

# RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **DA 17-0215-11**

Date of Adoption **FEBRUARY 15, 2017**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

*[Signature]*  
Legislative Research Officer

PRESENTED BY COUNCIL MEMBER **JONES**

SECONDED BY **COX**

## Resolution Adopting Amended Township Employee Handbook

WHEREAS, the Township of Irvington Municipal Council seeks to adopt a Township Employee Handbook that promulgates the essential workplace procedures and policies which Township staff are expected to abide by; and

WHEREAS, by taking such action, the Township of Irvington Municipal Council will be taking action consistent with the Best Practices Checklist issued by the State of New Jersey, Department of Community Affairs; and

WHEREAS, the employee handbook includes rules governing conflict of interest and other policies meant to ensure the proper management of Township resources and staff;

NOW THEREFORE BE IT RESOLVED, that the Township of Irvington municipal Council hereby adopts the Township of Irvington Employee Handbook and such handbook and the policies/practices therein shall remain in full effect until such time as the Township of Irvington Municipal Council adopts another employee handbook.

### RECORD OF COUNCIL VOTE

X = Indicates Vote    N.V. = No Vote    A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BURGESS, 1ST VICE PRESIDENT	<b>X</b>				INMAN				<b>X</b>
COX	<b>X</b>				JONES, 2ND VICEPRESIDENT	<b>X</b>			
FREDERIC	<b>X</b>				LYONS, PRESIDENT	<b>X</b>			
DR. HUDLEY				<b>X</b>					

PRESIDENT OF COUNCIL *[Signature]* MUNICIPAL CLERK *[Signature]* DATE **FEBRUARY 15, 2017**

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK *[Signature]*

DATE

**FEB 15 2017**

ADMINISTRATOR ☒ ASSESSOR ☐ BLDG ☐ CFO ☒ COLLECTOR ☐ COURT ☐ EDGO ☐ ENGINEER ☐ FIRE ☒ HEALTH ☐ HOUSING ☐ INIC ☐ JUDGE ☐ LEGAL ☐ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ OCDP ☐ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY ☒ DIR ☐ PUBLIC WORKS ☐ PURCHASING ☒ SEC ☒ PB/ZBA ☐ TRAFFIC ☐ ZONING ☒ OFF ☐ DLGS ☐ GNCD ☐ OTHER(S): \_\_\_\_\_

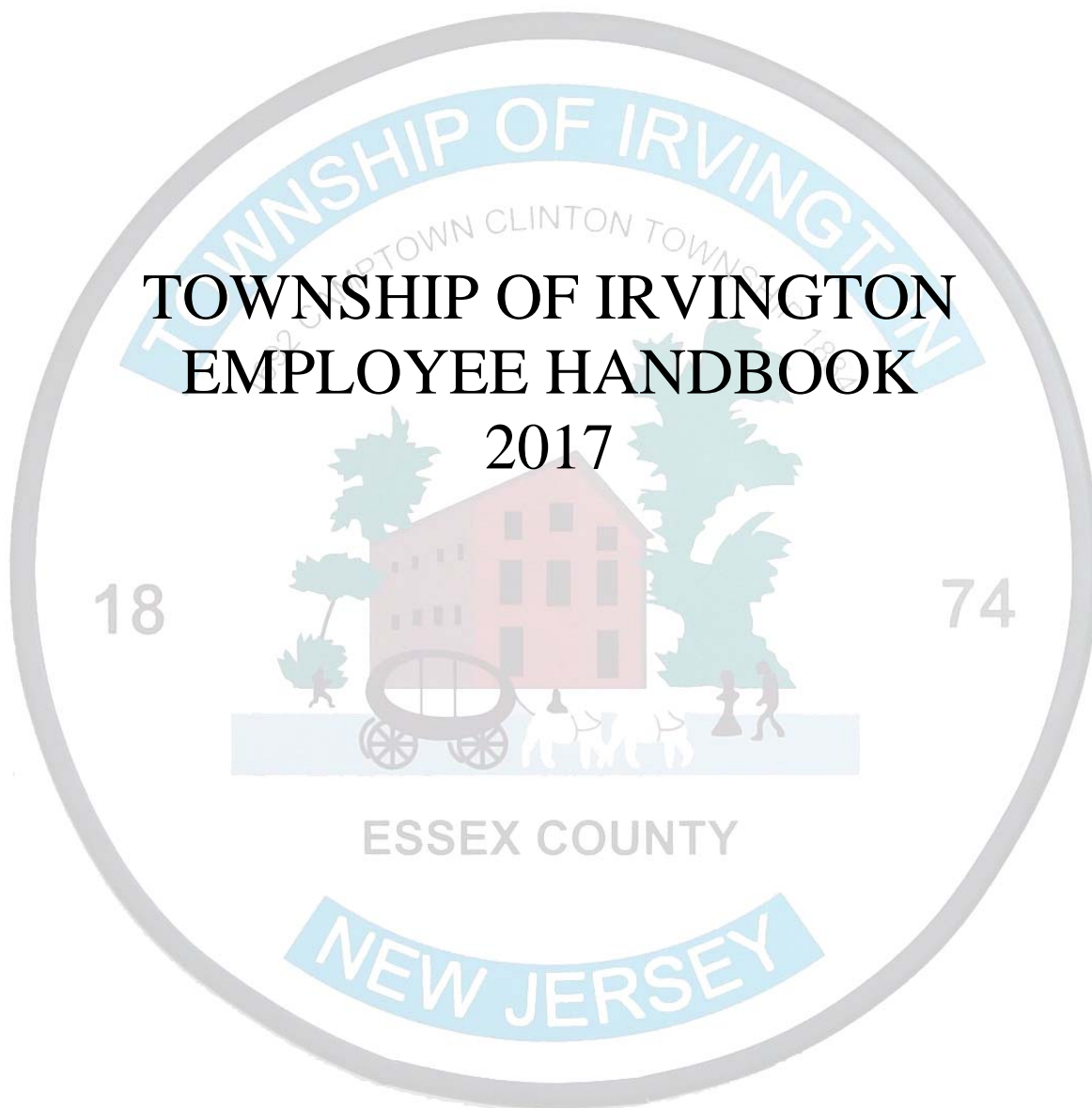


**Amended: February 15, 2017**

**Resolution: DA 17-0215-11**

# TOWNSHIP OF IRVINGTON EMPLOYEE HANDBOOK

2017





# **MAYOR**

Tony Vauss

## **BUSINESS ADMINISTRATOR**

Musa A. Malik, Business Administrator

## **COUNCIL MEMBERS**

David Lyons, Council President

Renee Burgess, 1<sup>st</sup> Vice-President

Sandra Jones, 2<sup>nd</sup> Vice President

Vern Cox, Westward Councilman

Charnette Frederic, Councilwoman-At-Large

Dr. October Hudley, Councilwoman-At-Large

Paul Inman, Eastward Councilman

## **TOWN CLERK**

Harold Wiener x 6664



# DEPARTMENTS/DIVISIONS

## **Mayor's Office**

Anthony Vauss, Mayor x 6640

## **Purchasing**

Althea Headley, Purchasing Agent x 6717

## **Township Attorney**

Ramon Rivera, Esq. x 6637

## **Community Development**

Wayne Bradley, Director (973) 757-2303

## **Irvington Neighborhood Improvement Corporation**

Deborah Simpkins, Director (973) 416-0909

## **Business Administration**

Musa A. Malik, Esq., Business Administrator x 6682

## **Revenue and Finance**

Faheem Ra'Oof, Director x 6762

## **Public Works**

Jamel Holley, Director x 6693

## **Recreation**

Donald Malloy, Director x 6598

## **Housing/Building Construction**

Ted Green, Director x 5622 or 8661

## **Health**

Dr. Monique S. Griffith, Director x 7760

## **Public Safety (Police)**

Tracy Bowers, Director x 6600

## **Public Safety (Fire)**

Antonio Gary, Fire Chief x 6555 or 6554

## **Municipal Court**

Terrie Yuelling, Director x 6678

## **Economic Development**

Genia C. Philip, Director x 6658

## **Neighborhood Preservation**

Melody Scott, Director (973) 416-4237



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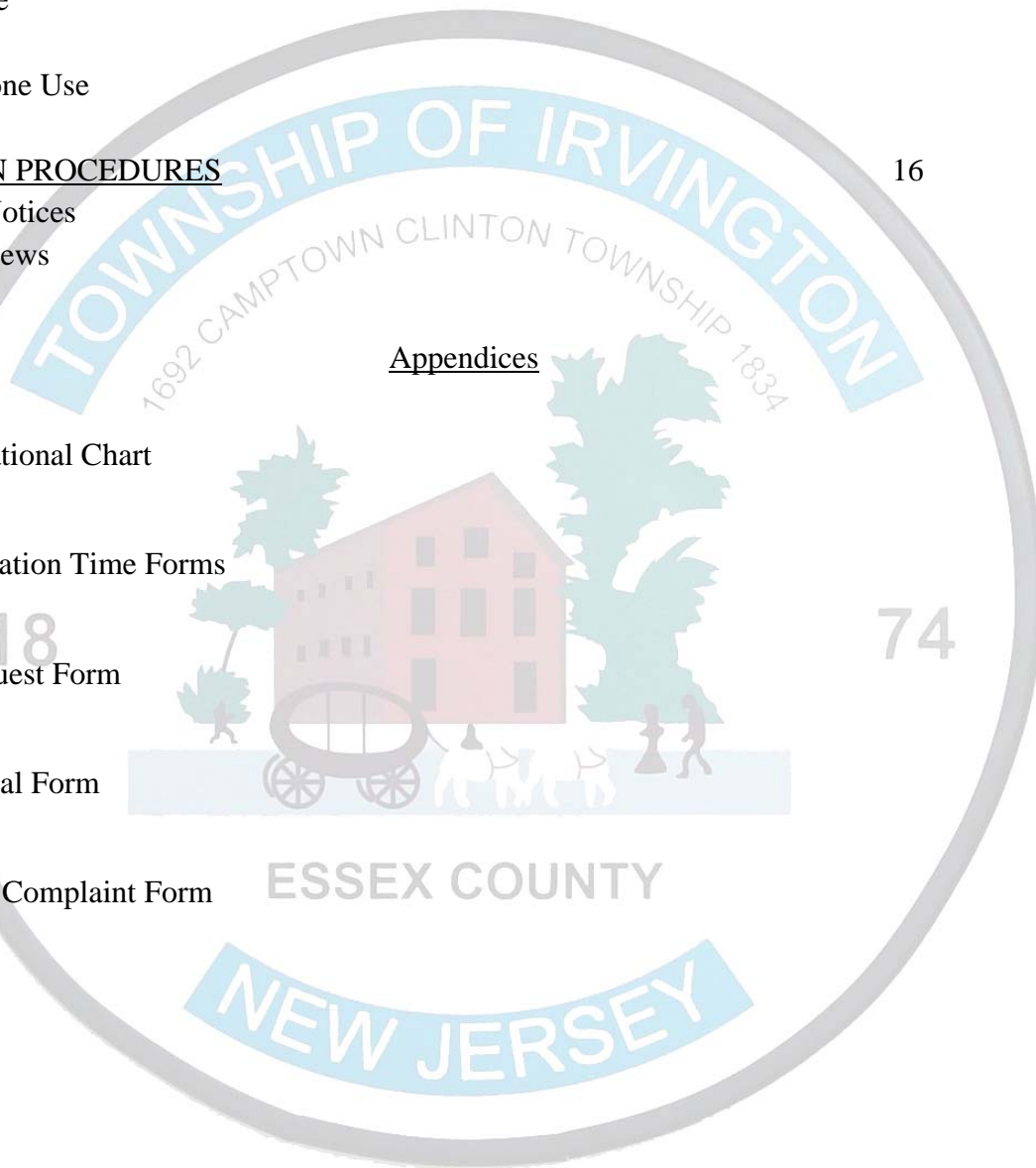
Parking Permit Decal Form

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## **Preliminary Statement**

Please be advised that because this Employee Handbook covers both bargaining and non-bargaining staff members, it is not meant to alter the terms of any current Collective Bargaining Agreement ("CBA") or the nature of any "at-will" employment relationship. This Employee Handbook is issued in order to provide notice to staff members of different policies which impact the terms and conditions of their employment. The Township reserves the right, at any time, to enforce the explicit terms of a CBA or an individual employment contract. Further, this Employee Handbook does not create any separate/additional employment relationship or right(s), and the contents herein are subject to change, at any time, and without prior notice.

### **1. INTRODUCTION**

- **Welcome from the Leadership Team**

We are very pleased to welcome you to the Township of Irvington (hereafter "the Township"), and we wish you a long and successful career. Our Township is full of opportunities for career advancement and skill development of our staff. We offer a number of benefits to support the varied needs of our staff. You are here because we believe you are qualified and possess the talent to support the Township's single mission of providing Irvington residents with a clean and safe environment that continually meets their needs through the provision of exceptional service.

As you review this handbook, please be reminded that this handbook is not inclusive of all the information you will need to be successful in this Township but rather provides some of the most helpful policies and information regarding several aspects of the terms and conditions of your employment. You are directed to consult Federal/State law, the full breadth of Township Policies, your respective Collective Bargaining Agreement (hereafter "CBA") and union representative (if applicable) and speak to your immediate supervisor for more information.

- **Information about the Organization**

The Township envisions a community of contributors and collaborators dedicated to the Township's excellence through a combination of dedication and hard work, ideas, compassion and practical application of acquired skills and knowledge, with the goal being the resurgence of the reputation of the Township and a stark improvement in the quality of life for our residents.

- **Community Service/Volunteering**

The Township believes that when staff members give additional time to community events and activities, they provide an invaluable contribution to the lives of our residents. We encourage all staff to volunteer and participate, before and after work, in positive activities sponsored, endorsed and/or spear-headed by the Township and community organizations.

- **Organizational Chart**

Please familiarize yourself with the Organizational Structure of the Township. (See Appendix I). The Organization Chart not only spells out the chain of command, but it identifies our various departments and identifies specific officers you may need to contact. Please ensure you abide by the chain of authority in addressing and resolving workplace issues. Where applicable, the Township encourages the participation of the Union in addressing workplace issues, and requests staff are always mindful to include their Union in any meetings where they feel representation is necessary.

- **Professionalism and Customer Service**

Notwithstanding the Organization Chart, all staff are reminded that they are the employees of the residents of the Township of Irvington. All manner of engagement (i.e. in-person, telephone and email) is to be informative and professional at all times. The Administration takes complaints by residents very seriously and will investigate all complaints against employees



who are identified by the public as having been curt, disrespectful or otherwise unprofessional. Repeat offenders will be disciplined, via suspension without pay. The public is to be treated with the respect.

## 2. JOINING THE ORGANIZATION

- **Working Hours**

Town Hall's business hours are 9:00 am – 4:30 pm Monday through Friday. Your work hours may vary depending on your title, duties and whether you are part of a collective bargaining unit. In addition, there are holidays, professional development days and leave time, which you are entitled to, that will make your work days and time vary during the year. You are reminded to remain aware of your working hours and the need to arrive at your location, prepared to work, in a timely manner.

The Township utilizes a hand scanner at various locations throughout the township, in order to record your arrival / departure times and your lunch. You must enter your employee ID number, which can be obtained from Payroll, place your hand in the scanner, and wait for confirmation of your punch. Speak to your supervisor to learn where the scanner is for your site, and meet with Payroll to be entered into the system.

Please be aware that your work hours and therefore pay is maintained by the hand scan system. Failure to punch in/out may result in delay or non-payment of salary during the relevant pay period. The Township will make reasonable efforts to ensure duly earned pay is returned to a staff member due to a missed punch(es); however, staff who consistently miss punches are subject to disciplinary action. Consistently is defined as two or more missed punches in the same pay period.

- **Access to Building and Car Parking**

With exception to Town Hall, Township building hours, access and parking vary by location. Your access and parking are determined by permissions on your Township I.D. Card, which also doubles as your building key, and the issuance of a parking permit, as set forth by ordinance and policy.

The Township's primary goal is the safety of our staff and residents. Please be mindful when entering/exiting the parking lots of each building and be aware of your surroundings at all times while traveling through the Township. Please stow your personal effects out-of-sight and ensure your vehicle is locked. When traveling to Town Hall or other locations within the Township, please be prepared to produce your Township I.D. Card, as you may be asked to produce same, by security, upon entering the building.

To be assigned an I.D. Card or to be assigned a parking space, please contact the Office of the Business Administrator. Replacement of a lost I.D. Card is subject to a fee charged to the staff member of \$5.00, without exception. Violations of the employee parking ordinance and the rules established thereto by the Business Administrator will subject you to ticketing, towing, and/or discipline.

- **Dress Code**

The Township's dress code is clearly articulated in Administrative Directive No. 6. The Administration believes the attitude of staff members regarding their professional responsibilities is reflected in each staff member's dress and appearance. Accordingly, please align your dress and appearance with the standards established by the Administration.

## 3. REMUNERATION AND BENEFITS

- **Compensation Time and Overtime**

Must be pre-approved, in writing, by your Director and the Business Administrator and on the proper form. If same does not occur, you will be subject to discipline, including suspension for multiple violations. It is the responsibility of the employee to



have an executed form approving his/her overtime prior to working same.

- **Salary and Wage Payments**

For all staff members of a collective bargaining unit, your salary is set by the Township salary guide and any pay increases will be based upon your respective negotiated salary increases, your placement on the salary guide for your title and any salary adjustment, stipends and promotions during your tenure with the Township. With the exception of your negotiated contract, such changes are based on individualized circumstances and not all employees will be similarly situated.

- **Salary Deductions**

Each employee is entitled to their full pay for time worked, subject to Federal/State deductions, Court Order, CBA (i.e. Union dues) and any other deduction required by law or under the rule of law. In addition and as a matter of Township policy, no additional deductions will be made from your salary without your authorization, except for written agreement with your Union, time lost through leave (with/without Township consent), overuse of days, and accident.

- **Terminal Pay**

Some employees, pursuant to their CBA, are entitled to a pay-out upon retirement of available P.T.O. (usually accumulated Sick Time) at a pre-determined rate per day and capped at a number of days no matter how many are accrued. However, many contracts contain a requirement that the employee file a "Notice of Intent" to claim this benefit a year prior to the year in which the retirement becomes effective. The failure to file this notice will allow the Township to defer all or part of this benefit to the year following your retirement.

#### 4. TRAVEL, REIMBURSEMENT AND PURCHASING POLICY

- **Mileage Reimbursement**

For those employees who utilize their personal vehicles to conduct Township business, based upon the prior written consent of the Business Administrator, you will be entitled to the IRS reimbursement rate in effect at the time you seek reimbursement.

- **Expense Reimbursement**

Where expenses have been incurred in the performance of your duties and/or to obtain goods/materials on behalf of the Township, and provided that you have obtained written pre-approval to incur this expense with reimbursement, the Township will reimburse you for all reasonable expenses incurred as part of undertaking your role. You should submit all receipts in accordance with the expenses claimed and follow all appropriate guidelines set by the Division of Purchasing. Please note that, where expenses are submitted to the Township for repayment more than thirty (30) days after the expense is incurred, the expense will not be reimbursed.

- **Personal Effects/Insurance**

Outside of any Workers' Compensation or other insurance maintained by the Township for the safety of our staff, you are responsible for procuring and maintaining insurance coverage for your person and all personal property traveling with you.

- **Purchasing Requirements**

Please be advised of the following with respect to procurements requirements for all departments/divisions: STAFF ARE PROHIBITED FROM OBTAINING ANY GOOD/SERVICE WITHOUT A VALID PURCHASE ORDER. There is a Purchasing Manual, which contains more detailed information and procedures on procurement. The below is provided as a quick reference guide. In order to properly procure a good or service, staff must complete the following steps:

1. Obtain quotes for the good/service (if the total amount to be spent exceeds \$6,000.00 for the good/service you are



purchasing):

- a. The vendor from which you request quotes and determine to make the purchase from must be properly registered with the Purchasing Division in order to generate a PO (see below). If it is not, the vendor must complete appropriate paperwork to be entered into the purchasing program. For additional guidance please contact Purchasing;
2. Create a requisition based on the quotes for the good/service and have your Director sign the requisition;
3. Obtain first level (Director), Second Level (Purchasing) and third level (CFO of Revenue and Finance) approvals in the purchasing program and go to the Revenue and Finance Office to obtain a printed Purchase Order once all approvals are entered; and
4. Obtain all required signatures on the Purchase Order, return same to Purchasing and maintain a copy for your records.

There is a Purchasing Manual that provides additional guidance that can be obtained from the Department of Revenue and Finance.

## 5. VEHICLE POLICY

### • Use of Company Cars

With the exception of Directors and the Chief(s) of uniformed personnel, all staff that operate Township vehicles while carrying out their professional duties are reminded of the following:

- the Township vehicle is for Township-related business only and any personal use shall result in disciplinary action;
- you must remain fully qualified to operate a motor vehicle under the laws of NJ and be prepared to present your license upon demand;
- you must ensure the vehicle is operated in a safe and lawful manner, including advising the appropriate maintenance staff of any unusual operation (i.e. the vehicle fails to start consistently) or of any incident which could impair the mechanical/physical soundness of the vehicle (i.e. hitting a pothole). Please use a vehicle Incident Form from the Office of the Business Administrator to report such an issue;
- no one other than a duly authorized Township employee may operate the vehicle;
- you must not operate the vehicle in an illegal manner (e.g. under the influence of alcohol, speeding, etc.); and
- you are required to pay for any traffic infringement/parking fines imposed while operating the vehicle, including the destruction or loss of keys, vehicle fixtures such as mats and internal components such as knobs, dials and buttons. The vehicle is expected to remain in similar condition as before your use.

All staff Directors and the Chief(s) of uniformed personnel will be subject to Publication 15-B, effective Tax year 2017 and thereafter.

### • Use of Own Car – Reimbursement

As stated above, there will be times when you use your car for work related business. If you use your own car to conduct the Township's business, then the following will apply:

- mileage for the Township's business will be paid at the IRS approved rate(s), with proper written pre-approval;
- parking, towing and traffic fines (e.g. speeding) will not be reimbursed; and
- car parking costs will be reimbursed for business related parking as long as a receipt is submitted in line with the expense reimbursement procedure.



## 6. PERFORMANCE DEVELOPMENT

- **Annual Performance Evaluation Process**

While it is the responsibility of each staff member to perform the functions of his/her position as expected and necessary to efficiently execute his/her duties, performance evaluations offer a staff member the opportunity to see their work habits from the perspective of his/her supervisor and address actual and perceived deficiencies before disciplinary action ensues. To that end, Directors (and/or Supervisors) are to ensure that each staff member within their Department/Division receives an annual written evaluation. Said evaluations are meant to objectively measure performance and set future goals related to the staff member's position. Evaluations are to be performed and evaluation meetings are to occur no earlier than December 1<sup>st</sup> and no later than December 31<sup>st</sup> of the current calendar year. All other on-going means of addressing performance, such as Counseling Letters, Department-level Policies, Administrative Directives, Written Reprimands and/or Corrective Action Plans will continue throughout the year.

*The aim of our performance appraisal process is to provide you with guidance, to help you to achieve your job and career goals, to recognize your achievements and to ensure the Township's strategic goals are achieved. You will have the opportunity to participate in planning your work and setting your goals in conjunction with your supervisor on a regular basis and formally during your annual appraisal meeting. Your supervisor will provide you with regular coaching and feedback. The performance appraisal process is an opportunity for two way communication and honest feedback about your work and your future career with the Township.*

- **Professional Development and Training**

It is the responsibility of each Department/Division Director to budget for and provide staff members with on-going professional development opportunities in the areas that support the overall mission and function of the Department/Division. Although it is the expectation of the Township that each staff member shall satisfy the minimum requirements of his/her title, the Township, at its discretion, may provide additional professional development for any staff member who fails or is struggling to meet the performance standards established by the Township, as documented in the staff member's annual evaluations or due to the issuance of discipline. The additional professional development shall be designed to correct the needs identified in the annual evaluations and any other pertinent performance evaluation (i.e. written reprimand or Corrective Action Plan).

A corrective action memorandum shall be developed by the Director and/or Supervisor and staff member to address deficiencies outlined in the evaluations when the staff member receives a rating that their Director/Supervisor deems insufficient. The Corrective Action Plan shall include timelines for corrective action and responsibilities of the staff member and the Township for implementation of the plan.

- **Study Support and Tuition Reimbursement**

While the Township believes the training and development of its employees is essential to achieving its goals, it is imperative that trainings take place during non-work hours to ensure continued effectiveness of department operations and service to the public. Notwithstanding, training/development opportunities that will impact the working hours of any staff member will be approved on a case-by-case basis, with the express consent of the Business Administrator and Department/Division Director. To qualify, you must be employed a minimum of six (6) months and not be a temporary/seasonal staff member. While you are free to take as many courses as you choose, the Township will only approve up to a certain amount of funds dependent on your applicable CBA or Township policy. To qualify for reimbursement, you must pass your course with a grade of "B" or better and produce all documentation required by Township policy.

If you wish to pursue a course of academic study relevant to the needs of the Township and your role within it, please discuss this with your immediate supervisor. If it is seen to be beneficial to the Township then study support, including financial aid, may be given with the approval of the Business Administrator. Study support can include payment of educational expenses on your behalf, including tuition, institution fees or other approved costs. The amount per employee is



equal for all employees, but the cap per employee will vary depending on the funding set aside within each calendar year budget. Such a set aside will depend on the overall financial health of the Township and before beginning a course of study, you should be aware that there may be years that no funding for tuition reimbursement would occur. For more information, please contact the Office of the Business Administrator to obtain a Pre-approval Form.

## 7. CODE OF CONDUCT

- **Conflict of Interest**

During your employment, you must not undertake any activity or have any interest (e.g. memberships, directorships, shares, or contract) with any person or in any organization which may be doing business with the Township or otherwise engaged with the Township. In addition, you must immediately notify your department Director, in writing, upon becoming aware of any potential or actual conflict of interest involving you and/or another staff member during your employment. Your department Director will be responsible for advising you with respect to addressing the concern/issue giving rise to the potential conflict and/or referring the matter to the Business Administrator and Township Attorney.

- **Outside Employment**

Any employee holding a job with another organization must demonstrate satisfactory performance in his or her job responsibilities with the Township at all times. All employees will be expected to meet the job performance standards established by the Township and will be subject to the Township's work and scheduling demands, regardless of any other outside work requirements. If the Township determines that an employee's outside work interferes with his or her job performance or the ability to meet the requirements of the Township at any time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the Township. A refusal to comply with the Township's reasonable request to terminate outside employment may result in immediate termination of employment with the Township, subject to any applicable collective bargaining agreement and Civil Service regulations. If an employee's outside employment presents a conflict of interest with the Township, as defined in the Conflict of Interest Policy, or if such outside employment has any potential for negative impact on the Township, the employee will be asked to terminate the outside employment.

Please refer to the Conflict of Interest and the Code of Ethics Policy, or contact your Director with questions about this policy. The above policy applies to staff not required to complete the annual State of New Jersey Financial Disclosure Statement.

- **Code of Ethics**

The Township believes each staff member has an inherent responsibility to serve as an example to the residents of this Township and to act towards his/her colleagues, residents and community organizations with the highest possible degree of ethical conduct. The acceptance of gifts, tips, and other items must have a value within the legal limits and shall be scrutinized by the Administration upon learning of same. It is strongly recommended that any staff member who accepts a gift in the course of performing his/her duties, disclose same in writing and submit this correspondence to the Business Administrator and Township Attorney before acceptance.

- **Code of Conduct (Judiciary Employees)**

Municipal Court staff are also required to follow the Code of Conduct for Judiciary Employees. For further guidance, please conduct the Director of the Municipal Court.

- **Inappropriate Staff Conduct**

The Township holds all staff to the highest level of professional responsibility in their conduct with all residents. Such conduct should be solely purposed to protect the health, safety and welfare of each resident. Staff members shall conduct themselves appropriately at all times and shall not engage in inappropriate conduct, language and/or expression towards or in the presence of residents and visitors to the Township. Further, to the extent not covered by the above, staff members



shall comport themselves in a manner that avoids actual and/or the appearance of inappropriate conduct.

- **Smoking in the Workplace**

The Township operates a non-smoking workplace on all premises owned/controlled by the Township. Smoking is not permitted anywhere on Township property, including private areas not open to the public. This prohibition includes traditional cigarettes/pipes as well as e-cigarettes and other vapour-based products. In addition, there is no smoking within 100 feet of any Township property. Anyone in violation of this policy will be subject to disciplinary action.

- **Confidentiality**

The Township is a public entity subject to the disclosure laws of the Open Public Records Act and the Open Public Meetings Act, in addition to subpoenas, Court Orders and other legally issued documents. Notwithstanding, there are additional laws (e.g. HIPPA) that require the Township maintains employee records and conduct other business with the strictest confidence. To that end, in the course of your employment you may come in contact with or have access to confidential information. Such information is strictly confidential and must not be used or divulged (directly or indirectly) by you, either during or after your employment with the Township. A breach of confidentiality is a very serious matter and may be grounds for your dismissal.

- **Copyright and Protection of Intellectual Property**

You agree that you are not entitled to any copyright or moral right in or arising from any work you produce in the course of your employment with the Township. This includes any program, strategy or system you develop during your employment with the Township. Any copyright or merchandising rights in such work shall be the sole and exclusive property of the Township in accordance with the Copyright Act 1994.

- **Distribution of Media and Other Solicitation**

The written approval of the Business Administrator is required before any staff member distributes any material/solicitation on or around Township property. This limitation also applies to verbal solicitations, but does not apply to those materials and discussions allowed under any CBA or any other recognized right of a Union under *Weingarten*.

- **Privacy Relating to the Treatment of Personal Information**

The Township is a public entity subject to the requirements of the Open Public Records Act (OPRA). Notwithstanding, personnel records are not public and therefore not open to inspection, except as required by release, authorization and/or law. These official employee personnel records are maintained by the Office of the Business Administrator and the confidentiality of the contents therein are protected by Federal/State statute and regulation. If you seek the disclosure of your personal information, you must provide a written request that identifies the individual or corporation to which you seek the disclosure and submit this request to the Office of the Business Administrator for approval.

## 8. DISCIPLINARY PROCEDURES

The Township imposes discipline only where appropriate and seeks to do so in a progressive manner. The Business Administrator, your Director and/or immediate Supervisor shall deal with disciplinary matters on a case by case basis and can issue discipline ranging from verbal warnings to a recommendation to the Business Administrator for termination. Please refer to Administrative Directive No. 3 for more information. If you are a member of a bargaining unit, please refer to your collective bargaining agreement as well.

- **Disciplinary Action**

The Township may invoke the following procedures in a situation where there is, for example: inadequate performance,



misconduct, a breach of the employment agreement and/or employee handbook. The Township may, but is not limited to:

- Step 1. Issue a verbal warning or written warning for violation of any directive, policy, practice or procedure (do not submit to Personnel file);
- Step 2. Issue a Counseling letter noted to the Personnel file for the violation of any directive, policy, practice or procedure;
- Step 3. Issue a written reprimand noted to the Personnel file for violation of any directive, policy, practice or procedure;
- Step 4. Suspension of 1-5 days noted to the Personnel file for the violation of any directive, policy, practice or procedure;
- Step 5. Suspension of 6 or more days or termination.

Please refer to Administrative Directive No. 3 for further guidance.

Where serious misconduct is deemed to have occurred you may be dismissed without notice. In the case of Civil Service staff members, appropriate dismissal procedures will follow. The Township reserves the right to issue a Corrective Action Plan to correct deficient performance. Examples of serious misconduct may include, but are not limited to:

- (a) Any material breach of the terms of the employment agreement or employee handbook;
- (b) Any dishonesty or theft;
- (c) Any situation where you behave in a manner likely to bring you, or the Township into disrepute;
- (d) Wilful damage of the Township's property;
- (e) Falsification of the Township's records;
- (f) Any acts of violence, threatened violence or harassment against another person while in the course of duties for the Township;
- (g) Any situation where you take unauthorized absence from work;
- (h) Wrongfully disclosing the Township's records/information;
- (i) Intoxication or using illegal substances or drugs whilst on the Township's business; and
- (j) The inappropriate use of electronic media, including pictures and the internet.

#### • **Resolving Employment Relationship Problems**

- Employees are encouraged to talk to their immediate supervisor. It is ideal if problems can be resolved among the individuals involved.
- If the problem can't be resolved informally, all members of a bargaining unit are directed to consult their respective collective bargaining agreement and follow the grievance procedure therein. For non-bargaining employees please seek the assistance of the next-level administrator in resolving the issue.
- If the matter is of a discriminatory, retaliatory or harassing nature, refer to the Employment Related Policies below.

### 9. EMPLOYMENT RELATED POLICIES

#### • **Equal Employment Opportunity (EEO)**

The Township is an equal opportunity employer and is committed to promoting equal opportunities regardless of religious belief, age, color, race, creed, marital status, gender, sexual orientation, political affiliation, ethnic origin, family status, pregnancy or any disability you may have. This commitment applies to all areas of the work environment, all employment activities, resource allocation and all employment terms and conditions. Selection criteria and procedures aim to ensure that employees are selected, promoted, and treated on the basis of their relevant experience, merits and abilities.



- **Discrimination and Harassment**

Employees need not tolerate harassment in the workplace. If any staff member feels they have been subjected to any form of discrimination/harassment (sexual, racial, political, social, or religious) it may be discussed (confidentially) with the Business Administrator who will thereafter refer the matter to the Township Attorney for investigation. The Township does not condone or tolerate harassment in any way and such conduct may lead to dismissal or other appropriate action being taken with respect to the person found guilty of such conduct.

*What is discrimination?*

Discrimination is the prejudicial (prejudicial or inferior) treatment of an individual or group based on their actual or perceived membership in a certain group or category. It is illegal to discriminate on the basis of age, sex, sexual orientation, race, disability, family, marital or employment status, political opinion, religion, and ethnic origin.

*What is harassment?*

Inappropriate, unwanted behavior that offends another or makes a person feel humiliated or intimidated at work. Harassment may include bullying, intimidation, insults, malicious gossip, insults and/or victimization.

*What is sexual harassment?*

Sexual harassment is behavior of a sexual nature (including the use of words, actions or visual material) that is unwanted by the receiver and has a detrimental effect on their work, performance or job satisfaction.

Examples are:

- sexual assault
- uninvited touching
- jokes or comments of a lewd character
- making promises or threats in return for sexual favors
- obscene or pornographic email messages, images, items
- inappropriate or excessive comments on clothing or physical characteristics; and
- unwelcome social attention or telephone calls at home or work

*How do I deal with discrimination and/or harassment?*

Any person who is being discriminated against or harassed has the right to complain and take action to stop this behavior. If you experience harassment or discrimination you should:

- immediately notify the violator that the behavior is unwanted and unacceptable to you; and
- report the matter to your immediate supervisor, your Director, the Business Administrator and/or the Township Attorney. If the violator is your immediate supervisor (who, in some instances, may be your Director) all reports/complaints are to be made in writing to the attention of the Business Administrator, who will refer same to Legal for a full investigation.

The Township will maintain a written record of each formal complaint and how it was investigated and resolved. Written records will be maintained in confidence to the extent practical and appropriate. The keeper of the records will be the Legal Department. Written records will be maintained for at least the same period as the personnel records are maintained.



### *How do I deal with retaliation?*

The Township strictly forbids any form of discipline or negative treatment towards any staff member because that staff member has conscientiously acted in accordance with Federal/State law, reported any unwanted treatment or discrimination and/or provided information to any public body responsible for the oversight of the Township. Any staff member who feels they are being retaliated against and/or subjected to a hostile work environment is entitled to protection from this treatment by the Business Administrator and shall forward, in writing, allegations to this effect to the Business Administrator, in order to allow an opportunity to investigate these claims. Further, this individual can follow the same process for reporting discrimination and/or harassment.

### • **Health and Safety and Workers' Compensation**

The Township takes the welfare of its staff members with the utmost care. To that end, staff members are directed to follow all safety protocols for each building, emergency situations and work procedures, as a failure to do so could result in harm to yourself and others. Staff members are reminded of the following:

The Township will take all steps necessary to ensure that your health and safety is protected at all times.

As your employer it is our responsibility to:

- identify, manage and control hazards to establish safe work practices;
- provide information to foster awareness of health and safety;
- provide protective clothing and equipment as required;
- make adequate preparations for emergencies;
- record all accidents and "near misses" and investigate where necessary to ensure future accidents are avoided;
- ensure you are properly trained and supervised to do your work in a healthy and safe manner; and
- provide reasonable opportunities for you to be involved in the development of further health and safety.

As an employee it is your responsibility to:

- contribute to the process of hazard identification, analysis and control;
- ensure all work accidents and illnesses are reported and recorded as soon as possible but no less than 24 hrs;
- use any protective clothing and equipment provided;
- avoid any work which is unsafe;
- look out for the safety of fellow employees; and
- observe all workplace safety rules and hazard controls.

Any accident or injury at work should be recorded in writing pursuant to Administrative Directive No. 8 and brought to the attention of your health and safety representative, your immediate supervisor and/or Director. If you have any concerns about health and safety in your building (at your location) or any ideas about how health and safety can be improved, please discuss these with your Union representative and/or your immediate supervisor.

Staff members on Workers' Compensation are responsible for keeping their immediate supervisor, Director and Business Administrator informed of their work status. All disability documentation from the physician noting the employee's date(s) of absence from work and the diagnosis of the injury or illness must be provided to the Business Administrator. If this documentation is not provided, the employee's continued absence from work will be considered unauthorized and the Workers Compensation benefits, if any, will be suspended and disciplinary action will follow.

When an employee is able to fully return to work, written clearance from the treating physician documenting that the employee is



fully capable of performing regular job duties must be provided to the Business Administrator. Any employee returning from an absence due to Workers' Compensation must obtain a Return to Work Notice from the Office of the Business Administrator. All Workers' Compensation claims are subject to investigation by the Township and the Township's third party administrator. Lastly, the Township reserves the right to have any employee independently examined for fitness for duty.

The Township does provide for "light duty" on a case-by-case basis. All light duty assignments are at the discretion of the Business Administrator and your assignment is subject to the needs of the various departments/divisions throughout the Township (See Administrative Directive No. 7). If at any time the need for a "504 Accommodation," which will allow a staff member to perform his/her essential functions, arises, staff members are expected to engage in the "interactive process" with the Administration. For further guidance on the applicable form and process please see Administrative Directive No. 9. The Township reserves the right to have any employee, who is out due to Workers' Compensation, to undergo a fitness for duty examination before his/her return.

#### • **Abandonment of Employment**

The Township adheres to strict requirements regarding staff attendance. The Township expects employees to be present for their scheduled work days. Notwithstanding any leave of absence, sick day, personal day or vacation allotted or taken by a staff member, your whereabouts and reason(s) for your absence are to be communicated to the Township, via your Department/Division Director at all times and where appropriate, the Paid Time Off (PTO) forms are to be completed.

Any absence period in excess of three (3) days without contacting your immediate supervisor will be designated Absent Without Leave (AWOL) and will result in disciplinary action, up to and including termination. In addition, you may suffer a loss in pay for being absent from work and failing to properly submit a request for PTO. In addition, you may suffer a loss in pay for being absent from work and failing to properly submit a request for PTO.

For additional guidance, please refer to the "Leaves of Absence" section below and Administrative Directive No. 10.

#### • **Alcohol and Drugs**

The Township recognizes that chemical dependency is an illness. Notwithstanding, employees under the influence of drugs, alcohol and medication(s) can cause injury to themselves and others. The Township has a responsibility to ensure the health, safety and welfare, at work, of their volunteers, employees and visitors. While at work, an employee is prohibited from the following:

- possessing or using illegal drugs at the workplace or during the course of their scheduled work hours; and
- being under the influence of drugs or alcohol.

Further, there is a range of medication which can affect performance, including pain relievers and sleeping pills. An employee, who is using legally prescribed medication that may impair performance, is required to advise his/her immediate supervisor of this.

If there is any doubt about the employee's alcohol or drug use on the job or during business related activities, the Township will require a test. An admission by the suspected employee as to the use of drugs and/or alcohol or being under the influence of same during an employee's scheduled work hours will be treated as a positive test. The Township may if circumstances warrant help employees who are addicted to alcohol or drugs by referring them to our Employee Assistance Program (EAP). The Township will pay for a one-time referral. An employee who is referred to our EAP for drug or alcohol rehabilitation must enter the program and stay in the program for the period prescribed by the medical professional as a condition of continued employment. If necessary, additional leave will be granted for the employee to participate in a rehab treatment program. Our Township's drug testing policy is aimed at stopping drug abuse through rehabilitation.

*It is every employee's responsibility to take reasonable care of the health and safety of others in the workplace and ensure that their performance and actions are not impeded by the use of drugs (either legal or illegal). If you suspect that any*



*employee is under the influence of drugs or alcohol, it is your responsibility to communicate this to your immediate supervisor.*

- **Media**

Only the Mayor (or his designee) and the Business Administrator are permitted to speak with local, regional and national media on behalf of the Township. You must refer all media requests to the Office of the Mayor or in the absence of the Mayor from the Township, the Business Administrator.

- **Employment of a Spouse or other Relative**

It is the Township's policy not to discriminate in employment and personnel actions with respect to employees, prospective employees, and applicants on the basis of marital/family status. No employee, prospective employee, or applicant will be denied employment or benefits of employment solely on the basis of marital status. However, the Township retains the right to:

- Refuse to place one spouse (or other relative) under the direct supervision of the other spouse where there is the potential for creating an adverse impact on supervision, safety, or morale.
- Refuse to place both spouses (or otherwise related persons) in the same department, division, or facility where there is the potential for creating an adverse effect on supervision, safety security, or morale, or conflict of interest.

The Township will allow the transfer of spouses between departments in order to accommodate married employees when possible and consistent with the Township's business needs.

## 10. LEAVES OF ABSENCE

- **Family Medical Leave Act (FMLA)**

The Township provides FMLA in accordance with Federal law. Eligible staff members shall be entitled up to twelve (12) weeks of leave in any twelve (12) month period, upon advance notice, for the allowable reasons provided under FMLA. FMLA is unpaid and not provided in accordance with any leave allowance under an applicable CBA. In addition, FMLA may run concurrently with any other leave time provided by contract and/or State law. For additional guidance, please consult Administrative Directive 10.

- **New Jersey Family Leave Act (NJFLA)**

The Township provides NJFLA in accordance with State law. Eligible staff member shall be entitled to up to twelve (12) weeks of leave in any twenty four (24) month period, upon advance notice, for the allowable reasons provided under NJFLA. NJFLA is unpaid and not provided in accordance with any leave allowance under an applicable CBA. In addition, NJFLA may run concurrently with any other leave time provided by contract and/or Federal law. For additional guidance, please consult Administrative Directive 10.

- **New Jersey Family Leave Insurance Program (NJFLI)**

The Township abides by NJFLI pursuant to State law. Eligible staff members shall be entitled to up to six (6) weeks of family leave insurance benefits payable to covered employees from the New Jersey State Plan upon advance notice. In addition, NJFLI may run concurrently with any other leave time provided by contract, State and/or Federal law. For additional guidance, please consult Administrative Directive 10.

- **Disability**

The Township will provide for a disability leave in accordance with Federal and State law and any CBA (if applicable).



- **Military Leave**

The Township will provide for military leave in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Further, members of State militia (i.e. New Jersey National guard, New Jersey Naval Militia Joint Command) shall be entitled to pay for the duration of any deployment.

**Sexual Violence Leave**

The Township will provide for leave in accordance with the provisions of N.J.S.A. 34:11C-1 et seq. For additional guidance please consult Administrative Directive 10.

**Other types of Leave (i.e. Paid Time Off):**

- Sick Leave:
  - Sick days are to be utilized for illness only. Abuse of sick days when there is no illness will result in disciplinary action. The Township utilizes the Attendance Improvement Policy to help notify and correct the abuse of Sick time. A doctor's note is required when taking multiple days absence (generally 3 or more) due to illness. Please consult your CBA for additional guidance.
- Personal Leave:
  - Personal days can be taken at the discretion of the staff members, limited by the yearly allotment/accrual of days; and
- Vacation:
  - Requests for Vacation must be entered no fewer than seven (7) days prior to the anticipated date it will be taken; and
  - No staff member will be allowed to carryover excess unused vacation days unless he/she can demonstrate, in writing, that his/her request to use time was denied by his/her Director, due to the pressure of Township business (please use the proper PTO form).
- Compensatory Time Leave:
  - Compensatory Time is accrued by performing work and accepting the accumulation of time on the books rather than the payment of overtime. Generally, Compensatory Time requires 3-5 days' notice and approval to your department/division Director before it can be scheduled off. Please consult your respective CBA to determine how this requirement applies to you.
- Bereavement:
  - Bereavement is granted to employees for making funeral arrangements, attending the funeral and burial, paying respects to the family at a wake, dealing with the deceased's possessions and Will, and any ancillary matters that employees must address when a loved one dies. The Township's negotiated agreements vary by bargaining unit but generally immediate family members are defined as an employee's spouse, parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, or grandchild. The death of an immediate family member provides for three (3) working days of leave. Non-immediate family members are generally defined as brother-in-law, sister-in-law, son-in-law, daughter-in-law, or aunt or uncle. The death of a non-immediate family member provides for one (1) working day of leave.
  - The Township will require proof of death, in order for an employee to claim Bereavement time. For more specific information on your particular entitlement or obligation, please consult your respective CBA.

- **Jury Service**

Jury duty is a civic requirement of all employees and the Township expects each employee to participate in this service and will support their participation in same. Notwithstanding, abuse of jury duty to gain additional time-off will not be tolerated. For example, if you are called for jury duty but dismissed so early as to not receive credit for service, you are expected to



return to work. Only those days, noted by the Court as “credited” for service will be accepted by the Township, and you are required to produce written documentation from your Court of service for all absences due to Jury Duty. All time, not accounted for, may result in disciplinary action.

- **Applying for a Leave**

While the Administration understands this will not always be possible due to emergency and other circumstances, you are strongly encouraged to apply for a leave, in writing, at least thirty (30) days in advance of your anticipated absence, in order to receive timely approval. You must attach all necessary documents to your request for a leave, including a doctor’s certification. For additional guidance, please refer to Administrative Directive 10 and/or contact the Office of the Business Administrator x 6706.

- **Returning to Work**

For all approved leaves involving physical injury (i.e. Workers’ Compensation) or medical need, you are required to obtain a Fitness for Duty clearance to return to work, with or without restrictions from a physician, and a Payroll Notice from the Office of the Business Administrator. For all other approved leaves you are required to obtain a Report to Work Notice from the Office of the Business Administrator. You must contact the Office of the Business Administrator five (5) business days in advance (where possible) of your anticipated return date to schedule a meeting to obtain your Report to Work Notice.

- **Donating Days**

In some instances, the Township may allow employees to donate PTO to other employees who are in need. This is not a “Sick Bank”. For further guidance please refer to Administrative Directive No. 14.

## 11. INTERNET/EMAIL/PHONE USAGE

The Township strictly forbids the use of Township owned equipment (i.e. phones, computers, iPads, copiers, etc.) and servers/wifi/internet for personal use at any time during the course of the work day, including lunch and break time(s). The Township further forbids the personal use of any Township property before/after working hours while on/off Township property. All personal data located on Township property, including downloads, pictures, documents and other data is subject to seizure by the Township at any time. For additional guidance on all usage restrictions outlined below, please see Administrative Directive Nos. 4 and 5.

- **Misuse of Internet, Email and Phones**

The Township’s electronic media are not to be used for any unauthorized purposes, including, but not limited to;

- The transmission of abusive, defamatory, obscene or racist communications;
- The searching for, perusal and /or downloading of pornographic or other objectionable material;
- Offensive material through the internet;
- The transmission of sensitive information about an individual; or
- Where such transmission would, or would be likely to, place the company in breach of the Privacy Act of 1974 and its revisions, federal statute and/or State law/regulation.

Vandalism is any malicious attempt to harm or destroy equipment/data of another user or any other agency or network(s) that are connected to the Township’s system. This includes but is not limited to, the physical destruction of equipment and the uploading or creation of computer viruses. Such conduct, as described above, is grounds for immediate termination.



- **Security**

You should never share access with someone else by giving him or her your password, unless it is a supervisor or Director. If this does occur, then you should alert IT and change the password (immediately), to ensure that your computer files are not exposed to abuse. You are responsible for your own account(s) and this means taking measures to ensure others cannot use it. Passwords are only effective if they are selected wisely; therefore your spouse's name or your birth date are not acceptable.

You should ensure your computer(s) or other electronic device (ie. iPad) is shut down correctly and turned off when you leave the office. This ensures unauthorized persons do not have access to the network in your absence.

- **Physical Security of Computer and Phones**

You are required to take reasonable steps to ensure the protection of all Township equipment provided to you in connection with your duties, including your computer and phone, from damage from improper use, food and drink spillage, and good housekeeping procedures.

- **Software Purchases and Copyright Infringement**

All software used on the Township's computing systems is copyrighted. All purchases of new software must be approved by the Business Administrator. Software must not be copied unless the relevant license agreements allow it. You cannot use Township equipment and software to violate US copyright laws and any violation(s) will result in disciplinary action, including dismissal.

- **Internet Use**

Internet usage is limited to work purposes and must not result in the access of material that is offensive or objectionable. Moreover, the email system must not be used to send or receive, without prior authorization, confidential information including but not limited to copyright materials, company, financial or personnel information or similar materials. Further, the email system cannot be used to commit acts which are objectionable, discriminatory, and/or illegal. Personal use of the internet is PROHIBITED.

*The Township may, at any time, review, intercept, access and disclose your internet usage. Staff must comply with US copyright law and all other applicable laws.*

- **Email Use**

Email messages are limited to work purposes and must not contain offensive or objectionable material, and the email system must not be used to send or receive, without prior authorization, confidential information, including but not limited to, copyright materials, company, financial or personnel information or similar materials. Further, the email system cannot be used to commit acts which are objectionable, discriminatory, and/or illegal. Personal use of email is PROHIBITED.

The email system belongs to the Township and all email messages created, sent or received are the property of the Township and subject to publication, distribution and/or deletion at any time. Further you should be aware that there is no guarantee of privacy with an email message and that the Township reserves the right to access all aspects of employees' email at any time for any reason without notice to the employee. Finally, staff members are responsible for responding to emails within a 24 hour period. If this is not possible due to vacation or other time off, a response should be provided within a reasonable period of time.

- **Mobile Phone Use**

The goal of the Township is to serve its residents. To that end, personal phone usage should be kept to a bare minimum, and usage of a personal phone should never interfere with the performance of your duties.



The Township's internet, email and phone policy may be amended or revised from time to time. Public notice of all revised policies will occur in accordance with the Township's legal obligations. All staff will be required to be aware of current policies at all times. A breach of these policies may result in disciplinary action which could result in dismissal.

## 12. SEPARATION PROCEDURES

### • Required Notices

It is incumbent upon you to provide appropriate notice to the Township when you are concluding your employment:

- resignations – if you intend to voluntarily end your employment relationship with the Township, you must provide written notice of same and provide an explicit end date. In the event you are overpaid, due to your failure to give adequate notice, the Township will pursue legal action against you to recoup any overpayment.
- retirements – retirements can occur immediately when based on health or other factors which render appropriate notice impossible. However, notice in accordance with a resignation is the responsibility of each employee. Moreover, with respect to payment of retirement benefits, such notice allows the Township to provide timely payments through appropriate planning.

### • Exit Interviews

Prior to your separation from the Township, you will be required to complete an Exit Control Form with your immediate supervisor. Any additional compensation to which you may be entitled (i.e. payment of vacation or sick days) will not be processed until all Township property issued upon the initiation of your employment or accrued during your employment and an executed copy of this form are returned to the Office of the Business Administrator.



DECLARATION:

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

I have received a copy and understand it is my responsibility to read the Township of Irvington Employee Handbook. Further, I understand this document forms part of the Terms and Conditions of my employment, and I am bound to adhere to the requirements therein.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Please sign this page and return to the Office of the Business Administrator.

