

**BOROUGH
OF
LINCOLN PARK
NEW JERSEY**

EMPLOYEE HANDBOOK

DATED May 16, 2016

THE BOROUGH IS AN EQUAL OPPORTUNITY EMPLOYER

INTRODUCTION:

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

As a Borough employee, you have certain rights and obligations. Federal and State law as well as the Borough's policies cover such important areas as discrimination, safety, violence, harassment and conflicts of interest. Many common attitudes of the past have changed. Behaviors that were tolerated ten or twenty years ago in the workplace are no longer acceptable.

Employees have a right to a safe workplace free of discrimination, violence, harassment and conflict of interests and have an obligation to conduct themselves consistent with these policies. The Borough has a "no tolerance" policy towards workplace wrongdoing. This Employee Handbook adopted by the Borough Council sets forth the Borough's policies concerning these issues and many other Borough personnel policies. You are urged to read this Employee Handbook and become acquainted with its contents. By its very nature, a handbook cannot be comprehensive or address all possible situations. For this reason, if you have any questions concerning any Borough personnel policy, contact your supervisor, or if you prefer, your Department Head, or the Borough Administrator.

Neither this Employee Handbook nor any other Borough document, confers any contractual right, either express or implied, to remain in the Borough's employ. Nor does this Employee Handbook guarantee any fixed terms and conditions of your employment. The provisions of this Employee Handbook may be amended and supplemented from time to time without notice to you and at the sole discretion of the Borough Council.

All employees receiving this Employee Handbook are required to sign the acknowledgement of receipt of this Handbook found on page 39 herein; once signed, the acknowledgement must be provided to the Borough Administrator. A copy of this receipt will be maintained in each employee's official personnel file.

Perry T. Mayers

Perry T. Mayers, Borough Administrator

May 16, 2016

Date

NOTICE

THE CONTENTS OF THIS HANDBOOK ARE GUIDELINES ONLY AND SUPERCEDE ANY PRIOR MANUAL OR HANDBOOK ISSUED BY THE BOROUGH. NEITHER THIS HANDBOOK NOR ANY OTHER GUIDELINES, POLICIES OR PRACTICES CREATE AN EMPLOYMENT CONTRACT. THE BOROUGH HAS THE RIGHT, WITH OR WITHOUT NOTICE, IN AN INDIVIDUAL CASE OR GENERALLY, TO CHANGE ANY OF ITS GUIDELINES, POLICIES, PRACTICES, WORKING CONDITIONS OR BENEFITS AT ANY TIME.

NO ONE IS AUTHORIZED TO PROVIDE ANY EMPLOYEE WITH AN EMPLOYMENT CONTRACT OR SPECIAL ARRANGEMENT CONCERNING THE TERMS OR CONDITIONS OF EMPLOYMENT UNLESS THE CONTRACT OR ARRANGEMENT IS IN WRITING AND IS SIGNED BY THE BOROUGH ADMINISTRATOR AND THE MAYOR. EMPLOYMENT WITH THE BOROUGH IS AT-WILL AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE OR NOTICE BY THE EMPLOYEE OR BY THE BOROUGH.

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

EMPLOYEE HANDBOOK

TABLE OF CONTENTS

Introduction	2
Notice	3
General Personnel Policy	6
Specific Employment Policies and Procedures	
<u>Section One:</u> Policies relating to Employee Rights and Obligations	7
Anti-Discrimination Policy	7
Americans with Disabilities Act Policy	7
Contagious or Life Threatening Illnesses Policy	8
Safety Policy	8
Transitional Duty Policy	9
Drugs and Alcohol Policy	10
Workplace Violence Policy	11
General Anti-Harassment Policy	11
Sexual Harassment Policy	12
Whistle Blower Policy	13
Employee Complaint Policy	14
Grievance Policy	15
Access to Personnel Files Policy	15
Conflict of Interest Policy	16
Political Activity Policy	17
Employee Evaluation Policy	17
Employee Discipline Policy	18
Resignation Policy	20
Workforce Reduction Policy	20
Driver's License Policy	21
Requests for Employment Verification and Reference Procedure	21
<u>Section Two:</u> Workplace Policies	22
Job Description Policy	22
Attendance Policy	22
Early Closing and Delayed Opening Policy	22
Breaks	22
Dress Code Policy	23
No Smoking Policy	23
Use of Vehicles Policy	23
Telephone Usage Policy	23
Communication Media Policy	23
Video Surveillance Policy	27

Bulletin Board Policy	27
Employee Dating Policy	27
<u>Section Three:</u> Paid and Unpaid Time Off Policies	29
Scope	29
Paid Holiday Policy	29
Vacation Leave Policy	29
Personal Leave Policy	30
Sick Leave Policy	30
Bereavement Leave Policy	30
Jury Duty Policy	31
Leave of Absence Policy	31
Family and Medical Leave Act Policy	31
Domestic Violence Leave Policy	34
Military Leave Policy	35
<u>Section Four:</u> Compensation & Employee Benefits Policies	36
Scope	36
Payroll Policy	36
Overtime Compensation Policy	36
Health Insurance Policy	37
Dental Benefits Policy	37
Drug Prescription Benefit Policy	38
Prescription Eye Glasses Policy	38
Deferred Compensation Policy	38
Flexible Spending Account Policy	38
Retirement Policy	38
Workers Compensation Policy	39
Receipt for Employee Handbook	40
<u>Section Five:</u> Forms	41
FORM A - Employee Complaint Form	42

GENERAL PERSONNEL POLICY:

It is the policy of the Borough of Lincoln Park (hereinafter the “Borough”) to treat its employees and prospective employees in a manner consistent with all applicable employment laws and regulations. This Employee Handbook shall apply to all employees, volunteers, elected or appointed officials and independent contractors hired by the Borough. In the event there is a conflict between this Employee Handbook and any collective bargaining agreement, personal/employment services contract, or Federal or State law including the New Jersey Civil Service Act, the terms and conditions of that contract or law shall prevail. In all other cases, the policies and procedures set forth in this Employee Handbook shall prevail. This Handbook supersedes any prior personnel policies, manuals or handbooks adopted or used by the Borough prior to the date of adoption of this Employee Handbook by the Borough Council.

All employees shall be appointed and promoted by the Mayor with the advice and consent of the Borough Council as authorized by the Code of the Borough of Lincoln Park and all other applicable laws and regulations of the State of New Jersey. No person shall be employed or promoted by the Borough unless a position is created by an ordinance adopted by the Borough Council as well as the related and necessary budget appropriation and salary ordinance.

The Mayor and all managerial/supervisory personnel are responsible for the personnel policies and procedures of the Borough. The Mayor has appointed the Borough Administrator with the advice and consent of the Borough Council to assist the Mayor in implementing the Borough’s personnel policies and procedures. The Mayor and Borough Administrator shall also have access to the Borough’s Labor Counsel, (Douglas F. Doyle, Esq., of DeCotiis, FitzPatrick & Cole, LLP) who was appointed by the Borough Council to provide legal advice to the Borough.

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

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

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

SECTION ONE

Policies Relating to Employee Rights and Obligations

Anti-Discrimination Policy:

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

Americans with Disabilities Act Policy/ New Jersey Pregnant Worker's Fairness Act:

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

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

The Borough Administrator shall engage in an interactive dialogue with disabled employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the Borough Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough of Lincoln Park to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

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

Contagious or Life Threatening Illnesses Policy

The Borough recognizes that employees with certain contagious diseases and/or life-threatening illnesses may be able to continue their normal pursuits, including work, to the extent allowed by their condition. The Borough shall make reasonable accommodations for the known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of their job and also provided that the accommodation does not impose an unreasonable hardship on the Borough. The Borough will take reasonable precautions to protect an employee’s medical information from inappropriate disclosure, including the following:

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

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

Safety Policy

The Borough will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Borough 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 observe safety rules and/or failure to use available safety devices, including personal protective equipment constitutes grounds for disciplinary action. Any occupational or unsafe condition, practice, procedure or act must be immediately reported to a supervisor or Department Head. Any on-the-job accident or accident involving Borough property, facilities, equipment or motor vehicles must also be immediately reported to a supervisor or Department Head.

The Borough has established a Safety Committee that meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their Safety Committee representative.

Transitional Duty Policy

The Borough will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

The temporarily disabled employee or the Borough's workers compensation physician, shall notify the Borough Administrator as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will probably be able to perform the essential functions of the position after the end of the transitional duty period. The Borough Administrator will consult with the Department Head to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be in any department and not just within the employee's normal department. The Borough Administrator will decide if it is in the best interest of the Borough to approve a transitional duty request and will notify the employee of the decision. The Borough reserves the right to terminate the transitional duty assignment at any time without cause.

An employee may not refuse a transitional duty assignment that is recommended by the Borough's workers compensation physician. In such cases, the failure of an employee to report to work for a transitional duty assignment as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Borough Administrator who will render a written response within 24 hours.

Employees assigned to perform transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind during the transitional duty period unless they receive prior written approval from the Borough Administrator. If a transitional duty assignment is approved, the Borough's workers compensation physician must keep the Borough Administrator informed of the employee's medical progress. Employees assigned transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason. If at the end of transitional duty period the employee is not able to return to work without restrictions, the Borough reserves the

right at its sole discretion to extend the transitional duty period or place the employee back on workers compensation or disability. This policy does not affect an employee's rights under the ADA, the Family and Medical Leave Act ("FMLA"), the Fair Labor Standards Act ("FLSA"), the Contagious or Life Threatening Illnesses Policy described on Page 8 herein or other applicable Federal or State laws.

Drugs and Alcohol Policy

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs by employees on Borough premises or during work hours is strictly prohibited. The Borough emphasizes that the foregoing conduct poses a threat to the health and safety of all employees. Any employee who is observed by a supervisor or Department Head to be intoxicated or under the influence of alcohol or drugs during working hours or is reasonable suspected of being intoxicated or under the influence of alcohol or drugs during working hours shall be immediately tested by the Borough and the employee is subject to disciplinary action up to and including termination. The supervisor or Department Head will immediately report any reasonable suspicions to the Borough Administrator.

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

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

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

Employees using prescription drugs that may affect job performance or safety must notify the Borough Administrator who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Accountability Act ("HIPAA").

No prescription drug should be used by any employee other than the employee to whom the drugs are prescribed. Employees may only use prescription drugs or non-prescription, over-the-counter drugs as prescribed or indicated on the label on Borough property or while performing Borough business. Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Borough property or while performing Borough business. Soliciting or distributing prescription drugs by or between employees is also strictly prohibited.

Workplace Violence Policy

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

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

Any potentially dangerous situations that an employee becomes aware of must be immediately reported to the appropriate legal authority. The Borough will actively intervene in any potentially hostile or violent situation.

General Anti-Harassment Policy

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

If an employee is a witness to or believes that he or she has experienced harassment, the employee must immediately notify a supervisor, Department Head other appropriate Borough official. For further information concerning the notification process, see the Borough's Employee Complaint Policy located on Page 14 herein.

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

Notification by Borough employees to appropriate Borough officials of any harassment problem is essential to the success of this policy and the Borough generally. The Borough cannot resolve a harassment problem unless it knows about it. Therefore, it is the responsibility of all Borough employees to bring those kinds of problems to the attention of management so that steps are taken to correct the problem.

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

Sexual Harassment Policy

It is the Borough's policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The Borough prohibits sexual harassment from occurring in the workplace or at any other location at which Borough sponsored activity takes place. Sexual harassment of non-employees by Borough employees is also prohibited. The purpose of this policy is not to regulate personal morality or encroach upon the personal lives of the Borough's employees, but to demonstrate a strong commitment to maintaining a workplace free of sexual harassment. Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

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

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

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

Sexual harassment may include unwanted sexual advances; offering employment benefits in exchange for sexual favors; visual conduct (leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters); verbal sexual advances, propositions or requests; verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, caricatures or representations of persons using electronically or physically altered photos, drawings, or images; notes or invitations; and/or physical conduct, such as but not limited to touching, assault, impeding or blocking movements.

If a Borough employee is a witness to or believes that he or she has experienced sexual harassment, then the employee must immediately notify his or her supervisor or other appropriate person. For further information concerning the notification process, see the Employee Complaint Policy located on Page 14 herein.

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

Notification by Borough employees to appropriate Borough officials of any sexual harassment is essential to the success of this policy and the Borough generally. The Borough cannot resolve a sexual harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring sexual harassment to the attention of management so that steps can be taken to correct the problem.

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

Whistle Blower Policy

An employee has the right under the Conscientious Employee Protection Act, N.J.S.A. 34:19-1 et seq., ("CEPA") to complain about any activity, policy or practice that the employee reasonably believes is in violation of a law, rule, or regulation promulgated pursuant to law without fear of retaliation or reprisal. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written acknowledgement that the employee received, read, and understood this letter will be included in the employee's official personnel file. The annual notice shall be in English and Spanish and must contain the name of the person who is designated to receive written notification of any activities, policies or practices that might violate CEPA. All complaints will be taken seriously by the Borough and will be promptly investigated.

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

- Disclosing or threatening to disclose to a supervisor, Department Head, Borough Administrator, the Mayor, other official or to a public body, as defined in CEPA an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with CEPA, an employee must bring his or her belief of a violation to the attention of the Borough. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form (Form A) located on Pages 41-42 herein. For further information concerning the notification process, see the Employee Complaint Policy located on Page 14 herein. Pursuant to CEPA, the employee must give the Borough a reasonable opportunity to correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy located on Page 15 herein.

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 their Department Head, the Borough Administrator, or the Borough's Labor Counsel. The Borough encourages employees to report incidents when an employee feels that he or she has been subjected to such incidents, or observes other employees being subjected to such incidents. Employees should report any incidents in writing using the Employee Complaint form located at Pages 41-42 herein, but may make a verbal complaint at his or her discretion. If an employee has any question about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, he or she may ask one of the individuals noted above in this paragraph. 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.

There will be no penalty, discrimination or retaliation against any individual who files or makes a good-faith complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no penalty, discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If an investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued by the Borough. 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 by an employee. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report of an incident.

Grievance Policy

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the Borough. 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 days after the event or incident giving rise to the grievance and the failure to report a grievance within such time shall be deemed 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 who will discuss the matter with the Borough Administrator. The supervisor will communicate the decision to the employee or group of employees within two working days of the communication of the verbal grievance to the supervisor.
- **Step Two:** If the employee or group of employees is not satisfied with the verbal decision communicated by the supervisor, the employee or group of employees must submit a written grievance to the Borough Administrator detailing the facts and the relief requested. The verbal decision communicated in Step One will be deemed final if the employee fails to submit a written grievance within five days working days of the Step One decision is communicated to the employee or group of employees by the supervisor. After consulting with the Borough's Labor Counsel, as appropriate, the Borough Administrator will render a written decision to the employee or group of employees within five working days after receipt of the written grievance.

The time limitations set forth in Step One or Step Two do not apply to employee complaints made pursuant to the General Anti-Harassment Policy (Page 11 herein), the Sexual Harassment Policy (Page 12 herein) or the Whistle Blower Policy (Page 13 herein).

Access to Personnel Files Policy

The official personnel file for each employee is maintained by the Borough Administrator. Personnel files are confidential records that are secured in a locked cabinet and are only available

to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition, including “back to work” notes, are maintained in a separate secure file. Electronic personnel and medical records are protected from unauthorized access.

Any employee may review their personnel file in the presence of the Borough Administrator upon reasonable notice. The employee is 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 are allowed to have a copy of any document that they have signed relating to their obtaining employment. Employees may add to the file their version of any disputed item.

Personnel files do not contain confidential employee medical information. Medical information that the Borough may obtain is maintained in a separate secure file and treated at all times as confidential information. Medical information may only be disclosed under very limited circumstances in accordance with all applicable legal requirements.

The Borough endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough will release information contained in personnel or medical files to persons outside of Borough government. 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 Borough’s compliance with applicable law;
- To the Borough’s agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Borough are parties;
- In a workers’ compensation proceeding;
- To administer benefit plans;
- To an authorized health care provider;
- To first aid, emergency responders or safety personnel, when necessary; and
- To a potential future employer or other person requesting a verification of the employee’s employment as described the Requests for Employment Verification and Reference Procedure found on Page 21 herein.

Conflict of Interest Policy

Employees including Borough officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Borough. Violations of this policy will result in appropriate discipline up to and including termination.

Officers and employees are forbidden from having an interest directly or indirectly in any contract or job for work or materials, or the profits thereof that is furnished or performed by the Borough, see N.J.S.A. 40:69A-163. The Borough recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Borough business. However,

employees must assure that their conduct adheres to the requirements of the New Jersey Local Government Ethics Act (“NJLGEA”) N.J.S.A. 40A:9-22.1 et seq., which mandates that employees avoid conduct that is in conflict with Borough business, or which is unethical pursuant to the NJLGEA. Additionally, pursuant to the NJLGEA, certain employees and officials are required to annually file with the Borough Clerk a financial disclosure statement. The Borough Clerk will notify employees and Borough officials who are required to file the disclosure form required by the NJLGEA.

Employees are required to disclose actual or possible conflicts of interest or violations of the NJLGEA or other applicable law so that the Borough may assess and prevent potential conflicts or violations of the NJLGEA or other applicable law. If there are any questions whether an action or proposed course of conduct would create a conflict of interest or violate the NJLGEA or other applicable law, an employee should immediately contact the Borough Administrator or the Borough Attorney to obtain clarification.

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

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough duties. Under no circumstances may an employee accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Borough or any person or firm seeking to influence Borough decisions. Accepting meals and other entertainment valued in excess of \$10.00 is also prohibited. Employees are required to report to the Borough Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Political Activity Policy

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official Borough responsibilities and their political affiliations as required by the Hatch Act, 5 U.S.C. §§ 1501-1508. Employees are prohibited from engaging in political activities while performing their public duties and from using Borough time, supplies or equipment in any political activity. Any violation of this policy must be reported to the Borough Administrator or the Borough Attorney for appropriate action.

Employee Evaluation Policy

The Department Head will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year. The evaluation will

also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. After completing the evaluation, the Department Head will review the results with the employee and return the form(s) with the signed acknowledgement to the Borough Administrator. After review by the Borough Administrator, the form(s) are placed in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Borough Administrator.

Employee Discipline Policy

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

- Falsification of public records, including attendance and other personnel records.
- Failure to report an absence.
- Harassment of co-workers and/or volunteers and/or visitors.
- Theft or attempted theft of property belonging to the Borough, fellow employees, volunteers or visitors.
- Failure to report to work a day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized absences.
- Fighting on Borough property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Borough property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants, illegal drugs or prescription drugs on Borough property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Borough premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or soliciting the sales of products for purchase or subscription.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Borough or suppliers' property.
- Sleeping on the job.

- Carrying weapons of any kind on Borough premises during work hours, unless approved in writing by either the Borough Administrator or Police Chief.
- Violation of established safety and fire regulations.
- Unscheduled absence and/or chronic or excessive absence.
- Tardiness and/or chronic tardiness.
- Unauthorized absence from an employee's work area, and/or roaming or loitering on the premises, during scheduled work hours.
- Defacing walls, bulletin boards or any other Borough or supplier property.
- Failure to perform duties, inefficiency in the performance of duties or substandard performance of duties.
- Unauthorized disclosure of confidential Borough information.
- Gambling on Borough premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Borough premises.
- Deliberate delay or restriction of the employee's own work effort, and/or the incitement of other employees to delay or restrict their work effort.
- Conviction of a crime or disorderly persons offense.
- Violation of Borough rules, regulations, policies or procedures, including but not limited to those set forth in this Employee Handbook.
- Conduct unbecoming a public employee.
- Violation of Federal, State or Borough laws, rules, or regulations concerning drug and alcohol use and possession.
- Misuse of public property, including but not limited to the Borough's motor vehicles.
- Unauthorized use of the Borough's computers, Internet, and email.
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion, suspension or a 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 disciplinary action are entitled to a hearing under the applicable grievance procedure, civil service procedure or bargaining unit agreement. In every case involving employee discipline, employees will be provided with an opportunity to respond to the charges either verbally or in writing.

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

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

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

Resignation Policy

An employee who intends to resign must notify the Department Head in writing at least two weeks in advance of the employee's departure. After giving the notice of resignation, an employee is expected to assist his or her supervisor and co-employees by providing information concerning his or her current projects and to help in the training of a replacement. During the last two weeks, the employee may not use paid time off except paid holidays. The Borough Administrator will prepare a report showing any pay or other money owed to the employee by the Borough. The Borough Administrator or his or her designee will conduct a confidential exit interview to discuss benefits to which the employee is entitled, 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 a final paycheck, the employee must return his or her employee identification card, all keys, equipment and Borough property assigned or entrusted to the employee.

Work Force Reduction Policy

Pursuant to N.J.A.C. 4A:8-1.1 et seq., the Borough 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 in career service titles will be determined by the New Jersey Department of Personnel.

Driver's License Policy

Any employee whose work requires the operation of a Borough vehicle must hold a valid New Jersey issued driver's license. All new employees who are assigned work involving the operation of a Borough vehicle will be required to submit to a New Jersey Department of Motor Vehicles ("NJDMV") driver's records check as a condition of employment. A report indicating a suspended or revoked license may be cause to deny employment

For employees whose work requires the operation of a motor vehicle, during the course of their employment, the Borough will make periodic checks of employees driver's license records through visual and formal NJDMV check. Any employee who does not hold a valid driver's license will not be allowed to operate a Borough vehicle until such time as a valid license is obtained. A report indicating a suspended or revoked license may be cause for disciplinary action, including possible demotion or termination of employment. Any employee performing work which requires the operation of a Borough vehicle must notify his or her immediate supervisor if the employee's license is expired, suspended or revoked and/or if the employee is unable to obtain an occupational permit from the State. An employee that fails to report that his or her license is expired, suspended or revoked is subject to disciplinary action, including demotion, suspension or termination. An employee who fails to immediately report the revocation or suspension of his or her license to his or her supervisor and continues to operate a Borough vehicle shall be subject to disciplinary action, up to and including termination.

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

Requests for Employment Verification and Reference Procedure

If an employee receives an inquiry and/or written request for references or employment verification regarding a current or former employee, then the employee must refer the inquiry or written request to the Borough Administrator. No employee may issue a verification or reference without first obtaining permission from the Borough Administrator. Under no circumstances should an employee convey or release any information over the phone. In response to a request for information, the Borough Administrator will only verify an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1) the Borough is required to release the information by law or (2) the employee or former employee authorizes the Borough in writing to furnish the information and releases the Borough from liability in connection with the release of the information to the party making the request.

SECTION TWO

Workplace Policies

Job Description Policy

A job description, including the qualifications required for the job, shall be maintained for each job position pursuant to New Jersey Department of Personnel guidelines. All job descriptions must be approved by the Borough Administrator. The Borough Administrator will make copies of an employee's job description available to the employee upon request.

Attendance Policy

All employees are expected to be at work and ready to assume their duties at the beginning of their respective scheduled workday. Lateness and absence will only be tolerated in emergencies or when the supervisor gives prior approval. All absences must be reported by the employee to the supervisor prior to the start of the normal workday. The normal working hours for administrative departments are 8:00 AM to 4:00 PM. The working hours for other departments are established by departmental procedures and/or may be set forth in bargaining unit agreements.

Early Closing and Delayed Opening Policy

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

Breaks

Administrative personnel are entitled to a one hour lunch that is to be arranged by their supervisor so that offices continue to function during lunch. Other employees are entitled to either a one hour or one-half hour lunch break, as detailed in their respective collective bargaining agreements, which will be scheduled by the supervisor. All employees are entitled to one fifteen minute break in the morning and one fifteen minute break in the afternoon. Administrative personnel must arrange breaks so that offices continue to function during breaks. Breaks for other employees will be scheduled by the supervisor.

Dress Code Policy

Dress, grooming and personal hygiene must be appropriate for the employee's 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. With the advance approval of the Borough Administrator, the Borough will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action or will be sent home without pay.

No Smoking Policy

The New Jersey Smoke Free Air Act prohibits smoking in indoor public places and workspaces. In accordance with the law, the Borough has adopted a smoke-free policy for all buildings. Borough facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Borough buildings. Employees are permitted to smoke only outside Borough buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Borough and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation of this policy will be subject to disciplinary action.

Use of Vehicles Policy

Unless an employee receives permission from the Borough Administrator, an employee shall only use a Borough owned vehicle for official business and all passengers in the Borough owned vehicle must be on Borough business. Borough vehicles may be taken home only with the advance approval of the Borough Administrator except that the Mayor may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes a Borough vehicle home, it is only to be used for official Borough business; any other use is prohibited. At no time shall children be in a Borough vehicle when an employee is responding to an emergency. Any violation of this policy constitutes cause for disciplinary action. The use of hand-held cell phones while driving Borough vehicles or while driving a personal vehicle on Borough business is prohibited.

Telephone Usage Policy

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

Communication Media Policy:

The Borough of Lincoln Park's Communication Media are the property of the Borough of Lincoln Park and, as such, are to be used for legitimate business purposes only. For purposes of

this Communication Media Policy, “Communication Media” includes all electronic media forms provided by the Borough of Lincoln Park, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the Borough of Lincoln Park. For purposes of this policy, “Data” includes “electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Borough of Lincoln Park business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Borough of Lincoln Park mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Borough of Lincoln Park’s local or wide-area networks.”

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

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Borough of Lincoln Park are required to use the assigned municipal email account for ALL Borough of Lincoln Park business and correspondence. The use of private email accounts for ANY Borough of Lincoln Park business or during business hours is strictly prohibited.

Employees can only use the Borough of Lincoln Park’s Communication Media for legitimate business purposes. Employees may not use Borough of Lincoln Park’s Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough of Lincoln Park rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Borough of Lincoln Park. Certain data, or applications that process data, may require additional security measures as determined by the Borough of Lincoln Park. Employees

must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

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

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

Employees may not install, **or modify**, ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough of Lincoln Park. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough of Lincoln Park, or licensed to the Borough of Lincoln Park. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

Social Media and its uses in government and daily life are expanding each year however information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media.

Only those Employees directly authorized by the Borough Administrator may engage in social media activity during work time through the use of the Borough of Lincoln Park'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 Borough of Lincoln Park information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

No Borough of Lincoln Park 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 Borough Administrator. In addition employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Borough of Lincoln Park's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Borough Administrator. Except in "emergency situations," Employees

are prohibited from taking digital images or photographs with media equipment not owned by the Borough of Lincoln Park. For purposes of this section, an “emergency situation” involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Borough of Lincoln Park’s Communication Media. If such situation occurs, employee agrees that any images belong to the Borough of Lincoln Park and agree to release the image to the Borough of Lincoln Park and ensure its permanent deletion from media device upon direction from the Borough of Lincoln Park.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the Borough of Lincoln Park or on behalf of the Borough of Lincoln Park, whether through the use of the Borough of Lincoln Park’s Communication Media or otherwise, may be issued unless it has first been approved by the Borough Administrator. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Borough of Lincoln Park. Such unauthorized communications may result in disciplinary action.

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

All users are personally accountable for messages that they originate or forward using the Borough of Lincoln Park’s Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user’s identity on any Communication Media is prohibited. “Spoofing” (constructing electronic communications so that it appears to be from someone else) without a legitimate authorized purpose, and authorized by the Borough Administrator, is prohibited.

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

To the extent that employees use social media outside of their employment and in so doing employees identify themselves as Borough of Lincoln Park employees, if employees choose to identify themselves as a Borough of Lincoln Park employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Borough of Lincoln Park, as such no employee shall knowingly represent themselves as a spokesperson of the Borough of Lincoln Park, post any comment , text, photo, audio, video or other multimedia file that negatively reflects upon the Borough of Lincoln Park, expresses views that are detrimental to the Borough of Lincoln Park’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. Borough of Lincoln Park employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Borough employees.

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

Video Surveillance

The Borough may install video surveillance camera systems within public buildings and throughout public areas within the Borough, primarily as visual deterrents of criminal behavior and for the protection of employees and Borough property. In implementing these video camera systems, the Borough will ensure compliance with federal, state and local laws governing such usage. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Borough Administrator is responsible for authorizing of users of these video camera systems. 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 the Borough's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission from the Borough Administrator.

The Borough Administrator shall designate a person responsible for the maintenance and administration of the video surveillance camera systems. This designee is responsible for maintaining a user access log detailing the date, time and name of individuals who view and/or access a stored recording.

Any employee who becomes aware of (1) any unauthorized disclosure of a video record in violation of this policy and/or (2) a potential privacy breach has the responsibility to ensure that Borough Administrator is immediately informed.

Bulletin Board Policy

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

Employee Dating Policy

The Borough of Lincoln Park recognizes the right of employees to engage in social relationships with each other, including relationships of a romantic or intimate nature. However, the municipality also recognizes that such relationships can be a problem in the workplace. They

may result in favoritism, discrimination, unfair treatment, friction among coworkers, or the perception that they generate such problems.

To try to achieve a balance between employee rights and workplace needs, the Borough of Lincoln Park has adopted the following policy on the subject of supervisor/subordinate dating. If such a relationship exists or develops, both parties involved shall report the fact to A) their immediate supervisor or B) the Borough Administrator.

For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title [or civil-service classification], makes or has the authority to make decisions or to take action concerning another employee's compensation, promotion, demotion, discipline, daily tasks, or any other terms, conditions or privileges of employment with the municipality.

If the employees involved in the relationship are also in a supervisor/subordinate status, management may take any action which it deems appropriate, up to and including transferring one of the parties so that there is no longer a supervisor/subordinate relationship between them. In Addition, management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

Any employee who violates this policy will be subject to disciplinary action, up to and including discharge. The municipality regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment for other interference with municipal operations.

Nothing in this policy alters an employee's at will status.

SECTION THREE

Paid and Unpaid Time Off Policies

Scope

The policies set forth in this Section Three apply to all non-union employees, unless otherwise specified in an individual employment contract between the non-union employee and the Borough. These policies also apply to union employees if their respective collective bargaining agreements do not address these issues.

Paid Holiday Policy

Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- Two (2) Floating Holidays

For each of the foregoing holidays, a holiday falling on a Saturday in any calendar year will be observed on the preceding Friday and a holiday falling on a Sunday in any calendar year will be observed on the following Monday.

Vacation Leave Policy

Vacation is an accrued benefit based on the following schedule:

- One day for each full month following the date of hire during the first calendar year of employment;
- Fourteen days for the second through fifth calendar year;
- Seventeen days for the sixth year through tenth calendar year;

- Nineteen days for the eleventh year through fifteenth calendar year;
- Twenty-one days for the sixteenth year through the twentieth calendar year; and
- Twenty-four days annually after the completion of the twentieth calendar year of employment.

Employees must receive their supervisor's approval at least two weeks in advance of the first requested vacation day. Employees who do not use all of their vacation days may add their unused vacation days to their allowance for the following calendar year. However, if these vacation days are not used in the following calendar year, they will be forfeited.

Personal Leave Policy

Employees are entitled to three (3) personal days per calendar year and any unused personal days are forfeited at the end of each calendar year.

Sick Leave Policy

New employees are entitled to one (1) day of sick leave for each remaining month of the year in which he or she was hired. Otherwise, employees are entitled to fifteen (15) working days of sick leave per calendar year. Sick leave is to be used only in cases where the employee is ill and unable to work, or in cases of the serious illness of a family member. Employees absent on sick leave for five or more consecutive working days must submit a doctor's verification of illness or injury. If an employee is attending to an immediate family member, a doctor's verification of the illness of the immediate family member is required. After the tenth day of absence on sick leave in one calendar year, a doctor's verification must be submitted for all sick leave absences, regardless of duration. Prior to the return to work, the Borough may require an employee to be examined by a physician designated by the Borough to verify the employee's fitness to return to normal duties. An employee will not be permitted to return to work until the verification of the employee's fitness to return to normal duties is received.

At the end of each calendar year, an employee's unused sick time is added to the allotment for the following calendar year. This accumulation continues indefinitely and unless otherwise provided in a collective bargaining agreement or employment agreement, employees will be paid for one-half of their total accumulated unused sick time, up to a maximum of \$15,000 at the time the employee resigns or retires from employment provided that the employee has completed fifteen or more years of employment with the Borough.

Bereavement Leave Policy

Employees are entitled to five (5) consecutive calendar days leave of absence for each death of an employee's immediate relative. For purposes of this Bereavement Leave Policy "immediate relative" includes a spouse or significant other, civil union partner, domestic partner, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, or any

person related by blood or marriage residing in an employee's household. Employees are paid for all working days during the Bereavement Leave. Verification of each death may be required by the Borough in the sole discretion of the Borough Administrator.

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.

Leave of Absence Policy

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

A personal leave of absence will not be granted for the purpose of an employee seeking or accepting employment with another employer, or for extended vacation time. Employees on a personal leave of absence for more than two weeks in any month will not receive holiday pay, and will not accrue personal leave, sick leave or vacation time for that month. Health benefits may also be impacted. Refer to the Borough's Health Insurance Policy beginning on Page 36 herein. A personal leave is granted with the understanding that the employee intends to return to work for the Borough. If the employee fails to return within five business days after the expiration of the leave of absence, the employee shall be considered to have resigned his or her position with the Borough.

Family and Medical Leave Act Policy

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("NJFLA"). In order to be eligible for such leave, employees must have: one (1) year of service with the Borough; and, at least 1,000 hours of work for leave pursuant to the NJFLA and 1,250 hours of work during the previous twelve (12) months and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite for leave pursuant to the FMLA. Eligible employees may receive up to twelve (12) weeks of leave per year pursuant to the FMLA or twelve (12) weeks every twenty-four (24) months pursuant to the NJFLA.

During the FMLA or NJFLA leave period, the employee's health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the FMLA or NJFLA leave, but the employee will receive

seniority credit for the time that the employee is on leave. At the conclusion of the FMLA or NJFLA leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent position with the same terms and benefits that existed prior to the exercise of leave.

Upon written notice, eligible employees are also entitled to leave for up to twelve weeks to care for a newly born or adopted child or a seriously ill immediate family member, which is either a spouse, civil union partner, domestic partner, child or parent of an employee, or for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Borough reserves the right to deny any request for extended leave. Additional information concerning this policy and eligibility requirements are available from the Borough Administrator.

Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period are available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or to care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$604 per week for claims beginning January 1, 2015, however this benefit amount is subject to change. Employees may obtain up to date benefit information from the website of the New Jersey Department of Labor. FTD will run concurrently with FMLA and/or NJFLA leave and there is a one week waiting period. An employee may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in connection with a family member's serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the Borough with 15 days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the Borough with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the

line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty during a deployment to a foreign country and an employee must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or
3. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any one of the foregoing definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon the Borough's request, an employee must provide a copy of the covered military member's active duty orders to support the request for qualifying exigency leave. In addition, upon the Borough's request, certification for qualifying exigency leave must be supported by a certification using the U.S. Department of Labor's Form WH-384 or in another format containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon the Borough's request, an employee must provide a copy of the military member's Rest & Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Domestic Violence Leave Policy

The New Jersey Security and Financial Empowerment Act, P.L. 2013 c.82 ("NJ SAFE Act") provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

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

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

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

Employees may take leave on an intermittent basis but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, an employee seeking leave must provide proof that they qualify for the leave. Such proof may include a restraining order, a letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the FMLA and/or the NJFLA. If so, the Borough will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The Borough shall protect the privacy of employees who seek this leave by holding the request for leave, the leave itself or the failure to return to work in the strictest confidence. The Borough shall not retaliate, harass or discriminate against any employee exercising his or her right to take the leave provided by this Domestic Violence Leave Policy.

Military Leave Policy:

When a full-time employee, either permanent or temporary, who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. Thereafter, military leave shall be without pay but without loss of time. Paid military leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

Employees on military leave will also continue to receive paid health insurance coverage during the period of the paid leave plus an additional thirty calendar days after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the Borough's group plan by taking advantage of their COBRA rights (see the Borough's Health Insurance Policy on Page 36). Members of the State administered retirement systems will continue accruing service and salary credit in the system during the period of paid leave.

Pursuant to the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits: for service less than thirty-one (31) calendar days, the employee must return to work at the beginning of the first regularly scheduled workday or eight (8) hours after the end of military duty, with reasonable allowances for commuting; for service of thirty-one (31) to one hundred eighty (180) calendar days, the employee must submit an application for reinstatement within fourteen (14) calendar days after completing military duty; for service greater than one hundred and eighty (180) calendar days, the employee must submit an application for reinstatement within ninety (90) calendar days after completing military duty.

SECTION FOUR

Compensation & Employee Benefits Policies

Scope

The policies set forth in this Section Four apply to all non-union employees, unless otherwise specified in an individual employment contract between the non-union employee and the Borough. These policies also apply to union employees if their respective collective bargaining agreements do not cover these issues.

Payroll Policy

Salary ranges are established by Borough ordinance, and an employee's salary must fall within the minimum and maximum ranges for the employee's title. Employees are paid every two (2) weeks. The Borough will acknowledge judgments against an employee's pay, but will not act as a mediator between the employee and his or her creditors. The Borough will not accept responsibility for an employee's personal finances.

Overtime Compensation Policy

Pursuant to the Federal Fair Labor Standards Act ("FLSA"), certain employees in managerial, supervisory, administrative, computer or professional positions are classified as "Exempt" from the provisions of the FLSA. Additionally, there are employees who may be Exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Borough Administrator shall notify all Exempt employees of their status under the FLSA. 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 a large amount of additional hours may be provided with the Borough Administrator's prior approval and at the sole discretion of the Borough Administrator.

All other employees are classified as Non-Exempt and are subject to the provisions of the FLSA. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted for and has the prior approval of the Borough Administrator. Non-Exempt employees working overtime without the prior approval of the Borough Administrator will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of forty in a weekly period. Employees may choose overtime compensation in the form of overtime pay at their regular hourly salary or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is 240 hours. 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 hours in a weekly period, or will receive overtime compensation at the rate specifically delineated in a collective bargaining agreement. For purposes of computing overtime, hours worked 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 a request to their supervisor at least two days in advance of when they want to take compensating time off. The supervisor will approve the request if the employee's absence does not cause undue hardship to the department.

Health Insurance Policy

Unless otherwise specified in an employee's individual employment contract or a collective bargaining agreement, all full time employees and eligible dependents, including civil union partners and domestic partners, are provided health insurance coverage administered by the North Jersey Municipal Employee Benefits Fund. Unless otherwise specified in an employee's individual employment contract or a collective bargaining agreement, health insurance coverage is not provided to retired employees of the Borough. The Borough also reserves the right to change insurance carriers, provider networks, claims agents and insurance mechanisms in its sole and absolute discretion. The complete benefits plan is on file in the Borough Administrator's office and a Summary Plan Description will be provided to each employee when he or she is hired, and otherwise upon request to the Borough Administrator.

Health insurance coverage for employees on a leave of absence or who cease to be employed by the Borough will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the FMLA and up to thirty weeks for employees on Military Leave. Upon the termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Consolidated Omnibus Budget Reconciliation Act ("COBRA") which requires the Borough to provide employees or the employee's qualified beneficiaries with the opportunity to temporarily continue health benefits coverage for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of their COBRA rights within 90 days of obtaining coverage from the Borough in the Summary Plan Description provided by the Borough. For more information, see the Borough Administrator.

Dental Benefits Policy

Dental Benefits area provided to all full-time employees and their eligible dependents. Coverage is currently provided through Horizon Blue Cross/Blue Shield. The Borough reserves the right to change insurance carriers, provider networks, claims agents and insurance mechanisms in its sole and absolute discretion. The dental benefits plan is on file in the Borough Administrator's office and a Summary Plan Description will be provided to each employee when he or she is hired, and otherwise upon request to the Borough Administrator.

Drug Prescription Benefit Policy

Drug Prescription Benefits are provided as part of the Health Insurance Policy and described within the health insurance coverage. The Borough reserves the right to change insurance carriers, provider networks, claims agents and insurance mechanisms in its sole and absolute discretion. The drug prescription benefit plan is on file in the Borough Administrator's office and a Summary Plan Description will be provided to each employee when he or she is hired, and otherwise upon request to the Borough Administrator.

Prescription Eye Glasses Benefit Policy

A prescription eye glass benefit is provided as part of the Health Insurance Policy. In addition, the Borough provides a separate "Eye Care Plan" for all full time employees and eligible dependents. This Eye Care Plan provides reimbursement for uncovered eye care expenses, up to \$300 per employee and each covered eligible dependent per calendar year. The Borough reserves the right to change insurance carriers, provider networks, claims agents and insurance mechanisms in its sole and absolute discretion. Details concerning this Eye Glasses Benefit Policy are on file in the Borough Administrator's office and a Summary Plan Description will be provided to each employee when he or she is hired, and otherwise upon request to the Borough Administrator.

Deferred Compensation Policy

Deferred compensation programs are available to employees through Colonial Life, Lincoln Financial or AXA, please see the Borough Administrator for details regarding these programs. The Borough reserves the right to discontinue this program or change providers in its sole and absolute discretion.

Flexible Spending Account:

The Borough currently offers Flexible Spending Account (FSA) options to full time employees. The FSA is administered by Colonial Life. The Borough reserves the right to discontinue this program or change providers in its sole and absolute discretion.

Retirement Policy:

Under State law, most employees must enroll in the New Jersey Public Employee Retirement System or the Police and Fire Fighters Retirement System or the Defined Contribution Retirement Program, as applicable. An employee's contribution to the respective system or program is deducted from the employee's pay. An employee that has completed the required number of years of service and who has reached the required age under the respective retirement system or program may retire by notifying the Borough Administrator in writing. The State requests six months advance notice to process retirement applications. 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 their replacement. The

Department Head will prepare a report showing any pay or other money owed to the employee. The Borough Administrator or his or her designee 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, equipment and other Borough property that he or she has been assigned or entrusted with.

Workers Compensation Policy

Employees who suffer job related injuries and illnesses might be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act, N.J.S.A. 34:15-1 et seq., ("NJWCA"). The Borough covers workers compensation benefits through its insurer. Any occupational injury or illness must be immediately reported to a supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the Borough or its insurer and payment for unauthorized medical treatment may not be covered pursuant to the NJWCA.

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



Borough of Lincoln Park

34 Chapel Hill Road Lincoln Park, NJ 07035 - 1902

Receipt for Employee Handbook

I acknowledge that I have received a copy of Borough's Employee Handbook. I agree to read it thoroughly. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from my supervisor, Department Head, or the Borough Administrator. I understand that Borough is an "at will" employer and consistent with applicable Federal and State law, including the New Jersey Civil Service Act, as well as any applicable bargaining unit agreement, employment with the Borough 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 Borough 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 Handbook states the Borough's personnel policies in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with the Borough for benefits or for any other purpose. I also understand that these policies are continually evaluated and may be amended, modified or terminated at any time.

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

Date: _____

Signature: _____

Print Name: _____

Department: _____

Section Five

Forms



Borough of Lincoln Park

34 Chapel Hill Road Lincoln Park, NJ 07035 - 1902

FORM A - 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: _____