public property, including motor vehicles;
- Discrimination that affects equal employment opportunity, including sexual harassment;
- Violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder;
- Falsification of public records, including attendance and other personnel records;
- Failure to report absence;
- Harassment of co-workers and/or volunteers and visitors;
- Theft or attempted theft of property belonging to the Employer, fellow employees, volunteers or visitors;
- Unauthorized absences and/or chronic or excessive absences;
- Fighting on Employer's property at any time;
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine

- or marijuana) on Employer property and at any time during work hours;
- Failure to report to work on the day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
 - Possession, sale, transfer or use of intoxicants or illegal drugs on Employer property and at any time during work hours;
 - Entering the building without permission during non-scheduled work hours;
 - Soliciting on Employer 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 for 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 Employer property or the property of other employees;
 - Sleeping on the job;
 - Carrying weapons of any kind on Employer premises and/or during work hours, unless carrying a weapon is a function of your job duties;
 - Violation of established safety and fire regulations;
 - Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;
 - Defacing walls, bulletin boards or any other property of the Employer or other employees;
 - Unauthorized disclosure of confidential Employer information;
 - Gambling on Employer premises;
 - Horseplay, disorderly conduct and use of abusive and/or obscene language on Employer premises;
 - Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;
 - Conviction of a crime or disorderly persons offense;
 - Violating any Employer rules, procedures, regulations or policies;
 - Unauthorized use of computers, Internet, email, voicemail, telephone and cellular phone; and
 - Other sufficient cause.

These are mere examples and not an exhaustive list or binding on the Employer. Additionally, the Employer reserves the right to use any and all forms of discipline on a case-by-case basis and is not obligated to use progressive discipline. Employment with the Employer may be terminated at any time with or without cause or reason by the employee or Employer.

Conduct of Employees

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

- Insubordination or the refusal by an employee to follow management's instructions concerning job-related matters
- Serious breach of discipline
- Neglect of duty
- Incompetency or inefficiency or incapacity
- Fighting or creating a disturbance among fellow employees
- Using obscene, abusive, or threatening language or gestures
- Sleeping on duty
- Use or possession of intoxicants, narcotics or controlled substances without a prescription, being intoxicated or narcotized while on duty
- Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved or revoked; provided that any regular member or officer of the police department who shall be absent from duty without just cause for a period of five days shall cease to be a member of the police department, as provided by N.J.S.A. 40A:14-122, as amended.
- Using leave for purposes other than for which it was granted
- False statements, misrepresentation, or fraud in application form or any other matter concerning employment
- Chronic or excessive absenteeism
- Disorderly or immoral conduct
- Theft, bribery or unauthorized use or possession of the Employer, co-worker or resident property
- Disregarding safety or security regulations
- Falsifying or otherwise altering Employer records or reports, such as applications for employment, medical reports, production reports, time records, expense accounts, absentee reports, or shipping and receiving records
- Negligence or willful damage to public property or wasteful, unnecessary or unauthorized use of Employer supplies, especially for personal purposes
 - Conviction of a crime
- Failure to maintain confidentiality of employer information

- The use or attempted use of one's authority or official influence to control or modify the political action of any employee or engaging in any form of political activity during working hours
- Infringement of policies defined in this manual or failure to comply with departmental rules and regulations
- Rude or disrespectful conduct toward the public
- Failure to maintain workplace and area cleanliness and orderliness
- Smoking where prohibited by ordinance, law or Employer rules
- Improper attire or inappropriate personal appearance
- Engaging in any harassment or discrimination based upon a protected class
- Violation of Employer policies on solicitation or distribution
- Possession of firearms or other weapons on Employer property or while on official business, unless otherwise authorized by the Employer
- Other actions disruptive to the effective, efficient, economical operation of the Employer's affairs
- Conduct unbecoming a public employee. It is important that all employees perform to the best of their abilities at all times.

There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy, or engage in inappropriate behavior. Except as otherwise provided by a collective negotiations agreement or by law, employment may be terminated at-will by the employee or the Employer at any time with or without cause and without following any system of discipline or warnings.

ETHICAL CONDUCT (revised 12/31/2023)

Pursuant to the provisions of the Local Government Ethics Law:

- 1.No employee or member of his or her immediate family will have an interest in a business organization or engage in any business, transaction or professional activity, which is in substantial conflict with the proper discharge of his or her duties in the public interest.
- 2.No employee should use or attempt to use his or her official position to secure unwarranted privileges or advantages for him or herself or others.
- 3.No employee should act in his or her official capacity in any matter wherein he or she, a member of his or her immediate family, or business organization in which he or she has an interest, has a direct or indirect personal or financial interest that might reasonably be expected to impair his or her objectivity or independence of judgment.
- 4.No employee should undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties.
- 5.No employee, member of his or her immediate family, or business organization in which he or she has an interest, should solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan contribution, service, promise or other thing of value was given or offered for the purpose of influencing him or her directly or indirectly in the discharge of his or her official duties.
- 6.No employee will use, or allow to be used, his or her public employment, or any information, not generally available to members of the public, which he or she receives or acquires in the course of and by reason of his or her employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated.

7.No employee or business organization in which he or she has an interest will represent any person or party other than the Employer in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he or she serves. An employee or members of his or her immediate family may represent himself or herself in proceedings concerning the employee's own interests.

STATEMENT OF DISCIPLINARY CHARGES

Employee: _____

Job Title: _____

Date of Hire: _____

Nature of Violation: _____

Statement of Facts (Attach sheets if necessary): _____

Penalty Proposed: _____

Hearing Date: _____

Service Date: _____

Date: _____

Supervisor: _____

22. EMPLOYEE TERMINATION POLICY

It shall be the policy of the Township of Wyckoff that employee discipline and termination be part of an orderly progressive process having as its guiding principles the following:

- It shall be non-discriminatory in the broadest sense.
- It shall be fair and reasonably predictable.
- It shall be part of an orderly process and providing fundamental fairness (“due process”) to all employees.
- No person shall be subject to discipline in retaliation for having reported, in good faith, wrongdoing by another. This policy shall be administered in accordance with the New Jersey “Whistle-blower’s Law,” i.e., New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19-1, et seq.

An employee shall be subjected to the following disciplinary termination action, not necessary in the following order and subject to the severity of the violation, omission or breach of rule:

1. Reprimand in writing.
2. Suspension from duty for a specific period without pay.
3. Termination of employment.

An employee may be terminated depending upon the circumstances for any of the following:

1. Incompetence, inefficiency or failure to perform duties;
 2. Conviction of a crime;
 3. Violation of the Township of Wyckoff policies, procedures and regulations;
 4. Falsification of public records including personnel records;
 5. Violation of Federal, State or the Township of Wyckoff regulations concerning drug and alcohol use and possession;
 6. Chronic or excessive absenteeism or lateness;
 7. Misuse of public property, including motor vehicles, office equipment and Internet usage;
- and

8. Other sufficient cause.

All discharges will be in accordance with Federal and State laws (including the New Jersey Civil Service Act) as well as applicable collective bargaining agreements.

DISCIPLINE AND TERMINATION POLICY

Corrective disciplinary action, as appropriate, will be taken against any employee found to be in violation of established procedures. All disciplinary action shall be based upon total concern for the employee, the employee's relationship with his/her fellow workers, the employee's relationship with his/her supervisor, and the best interest of the Employer. Such disciplinary action shall be of a positive, educational and corrective nature, and shall not be used in an abusive or vindictive manner.

Discipline is considered to be major or minor. Major discipline shall include:

- Removal
- Disciplinary demotion
- Suspension of greater than five (5) days

Minor discipline is a formal written reprimand or a suspension or fine of five (5) or less days.

This policy covers non-union employees. It also covers union employees to the extent that their collective bargaining agreements do not cover this subject matter.

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

- Incompetency, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Chronic or excessive absenteeism or lateness;
- Conviction of a crime;
- Conduct unbecoming a public employee;
- Neglect of duty;

- Misuse of public property, including motor vehicles;
- Discrimination that affects equal employment opportunity, including sexual harassment;
- Violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder;
- Falsification of public records, including attendance and other personnel records;
- Failure to report absence;
- Harassment of co-workers and/or volunteers and visitors;
- Theft or attempted theft of property belonging to the Employer, fellow employees, volunteers or visitors;
- Unauthorized absences and/or chronic or excessive absences;
- Fighting on Employer's property at any time;
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Employer property and at any time during work hours;
- Failure to report to work on the day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
- Possession, sale, transfer or use of intoxicants or illegal drugs on Employer property and at any time during work hours;
- Entering the building without permission during non-scheduled work hours;
- Soliciting on Employer 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 for 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 Employer property or the property of other employees;
- Sleeping on the job;
- Carrying weapons of any kind on Employer premises and/or during work hours, unless carrying a weapon is a function of your job duties;
- Violation of established safety and fire regulations;
- Unauthorized absence from work area, and/or roaming or loitering on the

premises, during scheduled work hours;

- Defacing walls, bulletin boards or any other property of the Employer or other employees;
- Unauthorized disclosure of confidential Employer information;
- Gambling on Employer premises;
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Employer premises;
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;
- Conviction of a crime or disorderly persons offense;
- Violating any Employer rules, procedures, regulations or policies;
- Unauthorized use of computers, Internet, email, voicemail, telephone and cellular phone; and
- Other sufficient cause.

These are mere examples and not an exhaustive list or binding on the Employer. Additionally, the Employer reserves the right to use any and all forms of discipline on a case-by-case basis and is not obligated to use progressive discipline. Employment with the Employer may be terminated at any time with or without cause or reason by the employee or Employer.

23. GRIEVANCE PROCEDURE

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

- **Step One:** Any employee or group of employees with a grievance shall verbally communicate the grievance to the supervisor or department head who will discuss the matter with the Township Administrator. The supervisor or department head will communicate the decision to the employee within two working days.
- **Step Two:** If the employee is not satisfied with the decision, the employee must submit a written grievance to the Township Administrator detailing the facts and the relief requested. The decision in step one will be deemed final if the employee fails to submit a written grievance within five working days of the step one decision. After consulting the Township Administrator and the Labor Counsel as appropriate, the Township Administrator will render a written decision to the employee within five working days after receipt of the written grievance.

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

PROCEDURE

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure. A grievance submitted by a union employee will be addressed pursuant to grievance procedure set forth in the applicable bargaining unit agreement.

A grievance from a non-union employee must be submitted within five (5) working days after arising. Failure to report a grievance within such time period shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty (30) working days prior to the date the grievance was first presented in writing.

- Step One: Any employee or group of employees with a grievance shall communicate their grievance to their supervisor or Department Head who will discuss the matter with the human resources official and/or the Chief Administrative Officer. The supervisor or Department Head will communicate the decision to the employee within five (5) working days.

- Step Two: If the employee is not satisfied with the decision, the employee must submit a written grievance to the human resources officer and/or the Chief Administrative Officer detailing the facts and the relief requested. The decision in Step One will be deemed final if the employee fails to submit a written grievance within five (5) working days of the Step One decision. After consulting with the human resources official and counsel, as appropriate, the Chief Administrative Officer will render a written decision to the employee within five (5) working days after receipt of the written grievance.

The above referenced grievance procedures do not apply to employee complaints made under the Employer's Anti-Harassment and Discrimination Policies.

GRIEVANCE FORM

Employee: _____

Date: _____

Job Title: _____

Supervisor: _____

Provision of Manual violated: _____

Statement of facts: _____

Date: _____

Employee: _____

24. EXIT INTERVIEW

POLICY

Employees resigning or terminating employment with the Township will be scheduled for an exit interview with the Township Administrator or Payroll Control Officer or his designee during the final week of service.

At the time of the exit interview, the employee will be advised of his/her right to continue, covert, terminate or vest (as applicable) any benefits. It will be necessary for the employee to confirm a forwarding address and other pertinent information.

The purpose of an exit interview is to:

1. Provide the departing employee with information and assistance.
2. Provide the Township Administrator with insight into Township personnel and management practices.
3. Further municipal public relations by helping to correct misinformation by the employee about Township service.

PROCEDURE

It is the responsibility of the Department Head to ensure the exit interview is scheduled. It is the responsibility of the employee to ensure this appointment is kept.

Exit interviews shall be recorded on forms prescribed.

The record of the interview shall become part of the employee's permanent personnel file and a copy forwarded to the Department Head.

EXIT INTERVIEW FORM

Employee: _____

Date of Interview: _____

Interviewer: _____

Date of Hire: _____

Date of Separation: _____

Reason for Separation: _____

Does the employee have another job? _____

Status of Health Benefits: _____

Township Property: _____

Last Paycheck Issued: _____

Payroll Notified: _____

Pension Status: _____

COBRA: _____

Employee Comments and Reasons for Leaving: _____

Interviewer's Comments: _____

Employee Signature: _____ Date: _____

C.

COMPENSATION

25. PAYROLL POLICY

POLICY

All full-time employee shall be paid semi-monthly on an annual salary basis on the fourteenth (14) and twenty-eighth (28) day of each month. If either of these days fall on a weekend or holiday, the pay day shall be the first preceding work day. Direct Deposit shall be offered. Insofar as practicable, for employees who do not choose direct deposit, the checks shall be distributed by noon of the scheduled day. If the check is unable to be distributed within seven (7) days of the scheduled pay day, the check shall be mailed to the employees address on file.

PROCEDURE

An employee who will be on a scheduled vacation during a pay period, and who has not selected direct deposit, may request their paycheck in advance of the pay day by submitting a form to the Payroll Office, at least seven (7) calendar days prior to the scheduled pay date. Any early release up to one week for vacation will be no sooner than two (2) days prior to pay date. An early release requires the Department Head or Chief Administrative Officer's approval.

The Township of Wyckoff will not accept responsibility for any employee's personal finances. The Township of Wyckoff will acknowledge ordered judgments and garnishments against an employee's pay, but will not act as a mediator between the employee, creditors, IRS, Federal and NJ State governments or any entity requiring such.

COMPENSATION

The Employer will pay its employees in accordance with the provisions of applicable collective bargaining agreements, ordinances, and in compliance with the Fair Labor Standards Act ("FLSA") and the New Jersey Wage and Hour Law.

Unless otherwise specified by collective bargaining agreement, the Employer paychecks are issued on the fourteenth (14) and twenty-eighth (28) of each month.

No paychecks may be issued in advance of the normal payday, except if approved by the Department Head and Chief Administrative Officer for special reasons, such as an upcoming vacation.

Employees must cash/deposit their paychecks on personal time, not during official Employer working hours. Compensation for all employees will be in concert with the recognized bargaining agents of the employees, where applicable.

Employees are not entitled to retroactive pay increases if an employee separates employment, voluntarily or involuntarily, from the employ of the Employer prior to the retroactive payment, unless otherwise stated in the applicable collective bargaining agreement.

26. PAYROLL DEDUCTIONS

POLICY

Mandatory and authorized deduction will consist of the following:

Mandatory:

1. Federal Withholding Tax
2. State Withholding Tax
3. F.I.C.A. (Social Security)
4. Unemployment Compensation Insurance
5. Pension Deductions
6. GTL- state insurance

Authorized:

1. P.E.R.S. Contributory Insurance (Mandatory for first year enrollment only)
2. P.E.R.S. Supplemental Annuity Program
3. Union Dues
4. Re-Payment of Pension Loans
5. Wage Garnishes
6. Health Insurance Contributions
7. Any other Statutorily Obligated Deductions
8. Deferred Compensation
9. Any selected Cafeteria Plan deductions

PROCEDURE

The Chief Financial Officer's office will be responsible for ensuring that these deductions are made from employee pay checks. The employee is responsible for requesting any payroll change documents, reviewing pay stub for accuracy and notifying payroll immediately with any concerns or questions.

27. CAFETERIA PLAN

Township of Wyckoff, Employee Benefits Section 125 Cafeteria Plan

Township of Wyckoff provides both qualified and taxable (cash) benefits to full-time Township Employees. IRS Code Section 125 entitled “Cafeteria Plan” requires, at a minimum, an offering to full-time employees of at least 1 (one) qualified benefit and 1 (one) taxable (cash) benefit.

The Township of Wyckoff IRS Code Section 125 Cafeteria Plan “the Plan” shall be effective June 1, 2010. This plan shall remain in affect indefinitely. The Plan is a premium only plan. The Employer (Township of Wyckoff) has the right to modify or terminate the program at any time for any reason. It is possible that future changes in state and federal tax laws may require that the Plan be amended accordingly.

Employee eligibility:

Available to all full-time and part-time salaried employees as provided below:

- A. Employees hired as Sworn Police Officers – minimum 40 hours per week
- B. Civilian employees assigned to Police Department – minimum 40 hours per week
- C. DPW Employees – minimum 40 hours per week
- D. Town Hall Employees (including administrative and clerical employees assigned to Recreation Department) – minimum 34.5 hours per week
- E. Tax Assessor – as per ordinance

Eligibility Dates:

- A. Upon date of hire as a full-time employee as categorized above.
- B. Coverage election changes may be made at open enrollment periods only as detailed below.
- C. Changes in qualified status (i.e. change in number of dependents; marriage, divorce, new child etc.) may be made outside of enrollment periods through contact with Township’s Payroll Control Officer.
- D. Benefits may terminate if employee is no longer working for the Township or no longer meets the eligibility requirements a set forth above.

Benefits Offered: The following Benefit, Plans and Policies offered under Township of Wyckoff IRS Code Section 125 Cafeteria Plan are available for election by eligible employees.

Qualified Benefits:

1. State Health Benefits Program Medical and Hospitalization Insurance with employee contribution as per collective bargaining agreements and Chapter 2, PL 2010.
Annual open enrollment from October 1 through October 31.
2. Horizon Dental Insurance, an employee paid voluntary dental insurance program paid through a payroll deduction.
Annual open enrollment from March 1 through March 31.

3. Delta Dental Insurance, an employee paid voluntary dental insurance paid through a payroll deduction. The Township offers 2 different plans.
Annual open enrollment from April 1 through April 30
4. AFLAC Disability, Life Insurance and Accident Insurances, an employee paid voluntary indemnity plan paid through a payroll deduction.
Annual open enrollment from June 1 through June 30.
5. AFLAC Cancer Insurance Plan/Dental an employee paid voluntary indemnity plan paid through a payroll deduction.
Annual open enrollment from June 1 through June 30.
6. Beneflex- flexible spending account
7. Nationwide Deferred Compensation Plan/Roth

Taxable Cash Benefits:

Cash payment in-lieu of receiving Health Benefits (benefits waiver program): an employee who enrolls in the waiver incentive plan may receive up to 25% not to exceed up to \$5,000 annually of the Township's SHBP premium cost provided they show proof of coverage under another plan

*** If the spouse has NJ State Health benefits, employee may waive benefits but cannot receive waiver payments.*

Important Notes:

Paying for coverage on a pre-tax basis may cause Insurance benefit payments, paid to an individual from their elected plan options, to be subject to federal and state taxes, in particular but not limited to disability benefits paid.

Pre-tax payroll deduction amounts, for tax purposes, constitute an employee contribution only, not a contribution on the part of the employer.

*Distribution: All full-time employees
Employee Manual*

Dated: June 1, 2010

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #21-77

INTRODUCED: *Shanley*

SECONDED: *Madigan*

MEETING DATE: January 1, 2021

REFERENCE: Establish Employee Benefits Cafeteria Plan

VOTE: BOONSTRA ✓ MADIGAN ✓ MELCHIONNE ✓ RUBENSTEIN ✓ SHANLEY ✓

WHEREAS, the Township of Wyckoff provides both qualified and taxable (cash) benefits to full-time Township Employees; and,

WHEREAS, IRS Code Section 125 entitled "Cafeteria Plan" requires at a minimum an offering to full-time employees of at least 1 (one) qualified benefit and 1 (one) taxable (cash) benefit; and,

WHEREAS, the Township of Wyckoff's Registered Municipal Accountant in 2010 provided an opinion that the Township's Benefits Plan fully complies with IRS Code Section 125; and,

WHEREAS, IRS Code Section 125 requires a written plan describing all benefits and establishing rules for eligibility.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Wyckoff establishes the following Cafeteria Plan to all eligible full-time employees as provided below:

- A. Sworn Police Officers – minimum 40 hours per week
- B. Civilians assigned to Police Department – minimum 40 hours per week
- C. DPW Employees – minimum 40 hours per week
- D. Town Hall Employees – minimum 34.5 hours per week
- E. Tax Assessor – as per ordinance
- F. Library Employees – minimum 35 hours per week and approved by the Library Board

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Wyckoff establishes the following eligibility dates:

- A. Upon date of hire as a full-time employee as categorized above.
- B. Coverage election changes may be made at open enrollment periods only.
- C. Changes in qualified status (i.e. change in number of dependents; marriage, divorce, new child etc.) may be made outside of enrollment periods through contact with the Township's Payroll Control Officer.
- D. Benefits may terminate if employee is no longer working for the Township or no longer meets the eligibility requirements as set forth above.

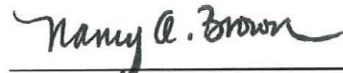
BE IT FURTHER RESOLVED, that all qualifying and approved full-time employees may participate in any of the following benefit plans:

1. Horizon Dental Insurance, (employee paid) (pre-tax)
2. AFLAC Disability and Life Insurance (post-tax) and Accident Insurance, Cancer, Hospital Plan and Dental (employee paid) (pre-tax), Life Insurance (employee paid) (post-tax), Heart Attack/Stroke Insurance (employee paid) (post tax)
3. State Health Benefits Program Medical and Hospitalization Insurance (pre-tax) or
4. Taxable Cash payment in-lieu of receiving Health Benefits (benefits waiver)(post-tax)
5. Beneflex-Flexible Spending Account (pre-tax)
6. Nationwide Deferred Compensation Plan / Roth (employee paid) (post tax)
7. Delta Dental (employee paid) (pre-tax)

BE IT FURTHER RESOLVED, that any employee contributions made to these benefits, as per IRS Code Section 125, Cafeteria Plan, are paid through payroll deduction and are taxed as indicated unless employee provides written "opt-out".

CERTIFICATION

I, NANCY A. BROWN, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 1, 2021.



NANCY A. BROWN
ACTING MUNICIPAL CLERK

28. DIRECT DEPOSIT

Memorandum

August 2018

To: All Township of Wyckoff Employees

From: Finance Department/Payroll

Re: **Implementation of Direct Deposit**

The Township of Wyckoff has implemented a voluntary direct deposit option for the benefit of our employees. This will allow employees to enroll in a direct deposit program through which their pay checks will be deposited directly to the bank and account the employee chooses and available on the pay period date. Please carefully read the information below. **It is the responsibility of the individual employee to understand how direct deposit is being implemented and the Township's procedure regarding it. Request for direct deposit must be made in writing on the required form with the employees original signature forwarded directly to the Payroll Dept. Emails, scans, faxes, etc. are not acceptable.**

- Enclosed in this pay check is Full Service Direct Deposit (FSDD) Enrollment Form for you to complete if you would like to participate in this service. These forms will be retained in a secure file for two years as required by records retention law.
- If you elect to participate in direct deposit, your pay will be available on the Township's pay dates of the 14th and 28th of each month.
- Read this form carefully. **You are responsible for adhering to the requirements of this form as well as the Township's procedure as explained below. Failure to properly complete the form or adhere to the procedures may result in your enrollment request being delayed or pay checks being delayed past the payroll due date.** It is not the responsibility of the Township of Wyckoff payroll department to ensure your enrollment forms are completed properly.
- For Police Officers and Public Works employees enrolling in direct deposit, you must return the completed forms to your department manager, Chief Murphy or Scott Fisher, prior to the dates indicated in the procedures. They will ensure the forms are received in payroll by the specified dates. To ensure forms are received and processed timely, payroll will not accept forms submitted by individual employees.

Direct Deposit Enrollment Procedure:

1. The enrollment forms will be processed once per quarter; March 15, June 15, September 15, and December 15. These dates are strict. Employees will not be allowed to make

changes outside of these periods. **Therefore, if initial enrollment is received by June 15th, it will be processed the following quarter September 15.**

2. Once received the enrollment or account change process may take a full 4 week pay cycle to complete. Once received (no later than the quarterly date as outlined in item 1) and verified complete, the form will be processed by payroll for the first payroll in the subsequent month. The first payroll is regarded as a “test” to ensure bank account and routing number accuracy. The direct deposit will then be made the following pay date and a payroll check stub will be issued. As an example; correctly completed and accepted forms received no later than June 15th will be processed for the pay date of July 14th. The employee will still receive a payroll check for that pay date as this is considered the “test” period ensuring the direct deposit has been accepted. If accepted, the direct deposit will take effect on the following pay date of July 28st. Funds will be available July 28th and the employee will receive a pay stub showing payroll information. *Please note, that should the “test” fail due to incorrect information, new enrollments forms will need to be completed and will be processed with the next processing quarter as outlined in item #1.*
3. The only change that will be made outside of the quarterly processing dates is the closing of an account. The employee must complete a new form indicating the prior account will be closed. You must notify payroll at least 30 days prior to actually closing the account to allow ample time to process the change. Should you close an account prior to the implementation of the change, this direct deposit will be returned by our bank as a returned check and will be subject to all processing delays to re-verify information. As a result, you will not receive a replacement for that closed account on the payroll due date as it will take time to process the paper.
4. Each employee who elects to enroll in direct deposit must correctly complete an FSDD Enrollment Form and attach all information as required on the form. Failure to meet the requirements of the form will result in your direct deposit enrollment being delayed to the next quarter as outlined in item #1.
5. As per the enrollment form, each employee will be limited to choosing 3 separate accounts into which their pay may be deposited. It is your responsibility to indicate the individual accounts and amounts you wish deposited. It is your responsibility to attach the indicated void check and proper bank information. If these amounts are not clear or do not add up to your pay amount, the form will be returned to the employee. Payroll will not make any assumptions as to what your intent is. Therefore, if you elect multi-deposits, please be sure to check as your last selection “Entire Net Amount” so the balance of your check is deposited in that account.

Thank you for your anticipated cooperation and understanding of the time required to achieve this new program.

Diana McLeod
CFO/CTC/Asst Admin/
IT Coordinator

Peggy Keen
Payroll Control

29. RELEASE OF DATA

POLICY

Only verification of employment will be given by the Finance Office in response to telephone inquiries.

Only upon the written request of the employee will additional information be released by the Finance Office. Such information shall be limited to dates of employment and salary.

PROCEDURE

All inquiries requesting information on an employee's status will be referred to the Finance Office. No other Township employee will comment to any outside party about any other former employee nor any current employee's status or performance.

RELEASE OF DATA FORMS

Dear Sir/Madam:

With reference to your inquiries of our previous employee, please see note below.

Pursuant to our attorney’s advice in all cases concerning personnel inquiries, we release the following information:

Employee’s Name: _____

Employed from: _____ to _____

Employed as: _____

Dear Sir/Madam:

With reference to your inquiries of our previous employee, please see note below.

Pursuant to our attorney’s advice in all cases concerning personnel inquiries, we release the following information:

Employee’s Name: _____

Employed from: _____ to _____

Employed as: _____

“I authorize my employer, the Township of Wyckoff, to release information about my current salary to _____”.

Date

Employee Signature

30. LONGEVITY

POLICY

Full-time regular employees hired prior to January 1, 1994 who have sufficient years of full-time consecutive employment with the Township of Wyckoff are entitled to a longevity compensation, in addition to their salary, according to the following schedule:

Upon completion of 5 years of service	–	2% of base salary
Upon completion of 10 years of service	–	4% of base salary
Upon completion of 15 years of service	–	6% of base salary
Upon completion of 20 years of service	–	8% of base salary
Upon completion of 25 years of service	–	10% of base salary

Any employee of the Township of Wyckoff who resigns from his/her Department and subsequently is re-employed loses prior service credits for longevity purposes, unless specifically approved by the Governing Body.

PROCEDURE

The Township Finance Office will assure that longevity compensation is made to each qualifying employee. Such compensation will be included as part of the employee's regular pay check and is subject to mandatory and authorized payroll deduction.

An employee hired on or before July 1, shall be deemed to have an anniversary date of the preceding January 1.

An employee hired after July 1, shall be deemed to have an anniversary date of the succeeding January 1.

31. TIMESHEETS

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

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

32. PROHIBITION OF PAYMENT FOR ACCUMULATED ABSENCE

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

D

BENEFITS

33. HEALTH INSURANCE POLICY

The Township of Wyckoff currently provides employees and their immediate family members, including civil union partners health insurance coverage. The Township of Wyckoff reserves the right to change provider networks, claims agents and insurance mechanisms. The complete benefits plan is on file in the Chief Financial Officer's office and a summary plan description will be provided to all employees at their request. Benefit levels for non-unionized employees are subject to change at the discretion of the Township Committee.

Health insurance coverage for employees on a Leave of Absence or who cease Township of Wyckoff employment, will terminate at the end of the month in which the leave begins or employment is terminated; except coverage will continue for up to twelve (12) weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty (30) weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Services Act provision for a period of up to eighteen (18) months to thirty-six (36) months. All newly hire employees and their spouses shall receive a notice of COBRA rights upon being hired. For more information, consult the Payroll Control Clerk.

Employees who retire with twenty-five (25) years of service to the Township of Wyckoff may continue to receive paid health insurance coverage. Employees receiving retiree health benefits must notify the Chief Financial Officer in writing, with proof of enrollment, when they become eligible for Medicare Parts A and B. For more information, consult the Payroll Control Clerk.

Medical Benefits

PLEASE NOTE: FULL DETAILS OF EMPLOYEE'S HEALTH, MEDICAL AND HOSPITALIZATION PLANS CAN BE FOUND IN THE OFFICIAL INSURANCE PLAN DOCUMENTS. IF THERE IS ANY CONFLICT OR INCONSISTENCY BETWEEN THE INFORMATION IN THE POLICY AND PROCEDURES MANUAL AND THE OFFICIAL DOCUMENTS, THE OFFICIAL DOCUMENTS WILL GOVERN. THE EMPLOYER RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE ANY OR ALL SUCH PLANS, IN WHOLE OR IN PART, AT ANY TIME WITH OR WITHOUT NOTICE IN ACCORDANCE WITH APPLICABLE LAW. THE EMPLOYER ALSO RESERVES THE RIGHT TO CHANGE INSURANCE CARRIERS IN ACCORDANCE WITH APPLICABLE LAW.

Part-time and full-time temporary or seasonal employees are not entitled to medical insurance benefits. Failure to complete all necessary paperwork in accordance with the time frames advised by the Employer will result in a delay of coverage. Additionally, failure to enroll dependents or to make other changes or corrections in coverage may jeopardize available benefits. All employees must notify the Employer of any change in status (i.e., marriage, divorce, birth, adoption, death) within the time frame designed by the health benefit plan that would affect any employer-provided health insurance. The Employer reserves the right to conduct a coverage audit to verify proper coverage for employees and eligible dependents.

Dependent Defined. The Employer defines “dependents” as used in this policy as it is defined under the State Health Benefits Program. Dependents means an employee’s spouse and the employee’s unmarried children under the age of twenty-six (26) years who live with the employee in a regular parent-child relationship.

“Children” includes stepchildren, legally adopted children and foster children provided that they are reported for coverage and are wholly dependent upon the employee for support and

maintenance. See N.J.S.A. § 52:14-17.26. A spouse or child enlisting or inducted into military service shall not be considered a dependent during the military service.

The term “dependents” does not include spouses of retired persons who are otherwise eligible for benefits under the State Health Benefits Program (N.J.S.A. § 52:14-17.25 et seq.) but who, although they meet the age eligibility requirement of Medicare, are not covered by the complete federal program.

Medical/Hospitalization Coverage. The Employer provides major medical and hospitalization insurance for the employee. The Employer may provide major medical and hospitalization coverage for the employee’s eligible dependents.

Full-time employees working on average thirty (30) hours per week or more and, if applicable, their eligible dependents become eligible to participate in the Employer’s major medical and hospitalization insurance plans in accordance with current health plan documents. [NOTE: Municipalities may have hours’ requirements lower than thirty (30) depending on their specific health insurance plans.]

Payments of such premiums by the Employer will terminate upon the employee’s separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

Prescription Drug Coverage. The Employer provides prescription drug insurance for the employee. The Employer may provide prescription drug coverage for the employee’s eligible dependents.

Employees will be responsible to pay a co-pay on prescriptions. Full-time employees and their eligible dependents become eligible to participate in the Employer’s prescription insurance plan in accordance with current plan documents.

Payments of such premiums by the Employer will terminate upon the employee's separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

Dental Coverage. Full-time employees and, if applicable, their eligible dependents become eligible to participate in the Employer's dental plan in accordance with current plan documents. All full-time employees, and, if applicable, their eligible dependents, shall be eligible for enrollment in the Employer's dental plan in accordance with the specific requirements of the insurance plan carried by the Employer.

The Employer provides dental insurance for the employee. Unionized employees receive dental coverage in accordance with applicable collective bargaining agreements. The Employer may provide dental coverage for the employee's eligible dependents.

Payments of such premiums by the Employer will terminate upon the employee's separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

[Those municipalities choosing to provide retiree health insurance may include the following:

Retiree Health Insurance. The Employer provides post-retirement medical health insurance benefits and prescription benefits, provided the employee qualifies for and has retired through the New Jersey Division of Pensions and Benefits under the Police and Fireman's Retirement System ("PFRS") or the Public Employees Retirement System ("PERS") and meets at least one of the following requirements:

(a) Retirement on a disability pension; or

(b) Retirement with twenty-five (25) years or more of service credit in a state or locally-administered retirement system and at least fifteen (15) years of service with the Employer;

or

(c) Retirement at age sixty-two (62) or older with at least fifteen (15) years of service with the Employer; or

(d) Retirement with twenty-five (25) years or more of service credit in a state or locally-administered retirement system, provided the retiring employee was employed by the Employer as of August 1, 1991.

The Employer reserves its right to change eligibility requirements for retiree health benefits at any time in accordance with legal requirements.

Continuation Coverage.

An employee and his/her family, if covered by the Employer's group health care package, shall have the right to temporarily continue their coverage due under the plan, paying the group rate themselves, should they lose coverage due to the death of the enrolled employee or termination for reasons other than gross misconduct on the employee's part, pursuant to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA). For additional information, contact the designated human resources official.

HIPAA Compliance

The Employer 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 Employer maintains such information about its employees and others, its elected officials and employees are committed to protecting the privacy and confidentiality of that information.

34. PENSION PLAN

POLICY

Membership in the New Jersey Public Employee's Retirement System (PERS) or the Police and Fire Retirement System (PERS) is compulsory for every employee earning over \$1,500.00 per year.

Township employees having completed the required number of years of specified service and having attained the specified age, may apply for retirement as provided by the plan.

Public Employees' Retirement System (PERS)

All Township employees, except those who are ineligible for membership or eligible for membership in one of the other State retirement plans described below, are covered under PERS.

Retirement Benefits

A. Regular Service Retirement

Regular service retirement benefits are available to a member of the system any time after age sixty (60), with no minimum of years of service required.

B. Early Retirement

A member who has credit for twenty-five (25) years or more of service before sixty (60) can retire regardless of age. Under fifty-five (55) the allowance is a percentage of the full allowance, based on a reduction of $\frac{1}{4}$ percent each month under fifty-five (55).

Vesting is permitted after ten (10) years of service. A vested pension is payable at age sixty (60).

PROCEDURE

The employee's contribution to the plan is deducted from the salary paid to such employee and remitted to the State as prescribed by law.

The Township's contribution for such employees is determined by and subsequently remitted to the State in accordance with the provisions of the law.

Deductions are made from every salary check of eligible employees and based on a percentage of the employee's annual earnings. The percentage of salary one must contribute is determined by the Pension System based on seven point five percent (7.5%). All deductions are forwarded to the Pension System by the employer.

Employees leaving Township employment (not retiring) may apply to the State for a refund of their contributions, or leave their account dormant with the State for two (2) years.

The yearly amount the Township contributes for each employee is based on actuarial amounts.

A brochure fully describing each Pension Plan is available in the Finance Office.

IMPORTANT NOTICE

All of the foregoing policies and provisions are based upon the current State statutes and regulations. These provisions are subject to change either by an Act of the State Legislature or by amendment of Regulations by the New Jersey Division of Pensions. These matters are not in the control of the Township of Wyckoff are presented here for informational purposes only. Any questions should be directed to the New Jersey Division of Pensions. Employees are urged to obtain written advice from that Division, if possible.

35. GROUP LIFE INSURANCE (Employee – Purchased)

All PERS members currently receive a Group Life term insurance policy equal to one and one-half (1 and 1 ½) times their annual salary to which they do not contribute any monies. In addition, each employee is normally required, by statute, to participate in the Pension System's Contributory Life Insurance Plan for a period of twelve (12) months, which provides an additional 1 ½ times the annual salary coverage. After the initial one (1) year period, this coverage may be canceled, but reinstatement at a later date is not allowed.

It is the employee's responsibility to maintain up-to-date beneficiary designations. (See Section 12 of this Manual).

The terms of this program are controlled by the State of New Jersey, not the Township of Wyckoff, and are subject to change.

36. TRAINING

POLICY

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

Employees may receive reimbursement for up to fifty percent (50%) of the tuition cost for training or college courses that they take on their own initiative. The reimbursement must be repaid if the employee leaves the Township employment within twenty four months of receipt.

When enrollment for short training courses or seminars is requested by the Township of Wyckoff, employees will receive full reimbursement.

37. CONFERENCES AND SEMINARS

POLICY

Conference leave of absence shall be for a period inclusive of the duration of the conference, with a reasonable time allowed for time to travel to and from the conference. No person shall be entitled to a total of more than five (5) days leave of absence with pay each calendar year for the purpose of attending the State or League of Municipalities Conference or those organizations sanctioned by law and approved by the Township Administrator.

Conference leave is not charged to employees who are attending a seminar as part of their work assignment.

PROCEDURE

Attendance at conferences and seminars which involve expenses shall require advance written approval of the Governing Body. All requisitions shall be submitted as far in advance as possible, preferably two (2) months prior to the leave.

The Department Head shall submit, in writing, signed by him/her, an authorization request to the Township Administrator. The following information shall be detailed:

1. Employee's statement of authorization as a designated representative for a specific sanctioned organization.
2. Purpose – include program or description.
3. Dates of absence.
4. Location of event.
5. Employee's conference hotel and telephone.
6. Signature of Department Head.

A certification of attendance is required of any employee granted conference leave.

A copy of the certification is retained in the employee's personnel folder for permanent retention.

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RULES AND REGULATIONS

38. DEPARTMENTAL RULES AND REGULATIONS POLICY

Subject to the approval of the Township Administrator, a Department Head may, from time to time, establish, amend and supplement written rules and regulations affecting the personnel and internal operations of his/her department. Such departmental rules and regulations shall be consistent with New Jersey Statutes, the Personnel Policy and Procedure Manual, the applicable Collective Bargaining Agreement, if any, and any other Township Ordinances.

PROCEDURE

The rules and regulations shall be in writing, signed by the Department Head and approved by the Township Administrator. They shall be binding on all persons within the jurisdiction of the Department.

A written copy of the approved rules and regulations shall be distributed to personnel of the Department affected and maintained as part of the manual.

39. HOURS OF WORK

The normal workday for full-time staff of the Township Administration is Monday – Friday: 8:30 a.m. to 4:30 p.m. with one (1) unpaid hour for lunch period. The working week shall be thirty-five (35) hours.

The following Department work hours are:

- The Department of Public Works – in the collective bargaining contract.
- The Police Department – in the collective bargaining contract.
- The Library Department’s normal work day is 10:00 a.m. to 5:00 p.m. with a half (1/2) paid hour for lunch. It is required once (1) a week to work an evening from 2:00 p.m. to 9:00 p.m. and one (1) Saturday every month from 10:00 a.m. to 5:00 p.m. The work week shall be thirty-five (35) hours.

During an emergency or health pandemic, the Department Head with the approval of the Township Administrator, may vary the work hours to accommodate the crisis.

Part-time staff is considered any employee working less than thirty-five (35) hours a week as approved by the Township Administrator.

40. OVERTIME COMPENSATION POLICY (revised 12/31/2023)

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$107,432. per year depending upon their job duties. The Township Administrator shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours need to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Township Administrator's prior written approval and at the sole discretion of the Township Administrator.

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending upon work needs, Non-Exempt employees may be required to work overtime. Non-exempt employees are not permitted to work overtime unless the overtime is budgeted and they have received prior written approval from the Police Chief (for employees assigned to the Police Department), the DPW Manager or the Township Administrator. Non-exempt employees working overtime without prior written approval will be subject to disciplinary action.

Non-exempt employees who have received prior written approval will receive overtime compensation for hours worked in excess of forty (40) hours in a weekly period at the rate of one and one-half times the regular rate of pay. Employees may choose overtime compensation in the form of overtime pay or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is seven (7) hours. All prior approved compensation time off must be utilized by the end of the year (December 31st) it is accumulated. Compensation time shall not be carried or accrued from year to year. Compensation time off once accrued shall not be converted to overtime pay. Once this maximum has been accumulated,

all additional hours will be compensated by overtime pay. Accrued and taken overtime compensating hours must be noted on the employee's time sheet.

Non-Exempt employees will receive one and one-half hours of overtime compensation for each hour worked in excess of forty (40) hours in a weekly period. For purposes of overtime compensation, hours work are computed to the nearest one-half hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

Employees must make their request to their supervisor at least two (2) days in advance when they want to take compensating time off. The supervisor will approve the request if the absence does not cause undue hardship to the department.

The employee titles that are exempt under this Act are; Township Administrator, Township Engineer, Construction Code Officer, Municipal Clerk, Chief Financial Officer, Tax Collector, Recreation Director, Police Chief, Tax Assessor and Library Director.

Overtime

The Employer complies with all applicable federal and state laws with regard to payment of overtime work, including the New Jersey Wage and Hour Law and the federal Fair Labor Standards Act.

Under the Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Chief Administrative Officer shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to

fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Chief Administrative Officer's prior approval and at the sole discretion of the Chief Administrative Officer.

Depending on work needs, employees may be required to work overtime. Employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Chief Administrative Officer. Employees working overtime without prior approval will be subject to disciplinary action.

Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over forty (40) in a workweek. Employees may choose overtime compensation in the form of overtime pay or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is (insert number of hours). Once this maximum has been accumulated, all additional hours will be compensated by overtime pay. Employees engaged in police and fire protection work may accrue up to 480 hours of compensatory time.

Employees engaged in fire protection or law enforcement may be paid overtime on a "work period" basis. A "work period" may be from 7 consecutive days to 28 consecutive days in length. For work periods of at least 7 but less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours that bears the same relationship to 212 (fire) or 171 (police) as the number of days in the work period bears to 28.

Accrued and taken overtime compensating hours must be noted on the employee's time sheet. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

41. ATTENDANCE POLICY

Regular and punctual attendance of employees is essential for the effective and efficient operation of the business of the Township government.

Every employee is required to:

- Perform their assigned duties for all hours of the work period,
- Be ready to begin their work at the start of their assigned work hours at their work station, and
- Complete their assigned work period, unless otherwise excused.

Employees are required to be present and ready for work at their designated work stations at the specified starting times, unless they are sick or on authorized leave.

Unsatisfactory attendance includes abuse of sick leave, such as, absences that precede or follow regularly scheduled days off or holidays, continual tardiness or failure to inform your supervisor of your intended absence or tardiness. Records are to be prepared by Department Heads and submitted to the Township Administrator on a required form. These reports are to be made monthly. Excessive absenteeism or tardiness or leaving work early, viewed as a whole, may be grounds for disciplinary action including termination.

PROCEDURE

Employees who intend to be late or absent must inform their Supervisor or Department Head as early as practicable. Normally at least one (1) hour notice is required. The employee must provide a thorough and complete explanation of the reason for non-attendance.

Department Heads who intend to be late or absent must inform the Township Administrator as early as practicable. Normally at least one (1) hour notice is required. The Department Head must provide a thorough and complete explanation of the reason for non-attendance.

Department Heads must warn an employee of a pattern of lateness and/or absenteeism and/or leaving early, as soon as the pattern is apparent. Department Heads and Supervisors will be held

accountable for failure to detect patterns of abuse. Department Heads and Supervisors must recommend appropriate disciplinary action if such violations continue.

Department Heads shall be responsible for the accurate completion and submission of the Regular Bi-Monthly Employee Attendance Report at such time intervals as the Township Administrator directs.

The normal working hours for administrative departments are 9:00 AM to 4:30 PM, Monday through Friday, and Tuesday evenings 6:00 PM to 8:00 PM.

ABSENTEEISM AND TARDINESS

Regular attendance at work, reporting on time, and completing the required hours of work are necessary for each employee so that the Employer may meet its commitments to its residents. Employee absences place an additional burden on the remaining work force and seriously affect the Employer's ability to service its residents. Management recognizes that circumstances beyond the employee's control may cause him or her to be absent from work for all or part of a day. The Employer, however, will not tolerate unexcused absence or tardiness.

All employees are expected to come to work regularly and on time and to promptly notify their immediate supervisor or other management designee by personal telephone conversation when they are unable to do so. Unless prevented by specific circumstances, the employee must provide notification at least one (1) hour prior to the beginning of work for his or her position. In twenty-four (24) hour shift operations, notice must be given a minimum of one (1) hour before the employee's starting time, unless extenuating circumstances prevent such notification.

Attendance and punctuality will be considered, among other factors, in the employee's performance review. If an employee needs to leave work early, the employee must receive permission from his or her supervisor to leave prior to the regularly scheduled departure time.

An employee who is absent from duty for five (5) or more consecutive working days without

approval or notification or fails to return to work for five (5) or more consecutive working days following an approved leave of absence shall be deemed to have voluntarily resigned from their employment.

To minimize the negative impact on both employees and residents, the Employer will regularly review employee time records to identify chronic absenteeism and/or tardiness problems. Employees who exhibit attendance and/or tardiness problems will be subject to established progressive disciplinary procedures.

42. SAFETY/SECURITY

The Township will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Township is equally concerned about the safety of the public. Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. 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 facilities, equipment or motor vehicles must also be immediately reported to the supervisor or department head.

The Township 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 supervisor, Department Manager, or Township Administrator. The Township holds Quarterly safety meetings with Department personnel to update them on current safety matters. Information on safety training classes and programs are distributed to employees to encourage participation. Departments are encouraged to conduct internal safety/toolbox talks with their department staff to reinforce safety procedures. Safety bulletins and information on safety policies is distributed via weekly employee newsletters and email.

The Employer endeavors to provide a safe and healthy work environment for all employees and shall comply with the requirements of the Public Employees Occupational Safety and Health Act (“PEOSHA”). The Employer 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 unsafe public condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving the Employer's facilities, equipment, or motor vehicles must also be immediately reported to the supervisor or Department Head and the Chief Administrative Officer. Failure to do so constitutes grounds for disciplinary action. Employees are encouraged to discuss safety concerns with supervisory personnel.

Security Policy

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.

43. UNIFORMS AND SAFETY GEAR POLICY

The Township of Wyckoff provides and maintains uniforms for certain employees. It also provides certain safety gear, as deemed necessary, for use by employees. All such uniforms and gear are deemed property of the Township. The Township will provide certain stipulated dollar amounts for specified clothing allowances.

PROCEDURE

Uniforms and safety gear issued by the Township are to be worn during working hours. Failure or refusal to wear such uniforms and safety gear may be cause for disciplinary action.

When leaving the Township, employees are required to return all uniforms and equipment to their Department Head.

SPECIAL NOTE

All employees should be on notice that in a case where the employer issues safety equipment and an employee is injured while not using such equipment, the injury may not be compensated under the New Jersey Worker Compensation Act.

44. TOWNSHIP PROPERTY

POLICY

No Township property, equipment, material or supplies, either new or used, may be used for other than Township business. In addition, no Township employee may be assigned to do other than Township work.

PROCEDURE

No Township property or vehicles may be taken outside Township limits without authorization by a Department Head and under no circumstances should such vehicle or equipment be used for other than Township business.

No property may be taken by a Township employee for resale to anyone without written Department Head authorization.

All scrap material (including scrap metal) must be sold under the direction of the Township Administrator and the proceeds must be deposited with the Township Treasurer within forty-eight (48) hours of receipt. The Township Administrator's written approval is required for disposition of scrap material that is deemed worthless.

Citizens and Township employees are required to pay all officially scheduled fees, fines, levies, and assessments and no official or employee (supervisory or non-supervisory) may relieve any other employee or citizen from the responsibility of paying or collecting any of the aforementioned monies due to the Township of Wyckoff.

NOTE:

Exceptions to the rules pertaining to the Use of Township Property and Collecting of Fees and Fines may be granted only by a majority vote of the Governing Body.

RECEIPT FOR TOWNSHIP PROPERTY

On this date I received the following Township Property for use in my duties as a Township employee.

DESCRIPTION:

Date

Employee Signature

Cc: Personnel File

45. EARLY CLOSING AND DELAYED OPENING POLICY

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

46. LUNCH BREAK

Administrative personnel are entitled to one (1) hour unpaid lunch period taken between the hours of noon and 2:00 pm that shall be arranged by the Supervisor so that offices continue to function. Any request outside of these hours must be requested in writing and prior approval of the supervisor is required. In no case will offices be closed for office staff to have lunch. The office hours are staffed for the benefit of the taxpayers and taxpayers commonly conduct municipal business on lunch hours. Therefore, municipal offices must be open to accommodate taxpayers. Other employees are entitled to a one (1) hour unpaid lunch break, which will be scheduled by the Supervisor.

47. DRESS CODE POLICY

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

Appearance

Each employee is expected to dress appropriately for the job. The following factors are relevant to determining appropriate dress:

- nature of work
- safety, including necessary precautions when working with or near machinery
- nature of employee contact with the public and the normal expectations of outside parties toward employees
- practices of others in similar jobs
- consideration of the image the Employer wishes to project

This policy incorporates by reference all references to uniform and dress contained in all collective negotiations agreements in force between the Employer and its employees. Failure to abide by the terms of such agreements shall be deemed improper conduct.

Additionally, some Departments may have more detailed and restrictive rules governing appearance. Employees are required to abide by applicable Department rules.

48. USE OF TOWNSHIP VEHICLE POLICY

Unless an employee receives permission from the Township Administrator, the Township of Wyckoff owned vehicles shall be used only on official business and all passengers must be on municipal business. Vehicles may be taken home only with the advance approval of the Township Committee except the Township Administrator may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Township of Wyckoff vehicle, it is to be used only for official Township of Wyckoff business, any other use is not permitted. At no time shall children be in the Township of Wyckoff vehicle when responding to an emergency. Any violation of this policy constitutes cause for disciplinary action.

Policy for Use of Employer Vehicles (Non-Law Enforcement)

The Employer owns and maintains a fleet of vehicles ("Employer Vehicles") that are used in furtherance of the business of the Employer. The following policy governs the use of all Employer Vehicles (with the exception of vehicles utilized for law enforcement purposes), and supersedes all other vehicle policies previously in effect. Any employee violating the provisions contained herein will be subject to disciplinary action, up to and including termination, in accordance with applicable laws and regulations. Violations of this policy may also result in the denial of indemnification and/or defense by the Employer to the employee in any civil or criminal matter brought in any Court arising from improper use of an Employer vehicle. The Employer also expressly reserves its right to seek indemnification and/or contribution from employees (including their personal automobile insurance policies) found to have acted in violation of this policy to the maximum extent permitted by law.

Driving Privileges and Licensure. The use of an Employer Vehicle by an employee is subject to the approval and discretion of the Chief Administrative Officer. Any employee operating an

Employer Vehicle must have, in his or her possession, a valid driver's license issued by a state regulatory body within the United States. Licenses issued by any territory or possession of the United States, the District of Columbia, or any international agency (including any province of the Dominion of Canada) must be expressly approved by the Employer's insurance carrier before an employee will be permitted to operate an Employer Vehicle.

A. Employees are required to file a copy of a valid driver's license with the Employer prior to the use of an Employer Vehicle.

1. Upon request, an employee must provide a copy of their driver's license or other required documents within twenty-four (24) hours of said request.

2. Employees shall inform the Employer within twenty-four (24) hours of any changes in the status of their driving privileges.

3. Failure to comply with the requirements of this section will result in an immediate suspension of an employee's privilege to operate an Employer vehicle and may also result in the denial of indemnification and/or defense by the Employer to the employee in any civil or criminal matter brought in any Court arising from the use of an Employer vehicle while said employee's driving privileges were suspended or revoked.

B. The Employer reserves the right to obtain a driving abstract record from the New Jersey Motor Vehicle Service Commission or other regulatory and law enforcement agencies.

1. The Employer reserves the right to suspend an employee's Employer driving privileges if the Employer deems necessary based on the employee's driving record.

The Employer shall utilize information obtained pursuant to this section only for the purposes of furthering the objectives of this Policy and for no other reason, and will not reveal personal or other information contained in an employee's driving abstract record to any party except where required by applicable law.

C. The Employer occasionally offers safe driving courses and reserves the right to compel employee attendance at such courses.

D. If requested by the Chief Administrative Officer or human resources official, employees must agree to consent to a simulated road test to determine his/her fitness to safely operate a vehicle.

E. In the event that the employee is under the influence of any medication (prescribed or over-the-counter) that might impair his/her ability to safely operate a vehicle, he/she must refrain from driving until he/she notifies the Employer and await clearance to resume driving.

Official Use Only. The use of Employer Vehicles is restricted to official Employer business only. Employees shall not be permitted to use Employer vehicles for travel or activity unrelated to Employer business. Likewise, no supervisor may authorize such use or any use of an Employer Vehicle for other than Employer business or use which is otherwise inconsistent with this policy.

Employer Vehicles assigned to employees under this policy are to be operated only by the employee while acting within the scope of their employment. No employee shall authorize or permit any other non-Employer employee, including but not limited to family members of the employee, to operate or ride as a passenger in an assigned Employer Vehicle, unless said passengers are assisting in the official business of the Employer.

Location of Vehicles. Employees who are assigned the regular use of an Employer Vehicle for official business may, with written permission of his/her Department Head, take the Employer Vehicle home at night and keep said vehicle at home while off duty.

If the employee will be absent from duty for more than two (2) working days, or more than five (5) consecutive days, including weekends and holidays, he/she must surrender the Employer vehicle to his/her direct supervisor unless directed otherwise. An employee storing the vehicle at his residence must provide safe parking for the vehicle at all times.

Commuting. The use of an Employer Vehicle for driving to and from work is voluntary and does not entitle the employee to compensation or pay while engaged in that activity.

Accidents and Incidents. Prior to operation of any Employer vehicle, employees must consult their Department Head as to the appropriate steps to take if they become involved in an accident (filling out accident reports, obtaining witness names, etc.)

A. In the event of an incident or accident involving the use of an Employer Vehicle, employees must immediately contact their supervisor and/or Department Head. All required reports and documentation must be submitted to the Chief Administrative Officer within two (2) business days of receipt.

B. An employee may be required to submit to an alcohol or drug screening test following an accident or incident if there is a reasonable suspicion to believe that the employee's use of drugs or alcohol may have contributed to the cause of the accident or as otherwise required by law or other policy of the Employer.

Citations and Violations. Operators of Employer Vehicles are expected to follow all laws, regulations and rules proscribed by the Motor Vehicle Commission. Drivers are responsible for paying any moving violation tickets and MUST notify the Employer of said violations within forty-eight (48) hours of receipt of said ticket (regardless of the employee's decision to contest such ticket in municipal court). Drivers are responsible for paying all parking tickets incurred. The Employer should be notified of the receipt of a parking ticket within 48 hours of receipt of said ticket.

Drivers are responsible for all "Notice of Delinquent Toll Payment Violations" (including but not limited to EZ-Pass). Upon having been notified of said violation, either by direct mail or notice from the Employer, an employee shall, within ten (10) business days of such notice, provide acceptable proof to the Employer that the outstanding toll and any related fees have been paid.

General Policies and Procedures. Employees authorized to use an Employer Vehicle for official business must adhere to the policies and procedures set forth in this Policy. Failure to comply with the provisions below will result in a loss of privileges:

A. Drivers must ensure that all required documents (driver's license, LD. badge/card, registration, insurance card) are in their possession while operating the vehicle. Vehicle registration and insurance cards should be kept in a locked compartment of the vehicle when not in use.

B. Employees assigned exclusive use of an Employer Vehicle are responsible for scheduling all repairs and manufacturer recommended maintenance with the Employer, in order to maintain all manufacturers' warranties (including routine oil changes).

C. Vehicles are to be kept clean at all times, and should be washed and vacuumed regularly (unless prohibited by the New Jersey Department of Environmental Protection or other similar regulatory body).

D. No smoking is allowed in Employer Vehicles at any time.

E. In accordance with N.J.S.A. 39:4-97.3 and any other applicable statutes and regulations, the use of hand-held phones or electronic devices (BlackBerry, navigation systems, etc...) while driving Employer Vehicles is prohibited. This prohibition includes the sending or reading of e-mails, text messages and other similar communications.

F. All occupants must wear seat belts at all times when the vehicle is in use and observe all road safe rules and regulations, such as "Wipers On, Lights On."

G. Employees are expected to operate vehicles in a safe and courteous manner at all times and are expressly reminded to avoid tailgating or other unsafe practices.

H. Employees are reminded of the risks inherent from driving while drowsy. In the event that a driver becomes tired while operating a vehicle, they should pull off the road and seek appropriate assistance.

I. Employees who drive their own vehicle for Employer business must provide the Employer with a copy of their current Certificate of Insurance evidencing liability limits of _____.

Violation of this policy may result in disciplinary action up to and including the suspension of the employee's privilege to operate an Employer Vehicle and/or termination.

49. TELEPHONE USAGE POLICY

The Township of Wyckoff telephones are for official business and employees may make a personal call only to inform their family of unexpected overtime. Charges for all other personal calls must be reimbursed to the Township of Wyckoff. The use of hand-held cell phones while driving Township of Wyckoff vehicles or while driving on Township business is prohibited. Employees shall not use their private cell phones during the time they are working for the Township of Wyckoff unless a family emergency occurs and at that time the phone call shall be limited in time and the employee should consider taking a personal leave day provided for personal business. The employee is being paid to provide a public service not to talk on their personal cell phones.

Telephone and Personal Communication Usage Policy

Land-line Telephones. Employer telephones are for official business use only during working time. Charges for all other usage, including personal calls and unauthorized use of such devices, must be reimbursed to the Employer. Working time shall be defined as any time in which the employee is engaged in or required to be performing work tasks for the Employer, and excludes times when employees are properly not engaged in performing work tasks, including break periods and meal times.

Employer-Issued Mobile Phones/Devices. Employer-issued mobile devices may be issued to certain employees in the course of their employment with the Employer. Such Employer-issued devices are the sole and exclusive property of the Employer and are only to be utilized by employees in the course and scope of their employment during working time (any time in which the employee is engaged in or required to be performing work tasks for the Employer not to include times when employees are properly not engaged in performing work tasks, including break periods and meal times.) Employees will be charged for costs incurred due to their personal use of such devices. Accordingly, the Employer reserves the right to monitor the use of

the Employer-issued cell-phones without notice, at any time, and any such data collected from the mobile device equipment is the sole and exclusive property of the Employer to be used for any purpose.

Similarly, the Employer reserves the right to review the manner and use of these mobile devices and physically inspect the equipment at any time with or without notice. Accordingly, the employee shall have no reasonable expectation of privacy in any transmissions made or received using an Employer-issued mobile device.

Employees are expected, at all times, to respect the integrity of the Employer-issued mobile devices and to maintain the equipment in proper working condition. If an employee discovers or recognizes that the mobile device is not in proper working condition, it is the employee's responsibility to bring this fact to the attention of his or her supervisor immediately.

Upon termination of employment or in the instance of an upgrade to the employee's phone or service, the employee must return the Employer-issued device to the Employer.

Prohibited Use of Personal Communication Devices. To alleviate distraction and disruption of regular work routines, personal communication devices are strictly prohibited from use during working time (any time in which the employee is engaged in or required to be performing work tasks for the Employer not to include times when employees are properly not engaged in performing work tasks, including break periods and meal times.) while in work areas, except where the Employer has provided such device(s) to employees for business use, or in case of an emergency (such as illness, accident, and calls of a similar emergent nature).

Employees are prohibited from using their personal communication device to copy and/or upload any, confidential information (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure).

Employees must make reasonable efforts to obtain supervisor approval prior to making emergency calls during working time. Personal communication devices are defined as, but not

limited to, cellular or two-way phones, text-messaging devices, iPhones, Android-enabled devices, BlackBerrys and pagers.

Other Personal Electronic Devices. Employees are not permitted to utilize electronic devices such as personal laptops, game systems, MP3 players, portable DVD players or any other type of personal entertainment systems while at work.

Violation of this policy may subject an employee to disciplinary action up to and including termination.

50. COMMUNICATION, USE OF INTERNET AND SOCIAL MEDIA POLICY

The Township of Wyckoff's Communication Media are the property of the Township and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the Township of Wyckoff, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax. Employees are restricted from accessing or using the company's Communication Media for personal purposes during company time on company equipment without prior authorization from the Administration to do so.

All data stored on and/or transmitted through Communication Media is the property of the Township of Wyckoff. 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 Wyckoff 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 Wyckoff's mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Township of Wyckoff's local or wide-area networks."

The Township of Wyckoff respects the individual privacy of its employees. However, employee communications transmitted by the Township of Wyckoff'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 Wyckoff. The Township of Wyckoff reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Township of Wyckoff's Communication Media.** By using the Township of Wyckoff's equipment and/or Communication Media, employees consent to have such use

monitored at any time, with or without notice, by Township of Wyckoff personnel. The existence of passwords does not restrict or eliminate the Township of Wyckoff's ability or right to access electronic communications. However, pursuant to New Jersey Law, the Township of Wyckoff cannot require the employee to provide the password (s) to his/her personal account (s). All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Township of Wyckoff are required to use the assigned municipal email account for ALL Township of Wyckoff business and correspondence. The use of private email accounts for ANY Township of Wyckoff business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on their personal emails, cell phones, or other personal Communication Media, it is also subject to the provisions of the Open Public Records Act. However, nothing in this social media policy prevents employees from using his/her own personal Communication Media during the employee's non-working hours to engage or participate in protected concerted activities pursuant to the National Labor Relations Act. Protected concerted activities include when an employee 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 basis of race, sex, disability, religion or any other status protected by law if the employee chooses to address their grievances using Communication Media.

Employees can only use the Township of Wyckoff's Communication Media for legitimate business purposes. Employees may not use Township of Wyckoff's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Township of Wyckoff rules or policy. Examples of forbidden transmissions or downloads include but are not limited to 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 Township of Wyckoff'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 Wyckoff. Certain data, or applications that process data, may require additional security measures as determined by the Township of Wyckoff. 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 of Wyckoff'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 Wyckoff has given permission. All employees must take appropriate actions to ensure that Township of Wyckoff data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized. All Township of Wyckoff data must be stored centrally as required by the Township. This provides greater security and ensures backup of all Township data is performed.

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

Employees may not install, modify or remove ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Township of Wyckoff. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Township of Wyckoff, or licensed to the Township of Wyckoff. 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.

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 Township Administrator may engage in social media activity during work time through the use of the Township of Wyckoff's Communication Media, as it directly relates to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential Township of Wyckoff 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 Wyckoff employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Township Administrator. In addition, employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Township of Wyckoff's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Township Administrator. Except in "emergency situations," employees are prohibited from taking digital images or photographs with media equipment not owned by the Township of Wyckoff.

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 Wyckoff's Communication Media. If such situation

occurs, employee agrees that any images belong to the Township of Wyckoff and agree to release the image to the Township of Wyckoff and ensure its permanent deletion from media device upon direction from the Township of Wyckoff.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the Township of Wyckoff or on behalf of the Township of Wyckoff, through the use of the Township of Wyckoff's Communication Media may be issued unless it has first been approved by the Township Administrator. 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 placed on the Internet through use of the Township of Wyckoff's Communication Media will display the Township of Wyckoff's return address, any information posted on the Internet must reflect and adhere to all of the Township of Wyckoff's standards and policies.

All users are personally accountable for messages that they originate or forward using the Township of Wyckoff's Communication Media. Misrepresenting, obscuring, suppressing, or

replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Township Administrator) is prohibited.

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

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

To the extent that employees use social media outside their employment while engaging in protected concerted activities as defined above, employees will not be subject to discipline or retaliation for expressing views, opinions, and/or facts surrounding the Township's employment policies. For all other communications by employees on personal social media sites in which matters related to the Township of Wyckoff are discussed, employees must add a disclaimer on

the front page stating that the posting does not express the views of the Township and that the employees are expressing their own personal views. For example: “**The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer.**” The disclaimer must be placed in a prominent position and repeated for each posting that is expressing an opinion related to the Township’s or the Township’s business, with the exception of postings and social media communications by employees engaging in protected concerted activities. Employees are advised that if they post information on social media that is in violation of either the terms and conditions of the within social media policy, or in violation of federal, state, or local laws, the disclaimer will not shield them from disciplinary action. However, no retaliation or discipline will result if and when employees are engaging in protected concerted activity, and/or choose to report inappropriate social media activities to the Township Administrator.

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

EMPLOYEE ACCESS TO THE INTERNET AND WORLD WIDE WEB IS TO BE USED EXCLUSIVELY FOR THE PURPOSES OF CONDUCTING NECESSARY TOWNSHIP BUSINESS AND NOT FOR PERSONAL USE.

50a. USE OF INTERNET POLICY

The Township of Wyckoff 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 of Wyckoff 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.

Computer Use, Electronic Mail, and Internet Policy

The Employer's e-mail, voicemail, computer systems and Internet service are for official Employer business and use for all other non-business purposes during working time is prohibited. "Working time" shall be defined as any time in which the employee is engaged in or required to be performing work tasks for the Employer. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and meal times. This includes, but is in no way limited to, the use of computers or Employer-issued mobile devices, use of social networking, gaming or TV/video.

Note: All e-mail, voicemail, text, and internet messages are official documents subject to the provisions of the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq.

The Employer operates in an environment where the use of computers, e-mail and the Internet are essential tools for certain employees. Those employees are encouraged to use computers, e-mail and the Internet; however, it is the responsibility of the employee to guarantee that these systems are solely used for business-related purposes during working time, (as defined above) and are used in a proper and lawful manner at all times.

- Employees are advised that all computers owned by the Employer are to be used for business purposes only during working time (as defined above), and that they have no expectation that any information stored on an Employer computer is private. Because e-mail messages are considered as business documents, the Employer expects employees to compose e-mails with the same care as a business letter or internal memo.
- Downloading or misusing software available through the Internet could violate copyright laws or licensing requirements.

- Personal use of any computer during working time (as defined above) is prohibited, unless expressly authorized by the employee's supervisor.
- The Employer reserves the right to block or cancel an employee's access to Internet sites or the Internet as a whole while using business computers or on the Employer's time.
- The e-mail, telephone, and Internet systems, as well as the messages thereon, are the property of the Employer.
- The Employer reserves its right to monitor its computer systems, including but not limited to, e-mail messages, computer files and Internet usage, with or without notice, at any time, at the Employer's discretion. The Employer also reserves the right to access and disclose such communications and recordings to third parties in certain circumstances. Therefore, employees shall have no expectation of privacy in any transmissions made or received using Employer computers or email accounts.
- Employees must be aware that the mere deletion of a file or message may not fully eliminate that file or message from the system.
- The existence of personal access codes, passwords and/or "message delete functions," whether provided by the Employer or generated by the employee, do not restrict or eliminate the Employer's access to any of its electronic systems as the employees shall be on notice that they should not have any expectation of privacy when using these systems.
- Employees shall not share personal access codes or passwords, provide access to an unauthorized user, or access another's e-mail or Internet account without authorization.
- The Employer's network, including its connection to the Internet, is to be solely used for business-related purposes during working time (as defined above). If permission is granted, an employee's personal use of the Employer's computer, e-mail and connection to the Internet shall not interfere with the employee's duties and shall comply with the Employer's policies and all applicable laws.
- Any messages or transmissions sent outside of the organization via e-mail or the Internet will pass through a number of different computer systems, all with different levels of security. Accordingly, employees must not send privileged and/or confidential communications (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure), via e-mail or the Internet unless the message is properly encrypted, and should consider a more secure method of communication for such data.
- Because postings placed on the Internet may display the Employer's address or other Employer-related information, and thus reflect on the Employer, make certain before posting such information that it exhibits the high standards and policies of the Employer. Under no circumstances shall data of a confidential nature (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure) be posted on the Internet.

- If you identify yourself as an employee in any manner on any internet posting or blog, comment on any aspect of the Employer's business or post a link to the Employer, you must include the following disclaimer in an openly visible location: "the views expressed on this post are mine and do not necessarily reflect the views of the Employer or anyone associated/affiliated with the Employer."
- Subscriptions to news groups or mailing lists are permitted only when the subscription is for a work-related purpose and authorized by Employer. Any other subscriptions are prohibited.
- All files downloaded from the Internet, e-mail attachments or the like should be checked for possible viruses. If uncertain whether your virus-checking software is current, you must check with the Employer's Network Administrator before downloading.
- Any "unauthorized use" of e-mail or the Internet is strictly prohibited while at work or while using an Employer computer. "Unauthorized use" includes, but is not limited to: connecting, posting, or downloading obscene, pornographic, violent, sexually suggestive, or discrimination based material; attempting to disable or compromise the security of information contained on the Employer's computer systems; or sending or receiving obscene, violent, harassing, sexual or discrimination based messages. If an employee receives a message that is representative of an "unauthorized use" of the Employer's electronic media from someone outside of the Employer, it is the employee's duty to immediately inform the sender of such materials that he or she must refrain from sending such materials.
- Your Internet postings **SHOULD NOT VIOLATE ANY OTHER APPLICABLE EMPLOYER POLICY**, including, but not limited to, the following: the Employer's Anti-Harassment and Discrimination Policies.
- Employer business which is conducted by an employee on his or her personal computer or device is subject to this policy and may be subject to the provisions of OPRA. Any employee who violates this policy shall be subject to disciplinary action, up to and including termination. This policy shall not be construed to restrict employees' rights to share information about their employment terms and conditions communicate with each other; or engage in other concerted activities for their mutual aid and protection.

Social Network Postings

For purposes of this policy, a social network is defined as a site that uses internet services to allow individuals to construct a profile within that system, define a list of others users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design vary from site to site. Examples of the types of internet based social networking activities include: blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting

comments on the sites. The absence of, or lack of explicit reference to a specific site or activity does not limit the extent of the application of this provision.

The use of the internet and social networking sites, including but not limited to Snapchat, Facebook, and Twitter, is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the Employer and its relationship with the community. This provision identifies prohibited activities by employees on the internet where posted information is accessible to members of the general public, including, but not limited to, public postings on social networking sites.

Specifically, the Employer reserves the right to investigate postings, private or public, that violate work-place rules, such as the prohibition of sexual harassment and other discriminatory conduct, where such postings lawfully are made available to the Employer by other employees or third parties. Employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone. If you would not be comfortable with your supervisor, coworkers, or the management team reading your words, you should not write them.

Be advised that employees can be disciplined for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment. You can also be sued by agency employees or any individual who views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. What you say or post on your site or what is said or posted on your site by others could potentially be grounds for disciplinary action, up to and including termination. However, nothing in this social networking policy is designed to interfere with, restrain, or prevent social media communications during non-working hours by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the New Jersey Employer-Employee Relations Act or to prevent

communications which are protected by the First Amendment freedom of speech clause, unless such communications are made as part of the employees' official job duties.

50b. SOCIAL MEDIA POLICY

PURPOSE

This policy sets forth guidelines for the establishment and use by the Township of Wyckoff ("the Township") of its social media sites (Facebook, YouTube, Twitter and Instagram) as a means of conveying Township-related information to its residents, employees and visitors. The Township has an overriding interest and expectation in deciding what is "spoken" on behalf of the Township on its social media sites.

The purpose of this social media policy is to establish enforceable rules for the use of social media by Township officers and employees when engaged in Township business. Social media at this time refers to Facebook, YouTube, Twitter, Instagram and any other communication that is open to response or comment. Rules are necessary to assure that communications made on behalf of the Township are properly authorized and in correct form; that communications to the municipality by means of social media which can be viewed by the public are appropriate and pertinent; that all communications to the municipality is related to the posted municipal information; and that the sender is clearly and fully informed that a message received by means of social media is not a substitute for required reporting procedures.

For purposes of this policy, "social media" is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include Facebook, YouTube, Twitter and Instagram. For purposes of this policy, "comments" include information, articles, and pictures. It also includes other communication medium created by the Township including but not limited to Nixle, reverse 911 and/or the Public Education Government Channel, Wyckoff E-News and Township of Wyckoff Website.

SCOPE

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

General Policy

The objective of the use of social media by the Township or its departments is to expand and facilitate the dissemination of information from the Township to its residents, taxpayers and the general public.

1. No Township social media site shall be established without prior approval of the Township Committee. The following social media sites are approved under the direction of the Police Chief – Facebook, Wyckoff Police Department, and Wyckoff Office of Emergency Management. The Township social media site shall be administered by the Township Administrator and/or his/her designee.
2. The Township social media sites shall clearly set forth 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 the Township.
4. The Township 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, requesting an inspection, giving notice required by any statute, by ordinance or regulations such as but not limited notices of claim. Prominent notice of this paragraph shall be displayed on every Township social media site, along with the appropriate contact information for submitting official communications.
5. This social media policy shall be placed on the Township Website and all Township social media sites.

6. The Township Administrator and/or his/her designee shall monitor Township social media sites to ensure adherence to both this Social Media Policy and the interest and goals of the Township. The 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 Township Administrator and/or her/her designee pursuant to the applicable Township retention policy, including the time, date and identity of the poster, when available.
7. These guidelines must be displayed to users or made available by hyperlink.
8. The Township will approach the use of social media tools as consistently as possible, Township-wide.
9. The Township website at wyckoff-nj.com will remain the Township's primary and predominant internet presence.
10. The Township social media sites and this Policy are subject to all applicable federal and NJ laws and regulations, as well as applicable record retention requirements.
11. Employees and Volunteers representing the Township's government via its social media sites shall conduct themselves at all times as a representative of the Township and in accordance with all its policies especially the Township of Wyckoff Communication Media Policy for employee behavior in the Township of Wyckoff JIF Personnel Manual.
12. This Social Media Policy may be revised at any time by approval of the Township Committee.
13. This policy governs all social media use by or on behalf of the Township and/or its departments.
14. The Township shall have a single municipal presence on social media approved for use and a Township Police Facebook page, a Township Recreation Facebook page, a Township

Mayor's Wellness Facebook page and a Township Office of Emergency Management Facebook page. No other social media sites are authorized.

15. All Township presence and activity on social media are an integral part of the Township's information networks and must comply with all rules and policies governing the Township's computers and electronic media, including but not limited to the applicable JIF Municipal Internet Access and Use Guidelines.
16. All Township use of social media is responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), Open Public Record Act (OPRA), First Amendment, privacy laws, sunshine laws, and information security policies (if applicable) established by the Municipality.
17. All Municipal policies are applicable to interactions on social media sites when acting in an official capacity and representing the Municipality.
18. No "friending" or other special relationship between a Township employee and a third person is permitted on, or working on, a Township social media site(s).
19. Social media is run by a third party separate from the Township and social media sites occasionally become inoperable. The Township reserves the right to disable its social media accounts either temporarily or permanently at any time. There is no guarantee of "uptime."

Comment Policy

1. As a public entity the Township 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 the Township to its residents, employees and visitors.
3. 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.

4. 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.
5. The Township reserves the right to deny access to its social media sites for any individual who violates the Township of Wyckoff Social Media Policy at any time and without prior notice.
6. All comments posted to any Township sites are bound by any applicable terms and conditions of Facebook's Statement of Rights and Responsibilities, located at <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 responsible action. All Township policies are applicable to interactions on social media sites when acting in an official capacity and representing the Township.
7. All comments posted to any Township sites are bound by any applicable terms and conditions of Twitter's Terms of Service, located at <https://twitter.com/tos>, and the Township reserves the right to report any violation of Twitter's Terms of Service to Twitter with the intent of Twitter taking appropriate and reasonable responsible action. All Township policies are applicable to interactions on social media sites when acting in an official capacity and representing the Township.
8. All comments posted to any Township sites are bound by any applicable terms and conditions of YouTube's Terms of Service, located at <https://www.youtube.com/t/terms>, and the Township reserves the right to report any violation of YouTube's Terms of Service to YouTube with the intent of YouTube taking appropriate and reasonable responsible action. All Township policies are applicable to interactions on social media sites when acting in an official capacity and representing the Township.
9. All comments posted to any Instagram sites are bound by any applicable terms and conditions of Instagram Terms of Service, located at <https://instagram.com/tos>, and the Township reserves the right to report any violation of Instagram Terms of Service to Instagram with the intent of Instagram taking appropriate and reasonable responsible action. All Township policies are applicable to interactions on social media sites when acting in an official capacity and representing the Township.
10. Township municipal employees are prohibited from commenting on the municipal social media sites.

11. No Township employee, Township elected official, vendor performing work or providing services to the Township, or volunteer may post or comment on a Township social media site.
12. Persons posting prohibited content are subject to being barred from posting comments on Township social media.

PROHIBITED CONTENT

Comments containing any of the following inappropriate forms of content shall not be permitted on the Township's social media sites and are subject to removal and/or restriction by the Township Administrator and/or Chief of Police and/or his/her designees.

- a. Profane, obscene, violent, or pornographic content and/or language, or sexually suggestive or explicit content links to such materials. Any image or link containing minors or suspected minors in sexual and/or provocative situations will be reported to law enforcement;
- b. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin, marital status, status with regard to public assistance, physical or mental disability or sexual orientation;
- c. Defamatory attacks;
- d. Threats to any person or organization;
- e. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
- f. Conduct in violation of any federal, state or local law;
- g. Encouragement of illegal activity or illegal activity;
- h. Information that may tend to compromise the safety or security of the public or public systems;
- i. Content that violates a legal ownership interest, such as a copyright, of any party. 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 any and all content and submissions if properly notified that such content and/or submission infringes on another's intellectual property rights;

- j. Private contact information such as names, addresses and phone numbers no matter how easily obtained elsewhere; personal information of a person other than the poster;
- k. Spamming or repetitive content;
- l. 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 media site, users acknowledge that they are at least 13 years old. Parents are responsible for any minor child’s posting or comments;
- m. Content that incites violence;
- n. Photographs or videos;
- o. Comments unrelated to the particular post being commented upon;
- p. Comments containing vulgar, offensive, threatening, or harassing language, personal attacks, or unsupported accusations; and,
- q. Persons posting prohibited content are subject to being barred from posting comments on Township social media.
- r. Only content approved by the Township Administrator and/or approved by the Chief of Police for public release is allowed to be posted. Content of a sensitive nature shall not be allowed to be posted. Officials, employees, Township volunteers, or vendors providing services to the Township are prohibited from posting comments.
- s. A “designee” or a person appointed by the Township Administrator and/or Chief of Police is never to be allowed to transfer their social media account information or allow someone access to their account on their behalf without prior written authorization from the Township Administrator or Chief of Police.

Breach of Policy

1. The Township Administrator or Chief of Police and/or his/her designee may be required to remove internet postings on Township social media sites which are deemed to constitute a breach of Policy, as determined by the Township Administrator or Chief of Police subject to applicable archiving and retention requirements.

2. Any social media site created by the Township 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 user names, passwords and/or access codes or information.

TERMS OF USE DISCLOSURE *(to be posted on all Township Social Media Sites)*

A. Information Disclaimer

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50c. OFF-SITE OFFICE WORK AND REMOTE COMPUTER ACCESS

TOWNSHIP OF WYCKOFF Memorandum

October 2021

To: Robert J. Shannon, Administrator
All Department Managers
Distribute to all Employees with remote access

From: Diana McLeod, CFO/CTC/Asst. Admin/IT Coordinator

Re: **Off-site Office Work and Remote Computer Access**

The ability to work from a remote location has been provided to certain Township employees in order to allow for easy accessibility and emergency work related situations. As such the following procedures are being established to ensure that any Township work performed via computer from a remote (out of office) location complies with Township policies of record retention and cybersecurity.

1. If you work outside of the office, all physical documentation prepared on behalf of the Township of Wyckoff must be archived and retained in accordance with all State of New Jersey record retention requirements. This can be accomplished by using Township assigned laptops configured to your work computer through secure VPN, emailing any documents to your Township email and saving once in the office. It is the individual employee's responsibility to comply with the law pertaining to the archiving and retention of Township records. Only Township of Wyckoff assigned emails are acceptable for compliance.
2. Working remotely by dialing into your work computer will save files but also requires adherence to confidentiality and cybersecurity protocols. Employees with remote access should:
 - a. Leave your work computer on for access BUT you must log off and bring screen to password protected log on window before leaving the office.
 - b. Turn off your work monitor so no one can watch what you are doing.
 - c. Work computers must be set to log off automatically if not used in 30 minutes.
 - d. Do not save any work directly to the remote computer.
 - e. Use only Township of Wyckoff assigned email.
 - f. When working from remote locations save work on your Township computer for purposes of archiving.
 - g. Be aware that people around you can view your connection to Township computer so make sure you maintain all confidentiality and security protocols.
 - h. Be sure to log out of remote connections when not working.
 - i. Be aware that any viruses or malware on the remote computer can transfer to your work computer and the Township network when logged in so limit internet or personal use of remote computer. Follow all Township protocols for cybersecurity.
 - j. Do not log in utilizing an unsecure networks or public Wi-Fi. (Please don't work at Starbucks!)

Diana McLeod
CFO/CTC/ATA/IT Coordinator

51. BULLETIN BOARD POLICY

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

52. DRIVER'S LICENSE POLICY

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

All new employees who will be assigned work entailing the operating of a Township of Wyckoff 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 shall be cause to deny or terminate employment. Any employee who does not hold a valid driver's license will not be allowed to operate a Township of Wyckoff vehicle until such time as a valid license is obtained.

Periodic checks of employee's drivers' licenses through visual and formal Department of Motor Vehicles review checks shall be made by Department Heads or Division Supervisors.

Any employee performing work which requires the operation of a Township of Wyckoff vehicle must notify their 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 Wyckoff vehicle shall be subject to termination.

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

53. STATE RESIDENCY REQUIREMENT

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.

F LEAVES

54. VACATIONS

POLICY

Vacation leave is an accrued benefit shall not be cumulative and must be taken within the year earned. Vacation time not taken within the year shall be considered as forfeited except in cases where the Department Head and the Township Administrator agree that, due to unique job requirements, the employee cannot take all of the accrued vacation. In such cases, a maximum of ten (10) days of the previous year's vacation entitlement may be carried over into the next year. The carry over vacation time must be used by June 30, of the succeeding year or it shall be considered forfeited. Requests to schedule vacations will not be unreasonably refused. Employees must receive their supervisor's approval at least two weeks in advance of the first vacation day. Multiple employees in an office may not receive vacation leave when the office they work in will not be adequately staffed.

An official holiday occurring during an employee's vacation leave period shall not be counted as a day of vacation leave.

The vacation schedule for regular full-time employees of the Township shall be as follows:

FULL-TIME EMPLOYEES

- | | |
|--|---------------------------------------|
| a. During the first year of employment | pro-rated with a five (5) day maximum |
| b. During the 2 nd year through 8 th year | 10 working days/year |
| c. During the 9 th year through 13 th year | 15 working days/year |
| d. During the 14 th year | 16 working days/year |
| e. During the 15 th year | 17 working days/year |
| f. During the 16 th year | 18 working days/year |
| g. During the 17 th year | 19 working days/year |
| h. During the 18 th year | 20 working days/year |
| i. During the 19 th year | 23 working days/year |
| j. During the 20 th year | 24 working days/year |
| k. During the 21 st year and each year thereafter | 25 working days/year |

Vacation schedules shall be arranged to maintain essential Township services. This shall be the responsibility of the Department Head. Factors such as workload and staff size must be considered when scheduling vacations.

Department Heads must take one-half ($\frac{1}{2}$) of their vacation allotment in one week minimum increments and may utilize the remainder during the course of the calendar year. No employee may take more than five (5) separate vacation periods during any calendar year.

In case of discharge or voluntarily leaving the Township's employ, the employee's vacation will be pro-rated from the first of the year.

Department Heads will submit a vacation schedule of their employees to the Township Administrator no later than April 1 of each year unless otherwise authorized by the Township Administrator.

The Department Head shall have the right, by reason of the demands of conducting operations for the general welfare of the Township, to designate the periods during which an employee may take a vacation. In the case of conflict in vacation schedules, length of service in the Department will prevail. However, in every instance, proper staffing of the Department must take precedence over all other considerations in scheduling vacations.

Employees may request a change of their schedule by submitting a request to the Department Head at least five (5) days in advance and in accordance with all the provisions of this policy.

**TOWNSHIP OF WYCKOFF
INTER OFFICE MEMORANDUM**

MEMO TO: Township Administrator

DATE: _____

SUBJECT: Request for Vacation Time-Off

Employee: _____

Number of days allowed in 20 : _____

Vacation Days Requested: _____

Vacation Days Remaining After Request: _____

Date

Employee

Date

Department Head

Date

Township Administrator

55. HOLIDAYS

POLICY

Full-time employees are entitled to twelve (12) paid holidays which are established each year on January 1 by the Township Committee.

PROCEDURE

December 28th of each year the Township Administrator shall publish an annual list indicating the dates upon which each holiday or other days as approved by the Township Committee will be observed for the new year.

If a holiday falls on a Sunday, it shall be observed on the following Monday. If a holiday falls on a Saturday, it shall be observed on the preceding Friday.

Employees who are scheduled to work on recognized holidays, shall be entitled to receive the base hourly rate of pay. In addition, they shall be paid one and one-half times (1½) their base hourly rate of pay for the actual hours they worked on said holiday, for a total of two and one-half times (2 ½) their base hourly rate of pay for each hour worked on a holiday.

In the event that an official holiday is observed during an employee's vacation, that employee shall be entitled to an additional vacation day.

The Employer reserves the right to change or delete the holidays set forth above.

This policy is not intended to conflict with the collective bargaining agreement between the Employer and its unionized employees. If there is a conflict between this Manual and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented employees.

Weekend Holidays. If a paid holiday falls on a Sunday, it will be observed on the following Monday. If a paid holiday falls on a Saturday, it will be observed on the preceding Friday. Employees who work on weekends will observe the holiday on the actual day.

Eligibility for Holiday Pay. To qualify for holiday pay, employees must be in pay status the scheduled workday immediately preceding and immediately following the holiday. Any employee who is absent without Township approval on the day before or the day after a holiday shall not receive holiday pay unless the absence was approved in advance. If a paid holiday occurs while an employee is on approved vacation or sick leave, the employee shall not have that holiday charged as sick or vacation time.

Religious Holidays. Employees who wish to observe religious holidays not designated as a holiday by the Employer may do so without loss of pay by using available personal or vacation days, but only to the extent that the employee has not already used up his or her available personal or vacation days.

56. BEREAVEMENT/FAMILY CRISIS LEAVE

Full-time employees shall be granted up to three (3) working days of bereavement leave with pay for a death in their immediate family or in the immediate family of the employee's spouse. "Immediate family" means spouse, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, aunt, uncle, son-in-law, daughter-in-law, or any relative residing in the employee's household.

Employees shall be granted one (1) working day of bereavement leave with pay upon the death of an employee's spouse's aunt, uncle or grandparent.

In no event shall any part of bereavement leave occur more than fifteen (15) days from the date of death. The Employer may require that the employee produce reasonable proof of death and relationship. Bereavement leave shall not be charged to sick or vacation leave and such leave is not cumulative.

PROCEDURE

1. Employees who request bereavement leave must notify their Department Head of their intent to take such leave as soon as possible. Unless impracticable, employees should request bereavement leave in writing.
2. The Department Head or his or her designee shall notify the designated human resources official that an employee is using bereavement leave.
3. Employees who request an extension of bereavement leave beyond the established number of days shall have such extensions charged to accumulated unused vacation or sick leave. If an employee has used all of his or her accrued leave time, extended bereavement leave will be considered as a request for a leave of absence without pay.

57. LEAVE OF ABSENCE WITHOUT PAY POLICY

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

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

PROCEDURE

An employee applies for leave by submitting a detailed written request to his/her Department Head. This is submitted to the Township Administrator along with the Department Head's recommendation. Such request shall explain the purpose of the leave, the length of time required and the intent to return to work.

New Jersey Family Leave

The Employer provides eligible employees with up to twelve (12) weeks of unpaid, job-protected leave for specified family reasons under the New Jersey Family Leave Act (NJFLA).

Eligible Employees. To be eligible for NJFLA leave, an employee must have worked at least twelve (12) months for the Employer and have worked at least 1,000 hours for the Employer over the previous twelve (12) months.

Qualifying Reasons for Leave. An employee may take NJFLA leave to care for:

- A newly born or adopted child or a child placed into foster care with the employee, but the leave must start within twelve (12) months of the birth of the child or the placement of the child.
- A family member (sibling, grandparent, grandchild, child, spouse, domestic partner, civil union partner, parent-in-law, or parent of a covered individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) with a serious health condition.
- In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
 - (i) requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
 - (ii) prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or

(iii) results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

Leave taken to care for a newly born or adopted child or a child placed into foster care with the employee may be consecutive or intermittent and must begin by the end of the twelve (12) month period after the birth or placement for adoption or foster care.

Leave Benefits. An employee may take up to a maximum of twelve (12) weeks of NJFLA leave in a twenty-four (24) month period, which is measured as a rolling twenty-four (24) month period that commences with the first day of NJFLA leave taken.

You may take NJFLA leave to care for a seriously ill family member:

- As a single block of time.
- By reducing your normal work schedule for no more than twenty-four (24) consecutive weeks in a twenty-four (24) month period.
- Intermittently when medically necessary.

Employees permitted to take intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Employer's operations. The total time within which an intermittent leave is taken may not exceed a twelve (12) month period, if such leave is taken in connection with a single serious health condition.

Intermittent leaves taken in connection with more than one serious health condition episode must be taken within a consecutive twenty-four (24) month period, or until such time as the employee's twelve (12) week family leave entitlement is exhausted, whichever is shorter. An employee taking a family leave on a reduced leave schedule shall not be entitled to such leave for more than a consecutive twenty-four (24) week period. An eligible employee shall be entitled to only one leave on a reduced leave schedule during any consecutive twenty-four (24) month period. Any remaining family leave to which the employee is entitled subsequent to the

expiration of a leave taken on a reduced leave schedule may be taken on a consecutive or intermittent basis.

Depending on the purpose of the employee's leave, the employee may be required to or may choose to use accrued paid leave, concurrently with some or all of his/her NJFLA leave. The employee will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of NJFLA leave. The Employer will notify employees of their options to continue to participate in our group health plans during NJFLA leave.

Required Notice and Certifications. When requesting NJFLA leave, an employee must provide the Employer thirty (30) days' advance written notice. For employees requesting leave on an intermittent basis, at least fifteen (15) days advance written notice must be provided. If advance written notice is not possible because of an emergency, the employee must provide the Employer with reasonable oral notice and then follow up with written notice.

The employee also must give the Employer a medical certification supporting the need for leave. The Employer reserves the right to require second or third medical opinions and periodic recertifications. The employee must also provide periodic reports during the leave regarding the employee's status and intent to return to work as deemed appropriate by the Employer. If an employee fails to provide the required documentation, the Employer may delay the start of the employee's NJFLA leave, withdraw any designation of NJFLA leave or deny the leave, in which case the absences will be treated in accordance with the Employer's standard leave of absence and attendance policies and the employee may be subject to discipline up to and including termination of employment.

If an employee provides false or misleading information or omits material information about an NJFLA leave, the employee will be subject to discipline up to and including immediate termination of employment.

Benefits Protection. During a family leave of absence, the employee's health benefits will be maintained under the same conditions as if the employee continued to work. If the employee

decides to return to work when his/her family leave of absence ends, the employee may be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If the employee decides not to return to work when the family leave of absence ends, the employee may be required to reimburse the Employer for the health insurance premiums paid on his/her behalf during the leave of absence (except if the failure to return to work was caused by the continuation, recurrence, or onset of serious health condition which would entitle the employee to a leave of absence under the law or other circumstances beyond the employee's control).

With regard to any pension contributions, the employee must contact the human resources official to make payment arrangements concerning contributions or credits paid toward his/her pension benefits. Employees should consult with the Employer prior to taking an approved leave.

Returning to Work after NJFLA Leave. On returning to work after NJFLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. Any employee who fails to return to work as scheduled after NJFLA leave or exceeds the twelve (12) week NJFLA entitlement will be subject to the Employer's standard leave of absence and attendance policies. This may result in termination if the employee's continued absence is unauthorized (for example, if the employee has no other Employer-provided leave available to him/her).

Retaliation Prohibited. The Employer and the NJFLA prohibit the interference with, restraint of or denial of any right provided under the NJFLA and/or discharge or discrimination against any person for opposing any practice made unlawful by the NJFLA or for involvement in any proceeding under or relating to the NJFLA. The Employer encourages employees to bring any concerns or complaints about retaliation or compliance with the NJFLA to the attention of the human resources official.

New Jersey Family Leave Insurance. 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 twelve (12) weeks 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.

An employee’s job is not protected while receiving FLI benefits – unless the employee is eligible for leave under the FMLA, NJFLA, or is otherwise designated for an approved family leave of absence.

Employees must provide the Employer with advance notice of need for leave, as follows:

- At least thirty (30) days before leave to bond with a newborn or newly adopted child, unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.
- In a reasonable and practicable manner for leave to care for a seriously ill family member on a continuous, non-intermittent basis, unless an emergency or other unforeseen circumstance precludes advance notice.
- At least fifteen (15) days before leave to care for a seriously ill family member or leave to bond with a newborn or newly adopted child on an intermittent basis unless an emergency or other unforeseen circumstance precludes advance notice.

58. SICK LEAVE (revised 12/31/2023)

POLICY

Sick leave is defined as an employee's absence from regular duty because of illness, accident or exposure to contagious disease.

Paid sick leave shall remain in the discretion of the Governing Body.

Part-time and seasonal employees are not entitled to paid sick leave.

PROCEDURE

In case of illness or a non-work related injury, which prevents an employee from reporting for work, the employee shall notify his/her Supervisor or Department Head before the scheduled work tour begins in accordance with Section 39, Attendance. The Supervisor or Department Head shall notify the Township Administrator or his/her representative who may investigate and verify the employee's illness or injury. In the event the illness or injury requires three (3) or more working days absence, the Department Head shall re-verify such condition and report to the Township Administrator.

Upon request of the Department Head each employee absent on sick leave for three (3) or more consecutive working days shall present an authorization from a registered physician to return to work. This authorization may be required prior to the employee's return to work and shall be provided at the employee's expense. Such statement shall include medical reasons for which the leave is required, along with the dates of absence.

It is the responsibility of the Department Head to report all sick leave and attendance cards to the office of the Township Administrator regarding used sick leave days for each employee.

Each Department Head shall report sick leave use monthly to the Township Administrator. The report shall contain the employee's name, dates and days of sick leave use.

A Department Head has the authority to request a Doctor's Certificate, to be provided at employee expense, at any time when an employee calls in and reports he or she is sick or injured and unable to work. Also, the Department Head has the authority to verify any Doctor's Certificate with the Township Physician, at the Township's expense.

Sick Leave Policy

[This section applies 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) During a state of emergency declared by the Governor, or upon the recommendation, direction, or order of a healthcare provider or the Commissioner of Health or other authorized public official, the employee undergoes isolation or quarantine, or cares for a family member in quarantine, as a result of suspected exposure to a communicable disease and a finding by the provider or authority that the presence in the community of the employee or family member would jeopardize the health of others; or
- (6) 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 seven (7) 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. Employees will not be paid for any unused sick leave, except as expressly required by federal or State laws, or an applicable collective negotiations agreement.

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.

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.

Donated Leave program

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

Paid Leave

Request for Time Off

Name of Employee: _____

Title: _____ Department: _____

Type of Leave Requested:

Vacation Sick Compensatory Bereavement

I request leave on the following dates:

Signature of Employee: _____ Date: _____

NOTE: Approval of vacation leave is subject to scheduling needs and seniority provisions. Employees must submit requests for administrative leave in writing to the Department Head at least forty-eight (48) hours in advance of the requested leave day.

Approval of Request for Time Off

Your request for Vacation Sick Compensatory Bereavement time off on the following dates has been approved:

Your request for Vacation Sick Compensatory Bereavement time off on the following dates has not been approved:

Signature of Department Head: _____ Date: _____

cc: Human Resources Official

Robert J. Shannon, Jr.
Township Administrator

TOWNSHIP OF WYCKOFF INTER-OFFICE MEMO

TO: Town Hall Employees
David V. Murphy, Chief of Police
Scott A. Fisher, Public Works Manager
Andy Wingfield, Rec. Director

FROM: Robert J. Shannon, Jr., Township Administrator

DATE: April 10, 2006/April 20, 2010/May 8, 2012/January 13, 2017, August 31, 2018

RE: TOWNSHIP SICK LEAVE POLICY

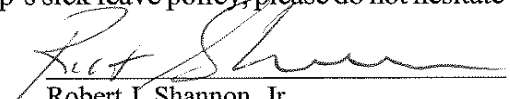
As you may be aware, it has been the practice of the Township of Wyckoff to provide its employees sick leave benefits. These benefits are referred to in the Township Personnel Manual, as well as in various Collective Bargaining Agreements. This memorandum is being issued in order to clarify any questions concerning the manner in which sick leave benefits are calculated.

The Township has always considered sick time to be a privilege, and not a right. As such, the Township does not permit the “banking” of unused sick time for the purpose of converting the same into a cash payout benefit at a future date. Instead, the Township’s practice/policy regarding the accumulation of sick days is intended to provide protection to an employee during his/her employment in the event of a prolonged illness with medical doctor certification.

The Township makes available to its employees fifteen (15) days of sick leave per year of employment. Unused sick leave days may be accumulated from year to year, so as to be available in case of a prolonged illness. By way of example, an employee who has worked for five (5) years and who has not used any of his/her sick days, would be eligible for a total of seventy five (75) sick days for use in the event of a prolonged illness. In this same example, if the employee used twenty five (25) sick days, he/she would be eligible for a total of fifty (50) sick days remaining.

While the limitations on and conditions pertaining to the use of sick days, i.e. documentation regarding proof of doctor’s care, are reflected in the Personnel Manual or Agreement applicable to you, the manner in which sick days are calculated is as set forth above.

Should you have any questions pertaining to the Township’s sick leave policy, please do not hesitate to contact me.


Robert J. Shannon, Jr.
Township Administrator

Cc: Township Committee
Robert E. Landel, Township Attorney
Raymond R. Wiss, Labor Counsel

Sickleave.pol

The Township of Wyckoff is an Equal Opportunity Employer, M/F

59. WORKERS COMPENSATION AND BLOODBORNE PATHOGEN POLICIES

POLICY

All Township employees are covered by the New Jersey Worker Compensation Statute. Such benefits are regulated by the statute and are not within the control of the Township of Wyckoff.

PROCEDURE

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

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

Workers' Compensation

Employees who suffer job-related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers' Compensation Act. Any occupational injury or illness must be immediately reported to the supervisor or Department

Head. All required medical treatment must be performed by a workers' compensation physician appointed by the Employer or workers' compensation carrier. Workers' Compensation is not a leave entitlement but only a wage replacement arrangement.

Payment for unauthorized medical treatment may not be covered. No temporary Workers' Compensation benefits other than the payment of medical bills shall be paid until the employee has been disabled for a period of seven (7) calendar days from the work-related injury, unless otherwise required by law.

While receiving workers' compensation benefits, the pension portion of an employee's benefits will still be paid by the Employer. If, however, an employee is receiving workers' compensation with pay, (which is defined as one hundred (100%) percent compensation of salary) the employee is responsible for all deductions, including pension.

The Employer will not tolerate retaliation or discrimination against an individual because the individual has filed a claim for workers' compensation benefits. This prohibition includes denying or limiting any request for leave because an individual asserted a claim for workers' compensation benefits.

Workers' Compensation Light Duty Policy. The Employer will endeavor to bring employees with temporary work-related injuries or illnesses back on the job as soon as possible. The Employer may recognize a special obligation arising out of the employment relationship and create a temporary light duty position for an employee when s/he has been injured while performing work for the Employer and, as a consequence, is unable to perform his/her regular job duties.

The Employer will not treat an employee with a disability less favorably than an individual without a disability or screen out an individual on the basis of disability in granting such

requests for light duty. The Employer will grant such request, at its sole discretion, and on a case-by case basis in consideration of the medical report submitted by the workers' compensation physician, the recommendation of the insuring entity, and staffing needs and requirements. The Employer reserves the right to grant, refuse or terminate a light duty assignment at any time without cause unless it is in conflict with the mandates of the ADA, FMLA, or NJFLA or other state or federal leave laws, where applicable.

The employee and/or the Third Party Administrator ("TPA") are obligated to inform the Employer of the employee's medical progress and the Employer shall have the right to review same periodically. Light duty assignments may be in any department and not just the employee's normal department. Employees on light duty will receive their regular salaries. If light duty is approved, the employee or TPA must keep the Chief Administrative Officer and/or designated human resources official informed of the medical progress. If, at the end of light duty period the employee is not able to return to work without restrictions, the employee should contact the Chief Administrative Officer and/or designated human resources official to discuss his or her options under state or federal law.

This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy, or other Federal or State law.

**Robert J. Shannon, Jr.
Township Administrator**

**TOWNSHIP OF WYCKOFF
INTER-OFFICE MEMO
IMPORTANT INFORMATION**

TO: Department Managers
FROM: Robert J. Shannon, Jr. Township Administrator
DATE: March 29, 2018, September 1, 2021
RE: PROCEDURES FOR WORKERS' COMPENSATION INJURY REPORTING AND OBTAINING MEDICAL TREATMENT - BERGEN RISK MANAGERS, INC.

Periodically, I re-issue this information memo regarding the required procedure all employees and volunteer firefighters, ambulance members must follow. The existing procedure must be followed exactly by all employees, volunteer firefighters, and volunteer ambulance corps members.

Page 2 of the memo is to be placed on the Bulletin Board in your office where other important information/notices are posted. If an employee/volunteer is injured and they feel it is a minor injury, they must telephone Bergen Risk Managers and report the injury. This is the only way we can protect the employee/volunteer and comply with JIF rules.

- It is understood that NJ law states that when an employee is injured on the job, the employee shall seek medical care at a physician or medical facility of the employer's choice. This means an employee/volunteer **cannot** go to a physician or medical facility of their own choice.
- JIF's Claims Management company - Bergen Risk Managers, Inc. has advised the member municipalities that they **will not pay** for any medical treatment or services from a non-JIF physician or medical facility.

TWO Tier Reporting is Required

- A. **Tier 1** **Employee/Volunteer is not hospitalized.**
Follow the procedure on Page 2, explained in Number 1 & 2.
- B. **Tier 2** **Employee/Volunteer is admitted for a hospital stay or a fatality occurs.**
Follow the procedure on Page 2 explained in Number 1 & 2.

TIMELY REPORTING IS REQUIRED - LATE REPORTING WILL SUBJECT THE INJURED EMPLOYEE/VOLUNTEER TO COMPLICATIONS
MANDATORY REPORTING PROCEDURE FOR EMPLOYEE/VOLUNTEER INJURIES

TIER 1

IF AN EMPLOYEE/VOLUNTEER IS INJURED WHICH DOES NOT RESULT IN A HOSPITAL STAY, THE PROCEDURE IS:

1. The employee/volunteer shall:
 - a. Notify their supervisor immediately.
 - b. In the case of a life threatening injury, unconsciousness, smoke inhalation or profusely bleeding or other similar injury, the employee shall go to the nearest hospital. The injured employee's supervisor shall call the Township Administrator and Bergen Risk Managers, Inc. **1-888-525-3454**
 - c. If the injury is not a life threatening injury, similar to an injury described above, the employee shall call Bergen Risk Managers, Inc. at **1-888-525-3454**. This telephone number is answered 24 hours a day. *If your call is in the evening hours or early morning, you must leave a detailed message at this number. Then telephone this number again between 8 AM and 5 PM and speak with a person.* Bergen Risk Managers, Inc. will inquire as to the injury and direct the injured person to a specific physician or medical facility.

2. Department Manager/Supervisor/Fire Officer/Ambulance Captain/CERT Supervisor Shall:
 - a. Call Bergen Risk Managers, Inc. at **1-888-525-3454** and advise that a specific employee was injured and has been taken to a specific hospital, (if the injury occurs as stated in 1B). Bergen Risk Manager's, Inc. will then contact the hospital.
 - b. Complete the attached forms.
Provide these six (6) forms (*aka the 6-forms for easy remembering!*) to the Township Administrator **immediately or the beginning of the next business day.**
 - c. Post this procedure on your bulletin board and incorporate it into a Department Operating Policy.

TIER 2

IF AN EMPLOYEE/VOLUNTEER IS INJURED AND IS ADMITTED TO THE HOSPITAL OR A FATALITY OCCURS.

1. Follow the procedure in Tier 1, Numbers 1 & 2.

2. An oral report of the injury or fatality must be orally telephoned to a 24 hour hotline telephone number **1-800-624-1644 within 2 hours of the injury.**

3. Page 1 of the attached 6 forms titled "First Report of Injury "(FROI) must be faxed to: **1-609-292-4409 within 2 hours of the injury.**

TIMELY REPORTING IS REQUIRED - LATE REPORTING WILL SUBJECT THE INJURED EMPLOYEE/VOLUNTEER TO COMPLICATIONS.

3. Employee/Volunteer Member Requirements

- a. A Bergen Risk Manager's, Inc. insurance card must be carried by all employees and volunteers. You must carry it on your person. If injured you need it in order to present it to the medical care facility.
- b. This card tells the medical care provider to send bills to Bergen Risk Manager's Inc. and shall be distributed by Department Managers/Fire Chief/Ambulance Corps Captain or Police Supervisor in charge of CERT.
- c. If you need a new card for new members or if you misplaced your card, visit the Township Administrator's office. An extra supply of cards is always available.
- d. The insurance card will have the **1-888-525-3454** number on it for you to call Bergen Risk Managers, Inc. at the time of any injury. Remember, 99.9% of accidents and injuries are preventable.
- e. All follow-up telephone calls regarding your Worker's Compensation injury to Bergen Risk Managers, use 201-825-0357.

WORK SMART — THINK SAFETY

Robert J. Shannon, Jr.
Township Administrator

RJSJr:nc

cc: Township Committee
Robert E. Landel, Township Attorney
Nancy Brown, Municipal Clerk
Karen Rau, Fire Department Secretary
Frances Piskadlo, Administrative Assistant
Denise Capparelli, Administrative Assistant
Robert W. Steinbruch, Risk Management Consultant

Distribution:

David V. Murphy, Chief of Police	Andy Wingfield, Rec. Director
Nancy Brown, Municipal Clerk	Diana McLeod, CFO, CTC, ATA
Pamela Steele, Tax Assessor	Laura Leonard, Library Director
Kim McWilliams, Court Administrator	
Joe Vander Plaats, Wyckoff Fire Chief	
Dave Murphy, Assistant Fire Chief Wyckoff Volunteer Fire Department	
Randy Banks, Ambulance Corps Captain	
Mark A. DiGennaro, Township Engineer	
Thomas Gensheimer, Construction Code Official/Building Subcode Official	
Scott A. Fisher, Public Works Manager	

PROCEDURE 2 Tier.03.27.18.Insurance

BERGEN RISK MANAGERS
P.O. Box 901 • Ramsey, NJ 07446
Phone: 201-825-0357 • Fax: 201-825-2230

FIRST REPORT OF INJURY (FROI) – FOR FAX SUBMISSIONS

Page 1 of 6

Please note that all information must be completed for each claim submitted

EMPLOYER

Joint Insurance Fund: BERGEN COUNTY		
Name of Fund Member: TOWNSHIP OF WYCKOFF		
Street address: 340 Franklin Avenue		
City: Wyckoff	State: NJ	Zip: 07481

EMPLOYEE/WAGE

Last name:		First Name	
Middle Initial:	Home Area Code & Phone:		
Street address:			
City:		State:	Zip:
Date of birth:		Social security number:	
Date of hire:	State of hire:	Sex: <input type="checkbox"/> male <input type="checkbox"/> female	
Occupation/Job Title:			
Marital status: <input type="checkbox"/> unmarried <input type="checkbox"/> single/divorced <input type="checkbox"/> married <input type="checkbox"/> separated <input type="checkbox"/> unknown			
Employment status: (Please select the FIRST status that applies to the injured worker, make only ONE selection)			
1. <input type="checkbox"/> Volunteer Worker 2. <input type="checkbox"/> Seasonal Employee 3. <input type="checkbox"/> Regular Full Time Employee 4. <input type="checkbox"/> Regular Part Time Employee 5. <input type="checkbox"/> Not Employed 6. <input type="checkbox"/> Retired 7. <input type="checkbox"/> On Strike 8. <input type="checkbox"/> Disabled 9. <input type="checkbox"/> Other			
Wage rate: \$ <input type="checkbox"/> per day <input type="checkbox"/> per week <input type="checkbox"/> per month			
Number of days worked per week:			
Did employee receive full pay for day of injury? <input type="checkbox"/> yes <input type="checkbox"/> no			
Did salary continue? <input type="checkbox"/> yes <input type="checkbox"/> no			

OCCURRENCE/TREATMENT

BERGEN RISK MANAGERS
P.O. Box 901 • Ramsey, NJ 07446
Phone: 201-825-0357 • Fax: 201-825-2230

Time employee began work: <input type="checkbox"/> am <input type="checkbox"/> pm	
Date of injury or illness:	Time of occurrence:
Last work date:	Date disability began:
Date employer was notified of occurrence:	
Type of injury:	
Body part affected:	
Did injury/illness/exposure occur on employer's premises? <input type="checkbox"/> yes <input type="checkbox"/> no	
Department or location where accident, illness or exposure occurred:	
Zip code of injury site:	
List all equipment, materials or chemicals employee was using when accident, illness or exposure occurred:	
Specific activity the employee was engaged in when the accident, illness or exposure occurred:	
Work process the employee was engaged in when accident, illness or exposure occurred:	
How did the injury or illness/abnormal health condition occur? Describe the sequence of events and include any objects or substances that directly injured the employee or made the employee ill:	
Date returned to work:	
If fatal, give date of death:	
Were safeguards or safety equipment provided? <input type="checkbox"/> yes <input type="checkbox"/> no	
Were they used? <input type="checkbox"/> yes <input type="checkbox"/> no	

BERGEN RISK MANAGERS
P.O. Box 901 • Ramsey, NJ 07446
Phone: 201-825-0357 • Fax: 201-825-2230

MEDICAL PROVIDER

Name of Physician or Health Care Provider:		
Address:		
City:	State:	Zip:
Name of Hospital or off site treatment facility:		
Address:		
City:	State:	Zip:
Initial Treatment (check one) <input type="checkbox"/> No Medical Treatment <input type="checkbox"/> Minor: Treatment by Employer <input type="checkbox"/> Minor: Clinic or Hospital <input type="checkbox"/> Emergency Care <input type="checkbox"/> Hospitalized greater than 24 hours <input type="checkbox"/> Future major medical/lost time anticipated		

OTHER

Witness name:
Witness Area Code & Phone #:
Date Administrator (TPA) notified:
Date Report Prepared:
Preparer's Name and Title:
Preparer's Area Code & Phone #:

INSTRUCTIONS FOR COMPLETING THE CONFIDENTIAL REPORT OF EMPLOYEE INJURY OR VEHICLE ACCIDENT FORM

The form has two main goals: (1) To allow the employee and supervisor to review the accident together and recommend future changes in actions or circumstances, and (2) To provide the Safety Director with statistics that can identify trends and needed training.

This form should be completed after the supervisor has investigated the accident and as soon as the employee and supervisor can be together. The form was designed to be friendly and helpful, so please complete all sections and leave no blank spaces.

JIF CONFIDENTIAL REPORT OF EMPLOYEE INJURY OR VEHICLE ACCIDENT

MUNICIPALITY: Township of Wyckoff

TODAY'S DATE: _____

PART I: TO BE COMPLETED BY THE EMPLOYEE

Employee's Name & Title: _____ Age: _____

Date of Accident: _____ Time: () a.m. () p.m.

Location Accident Occurred: _____

Employee's Complete Description of Accident (Including persons involved, Circumstances, Actions and Results): _____

PART II: TO BE COMPLETED BY THE EMPLOYEE AND SUPERVISOR

Did employee refuse medical treatment? No Yes If yes, employee's signature: _____

Medical treatment: _____

Time lost? Yes No

What safety equipment was used? _____

What additional training may have prevented this accident? _____

What additional training would you like the Safety Director to provide? _____

What circumstances contributed to this accident? _____

What actions contributed to this accident? _____

What changes in circumstances or actions could have prevented this accident? _____

PART III: TO BE COMPLETED BY THE EMPLOYEE'S SUPERVISOR

Did you physically inspect the area where accident or injury occurred? _____

Your actions taken, as of this date, to minimize the change of a recurrence: _____

Your future plans to minimize the change of a recurrence: _____

Employee's Signature (Date)

Supervisor's Signature (Date)

Distribution: Original – Mail To: CONNOR STRONG RISK CONTROL
9 Campus Drive, Suite 16
Parsippany, NJ 07054-4412
Copy – Municipal Safety Delegate (Ken Schulz), Employee

BERGEN RISK MANAGERS
P.O. Box 901 • Ramsey, NJ 07446
Non-Disabling
Disabling (lost-time)

SUPERVISOR ACCIDENT INVESTIGATION REPORT

Name of Injured _____ Date and Time of Injury _____
Age _____ Length of Service _____ on Present Job _____
Occupation _____ Location of Accident _____
Nature of Injury _____

DESCRIPTION OF ACCIDENT

(This information is for use in preventing similar accidents.
Answer questions specifically as indicated by example.)

1. What job was employee doing including tools, machine and materials used?
(Example: Lifting a heavy box onto a four wheel truck.)

2. How was employee injured?
(Example: The box slipped from his grasp and fell on his toes.)

3. Did employee use commons (safety) sense?
(Example: Tried to lift too heavy load.)

4. What was defective, in unsafe condition or wrong with method?
(Example: Should have had help.)

5. What equipment should be used?
(Example: Use of forklift not practical this location.)

6. What steps were taken to prevent similar injuries?
(Example: Instructed men to assist each other in lifting heavy loads.)

INVESTIGATED BY: _____ DATE _____

BERGEN RISK MANAGERS • P.O. Box 901 • Ramsey, NJ 07446

EMPLOYEE'S REPORT OF INJURY

Name & Address _____
(Date of Birth) _____

Home Phone _____ Social Security No. _____

Dept. Where Employed _____

Name of Supervisor _____

Weekly Earnings:

Salary _____ (or) Hours per Week _____ Rate per Hr. _____ Days _____

Date & Time of Injury _____

Place of Injury _____

Describe Accident or Occurrence:

Describe injury and medical/hospital care to date:

Witnesses to injury, or person(s) with knowledge of accident or injury:

Date returned to work _____

Remarks: _____

(Your Signature)

(Date)

**Robert J. Shannon, Jr.
Township Administrator**

**TOWNSHIP OF WYCKOFF
IMPORTANT INFORMATION**

TO: All Department Managers
FROM: Robert J. Shannon, Jr. Township Administrator
DATE: September 11, 2018
**RE: PROCEDURES WHEN AN EMPLOYEE/VOLUNTEER HAS AN
EXPOSURE TO A BLOODBORNE PATHOGEN**

This procedure shall be followed by all employees, volunteers, Firefighters, Police Department personnel, Public Works personnel, Ambulance Corps members and CERT members. This reporting procedure is in addition to the Worker Compensation reporting procedure.

Page 2 of the memo and the four forms should be placed on the Bulletin Board in your office where other important information/notices are posted. If an employee/volunteer has an exposure to a Bloodborne pathogen, they must telephone Bergen Risk Managers and report the injury. This is the only way we can protect the employee/volunteer and comply with JIF rules.

- It is understood that NJ law states that when an employee is injured or exposed to a Bloodborne Pathogen on the job, the employee shall seek medical care at a physician or medical facility of the employer's choice. This means an employee/volunteer **cannot** go to a physician or medical facility of their own choice.
- JIF's Claims Management company - Bergen Risk Managers, Inc. has advised the member municipalities that they **will not pay** for any medical treatment or services from a non-JIF physician or medical facility.

***“REMEMBER – 99% OF ALL EMPLOYEE INJURIES AND ACCIDENTS ARE
PREVENTABLE.”***

PROCEDURES - EXPOSURE TO A BLOODBORNE PATHOGEN

Mandatory reporting procedure and directions for medical care for an employee/volunteer treated at a hospital due to a Bloodborne Pathogen exposure is as follows:

EMPLOYEE/VOLUNTEER HAS AN EXPOSURE TO A BLOODBORNE PATHOGEN SHALL PROCEED TO VALLEY HOSPITAL EMERGENCY ROOM

- 1 Notify your Supervisor immediately.
- 2 Call Bergen Risk Managers, Inc. at 1-888-525-3454 and advise them of an exposure to a Bloodborne Pathogen and that you are proceeding to Valley Hospital.
- 3 Complete the attached forms:
 - a. You and your supervisor shall complete the 6 Worker's Compensation forms and provide same to the Administrator immediately or the beginning of the next business day.
 - b. Bring the attached - Appendix D and Appendix F from the Exposure Control Plan (a total of 4 pages) to the treating physician at Valley Hospital.
 - c. Complete Appendix D and F-1 with the physician and return Appendix D and F-1 to the Wyckoff Administrator.

TIMELY REPORTING IS REQUIRED - LATE REPORTING WILL SUBJECT THE EXPOSED EMPLOYEE/VOLUNTEER TO COMPLICATIONS.

“REMEMBER – 99% OF ALL EMPLOYEE INJURIES AND ACCIDENTS ARE PREVENTABLE.”

PROCEDURES - EXPOSURE TO A BLOODBORNE PATHOGEN

July 18, 2016

Page 3

Employee/Volunteer Member Requirements

- a. A Bergen Risk Manager's, Inc. insurance card must be carried by all employees and volunteers. You must carry it on your person. If injured you need it in order to present it to the medical care facility.
- f. This card tells the medical care provider to send bills to Bergen Risk Manager's Inc. and shall be distributed by Department Managers/Fire Chief/Ambulance Corps Captain.
- g. If you need a new card for new members or if you misplaced your card, visit the Township Administrator's office. An extra supply of cards is always available.
- h. The insurance card will have the **1-888-525-3454** number on it for you to call Bergen Risk Managers, Inc. at the time of any injury. Remember, 99.9% of accidents and injuries are preventable.
- i. All follow-up telephone calls regarding your exposure to a Bloodborne Pathogen to Bergen Risk Managers, use 201-825-0357.

WORK SMART — THINK SAFETY

Robert J. Shannon, Jr.
Township Administrator

RJSJr:nc

cc: Township Committee
Robert E. Landel, Township Attorney
Denise Capparelli, Administrative Support Assistant
Karen Rau, Fire Department Secretary
Frances Piskadlo, Administrative Assistant
Robert W. Steinbruch, Risk Management Consultant

Distribution:

David V. Murphy, Chief of Police	Andy Wingfield, Rec. Director
Scott A. Fisher, Public Works Manager	Nancy Brown Municipal Clerk
Diana McLeod, CFO, CTC, ATA	Pamela Steele, Tax Assessor
Mark A. DiGennaro, Township Engineer	Laura Leonard, Library Director
Joseph VanderPlaat, Wyckoff Fire Chief	Kim McWilliams, Court Administrator
Dave Murphy, Assistant Fire Chief Wyckoff Volunteer Fire Department	
Randy Banks, Ambulance Corps Captain	
Thomas Gensheimer, Construction Code Official/Building Subcode Official	

PROCEDUREbloodborne011215.ins

REMEMBER – 99% OF ALL EMPLOYEE INJURIES AND ACCIDENTS ARE PREVENTABLE.”



TOWNSHIP OF WYCKOFF
MEMORIAL TOWN HALL
WYCKOFF, NEW JERSEY 07481-1907

TEL: 201-891-7000
FAX: 201-891-9359

Dear Medical Provider:

One of our employees was involved in an event which may have resulted in an exposure to a Bloodborne Pathogen which requires medical follow-up. In accordance with the PEOSH Bloodborne Pathogen Law, your evaluation must include the need for the required Hepatitis B, Hepatitis C profile and HIV testing and counseling. If the employee refuses HIV testing at this time, it is your responsibility to ensure that the serology for HIV testing be preserved for 90 days. It is also suggested that the need for a Tetanus booster be evaluated.

Attached is the Healthcare Professional's Written Opinion (Form F-1), which must be completed and signed by you within 10 days of your evaluation. Please return this form to:

Mr. Robert J. Shannon, Jr.
Township Administrator
Township of Wyckoff
Memorial Town Hall
Scott Plaza
Wyckoff, NJ 07481

Should you have any questions, please feel free to call me at 201-891-7000.

Thank you for your assistance in this matter.

Sincerely,

Robert J. Shannon, Jr.
Township Administrator

Provide to Medical Provider
Page 1 of 4

APPENDIX D

EXPOSURE INCIDENT REPORT (ROUTES AND CIRCUMSTANCES OF EXPOSURE, INCIDENT) Please Print

DATE COMPLETED _____

EMPLOYEE'S NAME _____ SS# _____

HOME PHONE _____ BUSINESS PHONE _____

DOB _____ JOB TITLE _____

EMPLOYEE VACCINATION STATUS _____

DATE OF EXPOSURE _____ TIME OF EXPOSURE _____ AM _____ PM _____

LOCATION OF INCIDENT (HOME, STREET, CLINIC, ETC. - BE SPECIFIC): _____

NATURE OF INCIDENT (AUTO ACCIDENT, TRAUMA, MEDICAL EMERGENCY) - BE SPECIFIC:

DESCRIBE WHAT TASK(S) YOU WERE PERFORMING WHEN THE EXPOSURE OCCURRED
(BE SPECIFIC):

WERE YOU WEARING PERSONAL PROTECTIVE EQUIPMENT (PPE)? YES _____ NO _____
IF YES, LIST _____

DID THE PPE FAIL? YES _____ NO _____
IF YES, EXPLAIN HOW: _____

WHAT BODY FLUID(S) WERE YOU EXPOSED TO (BLOOD OR OTHER POTENTIALLY INFECTIOUS
MATERIAL)? BE SPECIFIC:

CONTINUED NEXT PAGE

APPENDIX D (cont.)

WHAT PARTS OF YOUR BODY BECAME EXPOSED? BE SPECIFIC:

ESTIMATE THE SIZE OF THE AREA OF YOUR BODY THAT WAS EXPOSED.

FOR HOW LONG?

DID A FOREIGN BODY (NEEDLE, NAIL, AUTO PART, DENTAL WIRES, ETC.) PENETRATE YOUR BODY?

YES _____ NO _____

IF YES, WHAT WAS THE OBJECT? _____

WHERE DID IT PENETRATE YOUR BODY? _____

WAS ANY FLUID INJECTED INTO YOUR BODY? YES _____ NO _____

IF YES, WHAT FLUID? _____ HOW MUCH? _____

DID YOU RECEIVE MEDICAL ATTENTION? YES _____ NO _____

IF YES, WHERE? _____

WHEN _____

BY WHOM _____

IDENTIFICATION OF SOURCE INDIVIDUAL(S) _____

NAME(S) _____

DID YOU TREAT THE PATIENT DIRECTLY? YES _____ NO _____

IF YES, WHAT TREATMENT DID YOU PROVIDE. BE SPECIFIC: _____

OTHER PERTINENT INFORMATION _____

APPENDIX F-1

Bergen County Department of Health Services
HEALTHCARE PROFESSIONAL'S WRITTEN OPINION

NAME: _____
DEPARTMENT: _____ JOB TITLE: _____
DATE OF EXPOSURE / / DATE OF EVALUATION: / /

A. Medical condition(s) resulting from your exposure to blood or other potentially infectious material:

Requires further medical follow-up.

No indication for further medical follow-up at this time.

B. Recommendation for Hepatitis B Vaccine

Yes Reason: _____

No Reason: _____

C. Recommendation for Ongoing Monitoring (HIV Testing)

Yes Reason: _____

No Reason: _____

D. Other _____

Date

Signature of Health Care Professional

I have reviewed and discussed the information contained on this sheet with the above named health care professional. I understand that if I have any other questions, I should contact the same health care professional.

Date

Signature of Employee

HOUSEKEEPING

Note to Employer: Your Exposure Control Plan should include a housekeeping schedule and method of decontamination, including location(s) of cleanup and decontamination supplies. A list of approved sterilants can be obtained from the Environmental Protection Agency (EPA), Antimicrobial Division at: <http://www.epa.gov/oppad001/chemregindex.htm> To further assist employers in developing a written housekeeping schedule, the following procedures are provided as **EXAMPLES**. To ensure a complete working document, it is recommended that the written task be as specific as possible.

EXAMPLE OF A CLEANING SCHEDULE

Washable hard surfaces contaminated with blood or OPIM*	On an as needed basis	Any commercial soap/cleaning solution. 1 measure of bleach is used to 10 measures of water, or other EPA approved solution that states it destroys HIV, Hepatitis B and Hepatitis C viruses	Use Standard Precautions* 2-Step Process: First, clean with soap and water and let air dry. Second, decontaminate and let air dry. Dispose of gloves, wash hands with soap and running water.
Soft surfaces (such as rugs and upholstery)	On an as needed basis	Coagulating powder (sanitary absorbing agent) and EPA approved solution that states it destroys HIV, Hepatitis B and Hepatitis C viruses.	Use Standard Precautions* Sprinkle coagulating powder (sanitary absorbing agent) over spill. Let dry, vacuum. If needed, use dustpan to remove solid materials, place in leak proof bag, and discard. Apply rug or upholstery EPA approved cleaning agent as directed. Re-vacuum and let air dry. Dispose of vacuum bag and decontaminate dustpan. If using a bag-less vacuum system, clean canister with bleach and water solution or an EPA approved solution. Dispose of gloves wash hands with soap and running water.
Reusable PPE (Pocket mask)	On an as needed basis	Any commercial soap/cleaning solution. 1 measure of bleach is used to 10 measures of water, or other EPA approved solution that states it destroys HIV, Hepatitis B and Hepatitis C viruses.	Use Standard Precautions* Dispose of one-way valve and filter on pocket mask. Mask portion must then be cleaned and decontaminated. Dispose of gloves and wash hands.
Contaminated Vehicles	On an as needed basis	Commercial soap/cleaning solution or 1 measure of bleach is used to 10 measures of water or EPA approved solution that states on label it destroys HIV, Hepatitis B and Hepatitis C viruses.	Use Standard Precautions* Clean spill according to directions for hard surfaces or upholstery as appropriate. If there is a large amount of blood spilled on upholstery then take the vehicle out of service in order for proper cleaning and decontamination. If needed, take the vehicle to a commercial cleaning company.

*Standard Precautions include always using PPE. Refer to pages 21-23

HOUSEKEEPING (cont.)

- Decontaminate work surfaces with an appropriate disinfectant after completion of procedures, immediately when overtly contaminated, after any spill of blood or other potentially infectious materials, and at the end of the work shift when surfaces have become contaminated since the last cleaning.
- Remove and replace protective coverings such as plastic wrap and aluminum foil when contaminated.
- Inspect and decontaminate on a regular basis. Reusable receptacles such as bins, pails, and cans that have a likelihood for becoming contaminated. When contaminations are visible, clean and decontaminate receptacles immediately, or as soon as feasible.
- Always use mechanical means such as tongs, forceps, or a brush and dust pan to pick up contaminated broken glassware; never pick up with hands even if gloves are worn.
- Place regulated waste in closable and labeled or color-coded containers. When storing, handling, transporting or shipping, place other regulated waste in containers that are constructed to prevent leakage.
- When discarding contaminated sharps, place them in containers that are closable, puncture-resistant, appropriately labeled or color-coded, and leak-proof.
- Store or process reusable sharps in a way that ensures safe handling.
- Ensure that sharps containers are easily accessible to personnel and located as close as feasible to the immediate area where sharps are used or can be reasonably anticipated to be found. Sharps containers also must be kept upright throughout use, replaced routinely, closed when moved, and not allowed to overfill.
- Never manually open, empty, or clean reusable contaminated sharps disposal containers.
- Discard all regulated medical waste according to federal, state, and local regulations, including liquid or semi-liquid blood or other potentially infectious materials, items contaminated with blood or other potentially infectious materials that would release these substances in a liquid or semi-liquid state if compressed, items caked with dried blood or other potentially infectious materials and capable of releasing these materials during handling, also contaminated sharps, and pathological and microbiological wastes containing blood or other potentially infectious materials.
- Contaminated vehicles that need to be taken out of service will be properly cleaned and decontaminated by your current contracting agency.
- Note: Items such as Band-Aids, gauze wipes, adhesive materials and dressings commonly generated as a result of first aid, not dripping with blood or other potentially infectious material (OPIM), and are not capable of releasing these fluids while handling, should not be considered regulated medical waste (RMW). They may be disposed of in the regular trash i.e. plastic bags of sufficient strength to resist tearing.

HOUSEKEEPING (cont.)

Handling Potentially Contaminated Laundry

The following requirements must be met, with respect to potentially contaminated laundry:

- Handle contaminated laundry as little as possible and with a minimum of agitation.
- Use appropriate personal protective equipment when handling contaminated laundry.
- Place wet contaminated laundry in leak-proof, labeled or color-coded containers before transporting.
- Bag contaminated laundry at its location of use.
- Never sort or rinse contaminated laundry in areas of its use.
- Use red laundry bags or those marked with the biohazard symbol unless standard precautions are in use at the facility and all employees recognize the bags as contaminated, and have been trained in handling the bags.
- All generators of laundry must have determined if the receiving facility uses Standard Precautions. If Standard Precautions are not used at the receiving facility, then clearly mark laundry sent off-site with orange biohazard labels or use red bags. Leak proof bags must be used when necessary to prevent soak-through or leakage.
- When handling and/or sorting contaminated laundry, utility gloves, and other appropriate personal protective equipment (i.e., aprons, mask, eye protection) shall be worn.
- Laundries must have sharps containers readily accessible due to the incidence of needles and sharps being unintentionally mixed with laundry.
- Linen soiled with blood or body fluids should be placed and transported in bags that prevent leakage. If hot water is used, linen should be washed with detergent in water at least 140F-160F for 25 minutes. If low-temperature (<140F) laundry cycles are used, chemicals suitable for low-temperature washing at proper concentration should be used.

Note to Employer: *Disposable protective clothing can be used to eliminate or greatly reduce the need for laundering. The employer is responsible for:*

- Laundering, repairing and replacing PPE.
- Ensuring the contaminated PPE is not laundered at the employee's residence.
- Laundering of contaminated personal clothing if PPE fails.
- Laundering of contaminated personal clothing resulting from the employer's failure to evaluate a hazard or high risk occupation.
- Laundering of contaminated personal clothing if employer fails to provide "appropriate" PPE which does not allow blood or other potentially infectious material to pass through or to reach the employee's work clothes, street clothes, or undergarments.

- Laundering contaminated laboratory coats, when applicable.
- If and when laundering must be done, the clothing or equipment involved will be properly packaged, labeled, and laundered on site or sent to a commercial laundry service.

LABELING

The following labeling method(s) will be used at our facility:

- Red containers for sharps with biohazard label affixed
- Red bags
- Biohazard labels

The following job titles will ensure warning labels are affixed or red bags are used as required. Employees are to notify the designees below if they discover unlabeled regulated waste containers:

School Districts

- School Nurse
- Principal
- School Nurse
- Principal
- Business Administrator
- Superintendent
- Assistant Superintendent
- Supervisor of Buildings and Grounds
- Custodial Supervisor
- Athletic Director
- Other: _____

Municipalities (Specify the title of person responsible in each applicable division)

- Police: Police Chief
- Fire: Fire Chief
- Ambulance: Amb. Corps Captain
- DPW: DPW Manager
- Recreation: Director
- Borough Hall: Township Administrator
- Board of Health: _____
- Housing Authority: _____
- Water Dept.: _____
- Other: _____

60. MILITARY LEAVE

POLICY

The Employer provides military leave in accordance with applicable State and Federal law. In all cases involving military leave, the employee must, as soon as possible, provide his or her Department Head with a certificate verifying the call to military duty prior to beginning the military leave.

Organized Militia. Any permanent or full-time temporary officer or employee, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other affiliated organization, including the National Guard of other states, shall be entitled to a leave of absence without loss of pay or time on all work days on which he or she is engaged in any period of Federal active duty, up to thirty (30) work days in any calendar year. A military leave of absence is in addition to the employees' regular vacation or other accrued leave.

Any leave of absence for such duty in excess of thirty (30) work days will be without pay but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

New Jersey Organized Militia. New Jersey's organized militia consists of the National Guard (Army and Air), the Naval Militia, and the State Guard. Any permanent or full-time officer or employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which he or she shall be engaged in State or Federal active duty, up to ninety (90) work days in any calendar year.

Any leave of absence for such duty in excess of ninety (90) work days will be without pay but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

Reinstatement. To be reinstated by the Employer without loss of privileges or seniority, the employee must report for duty with the Employer within the time required by law following release from active duty under honorable circumstances.

In accordance with legal requirement, employees who take military leave are required to:

- Provide the Employer with proper notice of the leave;
- Apply for reinstatement within the time required by law;
- Have a creditable military record including completion of all required training and fulltime service and be discharged under honorable conditions.

On return from a military leave of absence, the employee will be reinstated as required by law.

See The Uniformed Services Employment and Reemployment Act (“USERRA”). Failure to comply with the requirement enumerated above or as required by law will jeopardize an employee’s reemployment rights.

61. TRANSITIONAL DUTY POLICY – POLICE DEPARTMENT

The Township of Wyckoff will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential duties of their position due to injury or illness.

As used in this Article, transitional duty is a working status under which the affected employee cannot physically perform or fulfill the essential duties of his or her position or assignment, but is physically capable of performing some functions. Transitional duty shall consist of assignment that is not likely to cause the employee to aggravate the existing injury or medical condition.

Employees on transitional duty shall not be permitted to work in any other capacity or assignment, including outside employment. Employees on transitional duty may carry a firearm on duty or off duty if carrying a weapon is consistent with the employee's condition.

Employees must provide written documentation from a medical doctor indicating any medical restrictions within fourteen (14) calendar days of the first date of absence. This documentation shall state that he or she cannot perform the essential duties of his or her assignment and the anticipated duration of this restriction. The written documentation from the employee's doctor must provide specific activities the individual can perform while the condition or illness giving rise to his or her limitation exists. The documentation must also disclose any specific activity that the employee is limited from performing or could result in potential harm or aggravation to the employee's condition, including specifically those activities listed below. Employees are required to report for transitional duty once he or she has been medically cleared by his or her doctor and the Chief of Police has notified the employee that transitional duty assignments are available within the police department.

The Employer may, at its own expense, have the employee examined by a doctor of its selection to confirm the employee's condition prior to the grant of transitional duty.

The employee agrees that the employer may request reasonable periodic updates from the employee's personal physician or the workers' compensation physician as appropriate. Failure to produce appropriate medical updates concerning the employee's condition and prognosis to return to full duty may result in termination of the employee's transitional duty.

Transitional duty shall constitute working and shall not be counted against sick leave or work related injury leave time. Employees shall receive their normal compensation while on a transitional duty assignment.

Employees performing transitional duty shall be assigned to a 9 AM to 5 PM schedule on any Monday through Friday he or she otherwise would be working on his or her normal work schedule on the master schedule. Employees assigned to transitional duty shall not be required to wear a police uniform while working.

Employees performing transitional duty will be released from scheduled duty to attend physical therapy, but shall be required to make up any missed hours during the same payroll period. The Chief and the employee may agree to change the start and/or end time of the employee's tour of duty to permit the employee to attend medical appointments or physical therapy.

Transitional duty assignments may be drawn from a range of technical and administrative areas that include, but are not limited to the following:

1. Administrative functions, i.e., report, review or special projects
2. Clerical functions, i.e., filing
3. Desk assignments, i.e., booking officer, bookkeeping
4. Report taking, i.e., telephone reports

5. Communications, i.e., complaint taking, dispatching
6. Detective Bureau, i.e., assisting bureau activities

Transitional duty is not guaranteed and will be granted in the discretion of the Chief of Police to the extent that appropriate work is available and that the work does not present a hazard to the employee or fellow employees. If the condition of the employee worsens or work is no longer available, the Chief of Police may terminate a transitional duty assignment. The Township shall be under no obligation pursuant to this Article to expend funds to accommodate the temporary condition of an employee to permit the employee to perform a potential transitional duty assignment.

If a transitional duty assignment is terminated, the employee shall return to either sick leave or work-incurred injury leave as appropriate. The grant of transitional duty shall not impact an employee's right to catastrophic illness/injury leave. Any period of transitional duty shall not be deemed to interrupt a qualifying period of sick leave necessary to qualify for catastrophic leave nor shall a period of transitional duty require that employee requalify for catastrophic leave.

The provisions of this Article shall not limit or otherwise diminish any rights granted by federal or state law.

TRANSITIONAL DUTY POLICY – DEPARTMENT OF PUBLIC WORKS

The Township of Wyckoff will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential duties of their position due to injury or illness.

As used in this Article, transitional duty is a working status under which the affected employee cannot physically perform or fulfill the essential duties of his or her position or assignment, but is physically capable of performing some functions. Transitional duty shall consist of assignment that is not likely to cause the employee to aggravate the existing injury or medical condition. Employees on transitional duty shall not be permitted to work in any other capacity or assignment, including outside employment.

Employees must provide written documentation from a medical doctor indicating any medical restrictions within fourteen (14) calendar days of the first date of absence. This documentation shall state that he or she cannot perform the essential duties of his or her assignment and the anticipated duration of this restriction. The written documentation from the employee's doctor must provide specific activities the individual can perform while the condition or illness giving rise to his or her limitation exists. The documentation must also disclose any specific activity that the employee is limited from performing or could result in potential harm or aggravation to the employee's condition, including specifically those activities listed below. Employees are required to report for transitional duty once he or she has been medically cleared by his or her doctor and the Public Works Manager has notified the employee that transitional duty assignments are available within the Department of Public Works.

The Employer may, at its own expense, have the employee examined by a doctor of its selection to confirm the employee's condition prior to the grant of transitional duty.

The employee agrees that the employer may request reasonable periodic updates from the employee's personal physician or the workers' compensation physician as appropriate. Failure to produce

appropriate medical updates concerning the employee's condition and prognosis to return to full duty may result in termination of the employee's transitional duty.

Transitional duty shall constitute working and shall not be counted against sick leave or work related injury leave time. Employees shall receive their normal compensation while on a transitional duty assignment.

Employees performing transitional duty shall be assigned to a 7 AM to 3 PM schedule on any Monday through Friday he or she otherwise would be working on his or her normal work schedule on the master schedule. Employees assigned to transitional duty shall not be required to wear a public works uniform while working.

Employees performing transitional duty will be released from scheduled duty to attend physical therapy, but shall be required to make up any missed hours during the same payroll period. The Public Works Manager and the employee may agree to change the start and/or end time of the employee's tour of duty to permit the employee to attend medical appointments or physical therapy.

Transitional duty assignments may be drawn from a range of technical and administrative areas that include, but are not limited to the following:

7. Administrative and computer duties, i.e., report, review or special projects
8. Clerical functions, i.e., filing
9. Purchasing assignments and mail duties, i.e., bookkeeping
10. Report taking, i.e., telephone reports
11. Communications, i.e., complaint taking, dispatching
12. Inventory duties, i.e., assisting Public Works Manager

Transitional duty is not guaranteed and will be granted in the discretion of the Public Works Manager to the extent that appropriate work is available and that the work does not present a hazard to the employee or fellow employees. If the condition of the employee worsens or work is no longer available, the Public Works Manager may terminate a transitional duty assignment. The Township shall be under no

obligation pursuant to this Article to expend funds to accommodate the temporary condition of an employee to permit the employee to perform a potential transitional duty assignment.

If a transitional duty assignment is terminated, the employee shall return to either sick leave or work-incurred injury leave as appropriate.

TRANSITIONAL DUTY POLICY - GENERAL

The Township of Wyckoff will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential duties of their position due to injury or illness.

As used in this Article, transitional duty is a working status under which the affected employee cannot physically perform or fulfill the essential duties of his or her position or assignment, but is physically capable of performing some functions. Transitional duty shall consist of assignment that is not likely to cause the employee to aggravate the existing injury or medical condition. Employees on transitional duty shall not be permitted to work in any other capacity or assignment, including outside employment.

Employees must provide written documentation from a medical doctor indicating any medical restrictions within fourteen (14) calendar days of the first date of absence. This documentation shall state that he or she cannot perform the essential duties of his or her assignment and the anticipated duration of this restriction. The written documentation from the employee's doctor must provide specific activities the individual can perform while the condition or illness giving rise to his or her limitation exists. The documentation must also disclose any specific activity that the employee is limited from performing or could result in potential harm or aggravation to the employee's condition, including specifically those activities listed below. Employees are required to report for transitional duty once he or she has been medically cleared by his or her doctor and the Township Administrator has notified the employee that transitional duty assignments are available within the police department. The Employer may, at its own expense, have the employee examined by a doctor of its selection to confirm the employee's condition prior to the grant of transitional duty.

The employee agrees that the employer may request reasonable periodic updates from the employee's personal physician or the workers' compensation physician as appropriate. Failure to produce appropriate medical updates concerning the employee's condition and prognosis to return to full duty may result in termination of the employee's transitional duty.

Transitional duty shall constitute working and shall not be counted against sick leave or work related injury leave time. Employees shall receive their normal compensation while on a transitional duty assignment.

Employees performing transitional duty shall be assigned to a 8:30 AM to 4:30 PM schedule on any Monday through Friday he or she otherwise would be working on his or her normal work schedule on the master schedule.

Employees performing transitional duty will be released from scheduled duty to attend physical therapy, but shall be required to make up any missed hours during the same payroll period. The Township Administrator and the employee may agree to change the start and/or end time of the employee's tour of duty to permit the employee to attend medical appointments or physical therapy.

Transitional duty assignments may be drawn from a range of technical and administrative areas that include, but are not limited to the following:

13. Administrative and computer duties, i.e. report, review or special projects
14. Clerical functions, i.e. filing
15. Desk assignments, i.e. bookkeeping
16. Purchasing and mail duties
17. Communications, i.e. complaint taking
18. Inventory duties

Transitional duty is not guaranteed and will be granted in the discretion of the Township Administrator to the extent that appropriate work is available and that the work does not present a hazard to the employee or fellow employees. If the condition of the employee worsens or work is no longer available, the Township Administrator may terminate a transitional duty assignment. The Township shall be under no obligation pursuant to this Article to expend funds to accommodate the temporary condition of an employee to permit the employee to perform a potential transitional duty assignment.

If a transitional duty assignment is terminated, the employee shall return to either sick leave or work-incurred injury leave as appropriate.

62.. WORK FORCE REDUCTION POLICY

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

63. DISCLAIMER OF CONTRACT

The contents of this handbook are guidelines only and supersede any prior manual and/or handbook. Neither this manual nor any other guidelines, policies or practices create an employment contract. The Township of Wyckoff has the right, with or without notice, in an individual case or generally, to change any of its guidelines, policies, practices, working conditions or benefits at any time.

No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or arrangement is in writing and is signed by the Township Administrator. Employment with the Township of Wyckoff is at-will and may be terminated at any time with or without cause or notice by the employee or the Township of Wyckoff.

This notice applies to all employees regardless of date of hire.

G

MISCELLANEOUS

64. COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT POLICY

The personnel of the Township hereinafter designated shall be exempt from the provision of this manual as stated:

- Professional consultants or counsel rendering professional services.
- Sworn personnel of the Police Department whenever their contract with the Township conflicts with this manual.
- Manual labor employees of the Public Works whenever their contract with the Township conflicts with this chapter.

65. ANNUAL UPDATE OF EMPLOYEE MANUAL

The Township Administrator/Personnel Officer shall review the personnel manual annually seeking input from the staff, Labor Counsel and Municipal Risk Manager.

66. PUBLIC INTERACTION POLICY

TOWNSHIP OF WYCKOFF
CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL

Nancy A. Brown
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION # 21-96

INTRODUCED: *Shanley*

SECONDED: *Madigan*

MEETING DATE: January 1, 2021

REFERENCE: PUBLIC INTERACTION
POLICY

VOTE: BOONSTRA ✓ MADIGAN ✓ MELCHIONNE ✓ RUBENSTEIN ✓ SHANLEY ✓

WHEREAS, the Township Committee of the Township of Wyckoff directs all employees to interact with residents with respect and courtesy to achieve a positive, and responsive culture of the Township of Wyckoff local government organization; and,

WHEREAS, this policy direction applies to all employees, statutory or at will, all volunteer board and commission members as well as all elected officials; and,

WHEREAS, the Township Committee believes effective public relations is critical to the Township of Wyckoff's ability to provide services, programs and activities; and,

WHEREAS, the Township's JIF personnel manual and the JIF supervisors manual include standards of conduct which this policy is predicated upon.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey re-confirms for the new year that all employees, officials and officers, both paid and volunteer, shall interact with respect and courtesy toward residents and the public to achieve positive public relations.

CERTIFICATION

I, NANCY A. BROWN, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 1, 2021.

Nancy A. Brown
NANCY A. BROWN, ACTING MUNICIPAL CLERK

67. RUMOR PREVENTION POLICY

TOWNSHIP OF WYCKOFF RUMOR PREVENTION POLICY

A recent report that appeared in a Fire Department command communication discussed the negative impact of spreading rumors in an organization. The article has value for all organizations:

With every official system of communication there is an unofficial system, which is commonly referred to as the "Grapevine" or the "Rumor Mill." This communication system is a social network used to transmit social news and often, an organization's official information, in an informal manor.

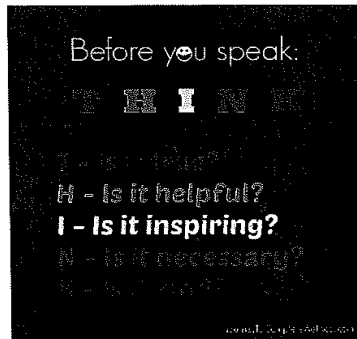
The grapevine is not a preferred method of communicating information within an organization. Official news traveling through the grapevine can have detrimental effects upon morale and operations, and may affect individual reputations. It is a method for receiving information, but should never be used to transmit information.

The report identifies flaws in the grapevine system that make it unacceptable from an organization's point of view, and which should be unacceptable from an individual's point of view are:

1. No methods exist to ensure inaccurate or false information can be distinguished from official information. Rumors can have the same validity as official information.
2. No method to ensure that complete information was transmitted. This is especially true in cases of disputes, where only the speaker's point of view is presented or when the facts are out of context.
3. No method to determine if information is slanted because of the speaker's personal bias.
4. No method to clarify information or to correct misinformation.
5. No method to prevent confidential disclosures that can embarrass the department of individuals.

The Township strives to provide official information on a regular basis to combat rumors and to prevent rumors from being started.

As individuals, we can choose not to offer anything to the grapevine. We can take a proactive stand (leadership) to discourage the spreading of rumors, and when we are the victim of a rumor we can choose to behave professionally and not allow it to get to us. Thank your coworkers and friends for their support, but ask them not to comment any further on the rumor in an effort to limit its credibility and so they are not adding to the rumor. Participating in the grapevine can often be a fool's game. It has plenty of victims and no winners. Your time and energy is better spent serving the public. Rumors degrade all of us.












68. HARASSMENT PREVENTION

HARASSMENT PREVENTION REQUIREMENTS OF A WYCKOFF MUNICIPAL EMPLOYEE

1. The anti-harassment video – “We Must Respect Each Other in Local Government” is provided and offered from the JIF/MEL web site 365/24/7. (See attached instructions to access training).

2. Guidance is provided for the illustration and examples of the concept of respecting others in local government:

-  Displays an attitude of teamwork; understanding, enthusiasm and personifying the Township’s motto, “Service is our Product”.
-  Treats fellow staff members and the public with respect and does not harass or make any inappropriate comments or actions.
-  Utilizes municipal resources, such as computer and telephone for Wyckoff municipal work only.
-  Seek advice from supervisor when procedures have not been established or if there is some doubt as to their meaning.
-  Shall not perform personal activity or business during municipal working hours (including talking, texting or emailing personal activity or business on personal cell phone); restricting all activity to Wyckoff municipal work only.
-  Displays a positive, friendly and helpful attitude to municipal staff and public visiting the municipal building.
-  Pays attention to detail, including punctuality, proper safety practices; (avoidance of accidents and injuries) and prepares full and thorough work assignments in a timely manner.
-  Provides assistance to the public as well as to employees efficiently with a premium on the economy of time.
-  Attached is the Township’s Rumor Prevention Policy

SERVICE IS OUR PRODUCT

69. EMPLOYEE DATING POLICY

The Employer 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 Employer 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 Employer 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 Employer 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 Employer 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 Employer 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.

**70. PROCEDURE FOR ACCEPTANCE OF ONLINE FORMS
AND ONLINE PAYMENTS**

**TOWNSHIP OF WYCKOFF
Memorandum**

October 2021

To: All Departments

From: Diana McLeod, CFO/CTC

Re: **Procedure for Acceptance of Online Forms and Online Payments**

As per NJAC 5:30-9 et seq, Government Electronic Receipt Acceptance, the collection of fees through online form and payment processes are subject to policies and procedures that will ensure accuracy, proper recording of collected fees and audit compliance. These rules and regulations are promulgated by the State of New Jersey. On-line payments are considered a cash receipt and are subject to all accounting, internal controls and auditing requirements. **Daily reconciliation, procedures for monthly proofs and review will become the responsibility of the using department.** The Finance Department will no longer have the ability to detail individual receipts. Online payments must be set up to comply with the Finance Departments reporting procedures, State of New Jersey Local Finance Board rules and regulations, and audit compliance. Procedures are listed and may change as necessary to ensure compliance.

1. No department may authorize the use of online payment of forms without prior authorization from the Chief Financial Officer. All forms being paid on-line are required to have a "payment code" associated with the form established by the CFO and that reconciles with the Township's revenue and payment recording system. Any vendor being used to create such online form and payment systems must be able to establish the necessary codes for each individual form that coincide with the Finance Departments reporting system to ensure that payments can be properly processed in the Finance reporting system. These codes are a requirement of the State of New Jersey Local Finance Board and Division of Local Government Services.
2. All online forms and payment reports are subject to all Record Retention laws as required by the State of New Jersey. Each department must maintain written documentation of each receipt.
3. Any vendor contracted to create online reporting and payment systems must deposit all monies collected to the Township not to exceed 48 hours from time of collection. They must be able to provide a daily and date generated reports, in both summary and detail form, that will breakdown the payments by the pre-assigned payment codes and the amount paid that reconciles to the daily and monthly deposit made to the Township's bank account.
4. The Finance Department will record to the Township's reporting system the total collected under each payment code and reconcile the bank accounts for payments taken in. The Finance Department will no longer be able to input receipts by block/lot or individual payment. As a result, the Finance Office will no longer be able to generate a detailed report.

5. **Therefore, each department that uses online form and payment systems must prove and reconcile their departments receipts in a detailed report and must provide a subsidiary report each month to the Chief Financial Officer. These reports must include each individual receipt information (block, lot, fee type). Any discrepancies between the Department's report and the deposits made to the bank must be reconciled by the Department.**
6. Each Department will be audited annually during the Township's state required annual audit by the Township Committee selected Independent/Third Party Audit Firm and **each department is responsible for ensuring all documents and proofs are up to date and available to the auditor upon request.** It is the Department's responsibility to maintain accurate, detailed records and reports of their Department's on-line form and payment records.
7. Any questions please ask immediately. Do not wait until you are being audited!!

Diana McLeod
CFO/CTC/AA/IT
Coordinator

*Cc: Township Committee
Robert Landel, Township Attorney
Gary W. Higgins, RMA*

*cc: Robert J. Shannon, Administrator
Nancy A. Brown, Municipal Clerk
Mark DeGennaro, Engineer
Cindy Risseum, Building Department
Andy Wingfield, Recreation Department*

Attachment: NJAC 5:30-9.5 State Mandated Accounting and Controls

71. CASH MANAGEMENT REQUIREMENTS

All employees are required to fully comply with the New Jersey Fiscal Affairs Law Local Public Contract Law and policies and procedures as established by the governing body at the Re-organizational meeting each year. These policies are available on the Township website for easy access.

72. CYBERSECURITY POLICY

It is the policy of the Township of Wyckoff that all employees and officials with a Township of Wyckoff issued email address are required to annually complete cybersecurity awareness training and to practice the techniques provided through this training.

The attached resolution lists the policies adopted by the Township Committee that establish the Township of Wyckoff cybersecurity practices. These policies are available for all employees to review in the township Administrator's office.

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #22-99**

INTRODUCED:

SECONDED:

MEETING DATE: January 1, 2022

REFERENCE: Adoption of Cyber Security Policies

VOTE: BOONSTRA ___ MADIGAN ___ MELCHIONNE ___ SHANLEY ___ RUBENSTEIN ___

WHEREAS, the Township of Wyckoff is a member of the Bergen County Joint Insurance Fund (JIF) and has obtained the highest level of coverage based on risk management precautions and policies; and,

WHEREAS, effective January 1, 2022, Bergen County JIF is requiring new risk management procedures and precautions and offering various levels of coverages and deductibles on a sliding scale; and,

WHEREAS, the Township Committee has authorized a project team that has been working to develop a program that is compliant with the JIF Tier 3 Cyber Security Program to provide the greatest level of coverage with the lowest deductible possible.

WHEREAS, the Project Team recommends the Township Committee adopt the below listed policies to establish cybersecurity procedures and precautions:

- Remote Access Approval
- Remote Access Tracking
- Mobile Devices Security and Management Policy
- Social Media Usage Policy
- Password Protection Policy
- Password Construction Guidelines Policy
- Ethics Policy
- Email Encryption Policy
- Email Policy
- Clean Desk & Clean Screen Policy
- Acceptable Use Policy
- Anti-Virus and Malware Protection Policy
- Physical Security Policy
- Policies, Definition of Terms & References
- Governances, Policies, Standards, Procedures & Guidelines How-To
- Internet Usage Policy
- Wireless Communication Policy
- Firewall Management Policy
- Intrusion Detection Policy
- Technology Equipment Disposal Policy
- Server Security Policy
- Server Hardening Policy

- Workstation Security Policy
- Server Monitoring Policy
- Patch Management Policy
- Fraud Control Policy
- Banking, ACH, Wire Transfer Fraud Prevention Control Policy
- Incident Management Plan, Policies and Procedure
- Third Party Vendor and BA Security Policy and Procedure
- Workstation Hardening Policy

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the aforementioned policies are authorized and approved for use to protect the Township of Wyckoff and the Township Administrator is authorized to sign the policies; and,

BE IT FURTHER RESOLVED, that these policies shall be disseminated to employees and the Project Team (Task Force) including the Township of Wyckoff's Information Technology Consultant, current year Mayor as governing body Liaison, Municipal Administrator as Compliance Coordinator, CFO as Security Coordinator, Police Chief as Police Department Compliance Coordinator, and Sgt. Ferreira as Police Dept. Security Coordinator shall continue to function as a Project Team to address, perform and manage; operational controls, administrative controls (including employee training) and technical controls.

CERTIFICATION

I, NANCY A. BROWN, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 1, 2022.

NANCY A. BROWN
ACTING MUNICIPAL CLERK

73. RECEIPT FOR PERSONNEL POLICIES AND PROCEDURES MANUAL

I acknowledge that I have received the updated November 2021 copy of the Township of Wyckoff’s Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy provision in the manual that I do not understand, I will seek clarification from my Department Manager, the Township Administrator or the Chief Financial Officer. I understand that the Township of Wyckoff is an “at will” employer and consistent with applicable Federal and State law (including the New Jersey Civil Service Act), (as well as applicable bargaining unit agreements), employment with the Township of Wyckoff is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No Supervisor or other representative of the Township of Wyckoff has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states the Township of Wyckoff’s personnel policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with the Township of Wyckoff 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.

Date: _____

Signature _____

Print Name: _____

Department: _____