

ATLANTIC HIGHLANDS- HIGHLANDS REGIONAL SEWERAGE AUTHORITY

PERSONNEL POLICIES AND PROCEDURES MANUAL

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APPLICABILITY OF THIS MANUAL TO EMPLOYMENT AND BENEFITS

Nothing contained in this manual may be construed as creating a promise of future benefits or as a binding contract with the Atlantic Highlands-Highlands Regional Sewerage Authority for continued future employment benefits or for any other purpose. These policies and procedures are continually evaluated and may be amended, modified or terminated at any time without prior consultation with any employee. This means that there is no promise of any kind by the Atlantic Highlands-Highlands Regional Sewerage Authority contained in this manual; that regardless of what the manual says or provides, the Atlantic Highlands-Highlands Regional Sewerage Authority promises nothing and remains free to change wages and all other working conditions without having to consult any employee and without any employee's agreement; and that the Atlantic Highlands-Highlands Regional Sewerage Authority continues to have the absolute power to fire any employee with or without good cause.

GENERAL PERSONNEL POLICY:

“Authority” shall mean the Atlantic Highlands/Highlands regional Sewerage Authority.

It is the policy of the Authority to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Authority shall apply to all employees, volunteers, appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law including the New Jersey Civil Service Act, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

References to Authority Membership indicate action by the majority of Authority members present at a regularly scheduled meeting of the Authority. Authority members are not considered employees for benefits or other provisions of this Manual unless Authority members are specifically included.

All employees, officers and Department Heads shall be appointed and promoted by the Authority Membership. No person shall be employed or promoted unless there exists a position created by a resolution adopted by the Authority as well as the necessary budget appropriation and salary resolution.

The Authority Administrator and all managerial/operations Supervisory personnel are authorized and responsible for personnel policies and procedures. The Authority Administrator shall also have access to the Authority Attorney appointed by the Authority Membership for guidance in personnel matters.

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

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

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

SECTION ONE - POLICIES RELATING TO EMPLOYEE RIGHTS AND OBLIGATIONS

Anti-Discrimination Policy:

The Authority is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD). Under no circumstances will the Authority 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), 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 operations Supervisor, or if they prefer, the Authority Administrator or the Authority Attorney.

Americans with Disabilities Act Policy:

In compliance with the Americans with Disabilities Act and the New Jersey Law Against Discrimination, the Authority does not discriminate based on disability. The Authority 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.

It is the policy of the Authority to comply with all relevant and applicable provisions of the Americans with Disabilities Act and the New Jersey Law Against Discrimination. We will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known disability. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose under hardship on the Authority.

The Authority Administrator shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Authority 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 Authority to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Contagious or Life Threatening Illnesses Policy:

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

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

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

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

Safety Policy:

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

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

Transitional Duty Policy:

The Authority will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not

guaranteed and will not exceed 45 workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

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

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Authority Administrator who will render a written response within 24 hours.

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Authority Administrator. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Authority Administrator informed of the medical progress. (Employees assigned to transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason.) If at the end of transitional duty period the employee is not able to return to work without restrictions, the Authority reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers Compensation or disability. This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy or other Federal or State law.

Drug and Alcohol Policy:

The Authority recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees and the public. Any employee who is tested and found to be intoxicated or under the influence of alcohol or drugs during working hours is subject to discipline up to and including termination.

Due to the compelling interest of the Authority to promote safety at all Authority pump stations, all employees involved in pump station operations shall be subject to random testing for alcohol, drug or controlled substance use.

Any employee will be 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, alcohol, 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 by the Operations Supervisor or Authority Administrator may result in immediate disciplinary action, including termination.

Operations Supervisors that observe behavior constituting reasonable suspicion are required to institute testing and immediately report these suspicions to the Authority Administrator. The Operations Supervisor does not have the option of sending the employee home as an alternative.

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs on Authority premises or during work hours by employees is strictly prohibited.

Employees must notify their Operations Supervisor within five (5) days of 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 government.

Employees using prescription drugs that may affect job performance or safety must notify the Authority Administrator who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act. Authority personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.

No prescription drug should be used by any person other than the individual to whom it is prescribed. Such substances or non-prescription (over-the-counter) drugs should be used only as prescribed or indicated. Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Authority property or while performing Authority business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

Workplace Violence Policy:

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

Prohibited conduct includes:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;

- Possession of a weapon while on Authority property or while on Authority business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

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

General Anti-Harassment Policy:

It is the Authority' 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 AIDS or HIV infection), liability for service in the United States armed forces, and/or any other characteristic protected by law. Harassment of non-employees by our employees is also prohibited. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings, or images, and other similar verbal, written, printed or physical conduct.

If an employee is witness to or believes to have experienced harassment, immediate notification of the Operations Supervisor or other appropriate person should take place. See the [Employee Complaint Policy](#).

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

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

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

Anti-Sexual Harassment Policy:

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

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

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

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

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

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

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

Harassment of Authority 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 operations Supervisor. Appropriate action will be taken against any non-employee.

Notification by employee to appropriate personnel of any harassment problem is essential to the success of this policy and the Authority generally. The Authority cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring those kinds of problems to the attention of management so that steps are necessary to correct them.

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

“Whistle Blower” Policy:

Employees have the right under the “Conscientious Employee Protection Act (CEPA)” to complain about any activity, policy or practice that the employees reasonably believe is in violation of a law, rule, or regulation promulgated pursuant to law without fear of retaliation or reprisal. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written 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 policies or practices that might violate CEPA. All complaints will be taken seriously and promptly investigated.

The Authority 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 operations Supervisor, Authority Administrator, other official or to a public body, as defined in the Conscientious Employee Protection Act (N.J.S.A. 34:19-1 et seq.) an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with the statute, the employee must bring the violation to the attention of the Authority Administrator. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is an emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. See Employee Complaint Policy. Under the law, the employee must give the Authority 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.

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 operations Supervisor, or, if they prefer, or do not think that the matter can be discussed with their operations Supervisor, they should contact the Authority Administrator or the Authority Attorney. Reporting of such incidents is encouraged both when an employee feels that he or she is subject

to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their Operations Supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

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

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report an incident.

Grievance Policy:

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the Authority. All grievances must be presented within five working dates after arising and failure to report a grievance within such time shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty working days prior to the date the grievance was first presented in writing.

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

Recording Secretary. At the next meeting of the Authority, the Authority Membership shall review the written grievance and decision of Step Two and render a written decision within five days.

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

Access to Personnel Files Policy:

The official personnel file for each employee shall be maintained by the Authority Administrator. Personnel files are confidential records that must be secured and will only be available to authorized managerial and operations Supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access. Any employee may review their file in the presence of the Authority Administrator upon reasonable notice.

Conflict of Interest Policy:

Employees, including for this policy Authority members and 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 Authority. Violations of this policy will result in appropriate discipline including termination.

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

A potential or actual conflict of interest occurs whenever an employee is in a position to influence a Authority decision that may result in a personal gain for the employee or an immediate relative including a spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household. Employees are required to disclose possible conflicts so that the Authority may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Authority Administrator or the Authority Attorney to obtain clarification.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Authority 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 Authority or any person or firm seeking to influence Authority decisions. Meals and other entertainment of any value are also prohibited. Employees are required to report to the

Authority Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Outside Employment Policy:

Employees are allowed to hold outside employment as long as it does not interfere with their Authority responsibilities. Notification of outside employment shall be given to the employee's Operations Supervisor and the Authority Administrator within 5 days of the beginning of the outside employment. Employees are prohibited from engaging in outside employment activities while on the job or using Authority time, supplies or equipment in the outside employment activities. The Authority Administrator may require employees to restrict or eliminate outside employment if the quality of Authority work diminishes. Any employee who holds an interest in, or is employed by, any business doing business with the Authority must submit a written notice of these outside interests to the Authority Administrator immediately.

Political Activity Policy:

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using Authority time, supplies or equipment in any political activity. Employees are prohibited from seeking election or serving on any governing body, board or commission of the towns served by the Authority. Any violation of this policy must be reported to the operations Supervisor, Authority Administrator, or the Authority Attorney.

Employee Evaluation Policy:

This Employee Review Policy shall apply to every employee of the Authority to measure progress and to encourage self-improvement. Employees in their Initial Employment Period shall have more frequent evaluations, see Initial Employment Period Policy. This ongoing process will include a written Annual Employee Review and a Mid-Year Employee Discussion. The attached forms shall be used for this process; the participants of the Discussion/Review may add additional items. Results of the current and previous Annual Employee Reviews the form(s) are to be included in the employee's official personnel file and may be considered in the Authority's annual compensation review and for other employee/employer matters; action on any employee/employer matter shall not be limited to Annual Employee Review results or time frame.

The Mid-Year Employee Discussion shall be conducted in September and will include discussion of the goals, objectives and suggestion of the Authority plus any suggestion or issue of concern of the employee; it shall not be a review of employee performance. Notes of the Mid-Year Discussion will be part of the following Performance Review. The participants for this Discussion shall include the employee and: for operating employees - the Operations Superintendent and Administrator; for the Operations Superintendent and Recording Secretary - the Administrator and Authority Chairperson; for the Administrator – the Authority Chairperson

and Treasurer. All participants shall sign the Notes; any participant may add their own comments.

The Annual Employee Review will evaluate the employee's job attendance, knowledge, performance, safety and other job related items. The Review will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. This Review process shall also include discussion of the goals, objectives and suggestion of the Authority plus any suggestion or issue of concern of the employee. The participants for this Review shall include the employee and: for operating employees - the Operations Superintendent, Administrator and Authority Chairperson; for the Operations Superintendent and Recording Secretary - the Administrator, Authority Chairperson and another Authority member; for the Administrator – the Authority Chairperson, Treasurer and another Authority member. All participants shall sign the Review; any participant may add their own comments.

Employee Discipline Policy:

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

- Falsification of public records, including attendance and other personnel records.
- Failure to report absence.
- Harassment of co-workers and/or volunteers and/or visitors.
- Theft or attempted theft of property belonging to the Authority, fellow employees, volunteers or visitors.
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on Authority property at any time.
- Being under the influence of intoxicants (e.g., but not limited to, liquor) or illegal drugs (e.g., but not limited to, cocaine or marijuana) on Authority property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on Authority property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Authority premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Authority or suppliers' property.
- Sleeping on the job.
- Carrying weapons of any kind on Authority premises and/or during work hours, unless carrying a weapon is a function of your job duties.
- Violation of established safety and fire regulations.
- Unscheduled absence, and chronic or excessive absence.
- Chronic tardiness.

- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours.
- Defacing walls, bulletin boards or any other Authority or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential Authority information.
- Gambling on Authority premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Authority premises.
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort.
- Conviction of a crime or disorderly persons offense.
- Violating any Authority rules or policies.
- Conduct unbecoming a public employee.
- Violation of Authority policies, procedures and regulations.
- Violation of Federal, State or Authority laws, rules, or regulations concerning drug and alcohol use and possession.
- Misuse of public property, including motor vehicles.
- Unauthorized use of computers, Internet, and/or email.
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

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

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

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

Resignation Policy:

An employee who intends to resign must notify the in writing at least two weeks in advance. After giving notice of resignation, employees are expected to assist their Operations Supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two weeks, the employee may not use paid time off except paid holidays. The Authority Administrator will prepare an Employee Action form showing any pay or other money owed the employee. The Authority Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

Work Force Reduction Policy:

The Authority may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. Seniority, lateral or other re-employment rights for employees will be determined by the Authority Membership.

Driver's License Policy:

Any employee whose work requires travel between stations or the operation of Authority vehicles must hold a valid New Jersey State Driver's License.

All new employees who will be assigned work entailing the operating of an Authority vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employee's drivers' licenses through visual and formal Department of Motor Vehicles review checks shall be made by operations Supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate an Authority vehicle until such time as a valid license is obtained.

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

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

SECTION TWO - WORKPLACE POLICIES

Job Description Policy:

A job description including qualifications shall be maintained for each position. All job descriptions must be approved by the Authority Membership. Copies will be available upon request.

Attendance Policy:

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the Operations Supervisor gives prior approval. All absences must be reported to the Operations Supervisor prior to the start of the normal workday. The working hours for departments are established by departmental procedures.

Break Policy:

Breaks for operations employees will be scheduled by the operations Supervisor. When necessitated by Authority operations, employees may change their break time for the day but must leave written notice that day for their operations Supervisor.

Dress Code Policy:

Dress, grooming and personal hygiene must be appropriate for the position. All other employees are required to dress in accordance with applicable departmental standards and consistent with applicable safety standards. Employees shall not wear suggestive attire, athletic clothing, sandals, novelty buttons, and similar items of casual attire that do not present a businesslike appearance. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. Tattoos and body piercings, other than earrings, may not be visible. With the advance approval of the Authority Administrator, the Authority 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 Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Authority has adopted a smoke-free policy for all buildings. Authority facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Authority buildings. Employees are permitted to smoke only outside Authority buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Authority and near equipment that may be sensitive to smoke is also

prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

Use of Vehicles Policy:

Authority owned vehicles shall be used only on official business and all passengers must be on Authority business. A logbook shall be kept showing total daily mileage and service; for any trip going beyond the borders of Atlantic Highlands, Highlands or Middletown, a logbook entry shall be made showing the destination, time, reason and mileage.

Vehicles may be taken home only with the advance approval of the Authority Administrator except operations Supervisors may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home an Authority vehicle, it is to be used only for official Authority business; any other use is not permitted. Any violation of this policy constitutes cause for disciplinary action.

Telephone Usage Policy:

Authority telephones are for official business and employees may make a personal call only to inform their family of unexpected overtime. Charges for all other personal calls must be reimbursed to the Authority. The use of hand-held cell phones without a headset or other hands-free device while driving Authority vehicles or while driving on Authority business is prohibited.

E-Mail, Voice Mail, Computer and Internet Usage Policy:

Authority E-mail, voice mail and the Internet are for official business and use for non-business purposes is prohibited. All E-Mail, voice mail and Internet messages are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act.

The Authority reserves the right to monitor, obtain, review and disclose all E-Mail messages, computer files, voice mail and Internet messages on the computer and communications systems of the Authority as deemed necessary and appropriate. By using Authority E-Mail, computer systems, voice mail and the Internet, each user agrees that the Authority has unrestricted access and the right to disclose all information communicated or stored on the E-Mail, computer systems, voice mail and the Internet for any security, health, employment or other legitimate business reasons. Legitimate reasons also include systems maintenance, message routing, retrieval of business information, trouble-shooting hardware and software problems, preventing system misuse, protecting confidential proprietary information, insuring compliance with software license policies and complying with legal and regulatory requests for information. E-Mail shall not be used to harass, torment or disparage another party. Offensive and harassing communications are unacceptable and prohibited.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images, or

audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people, or job related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone. This section also applies in off duty scenarios regarding any law enforcement related activities. Any photographs, images, or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code, guideline or directive concerning storage, release, and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisor as soon as practical. For the 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 flight from accidents or crimes.

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 a personal or agency analog or digital device, camera or cellular phone to any person, entity, business, or media or Internet outlet whether on or off duty without the express written permission of the Authority Administrator.

Employees that maintain personal web pages and web sites, including but not limited to Facebook, YouTube, MySpace, Twitter etc., shall not post information on such sites that would constitute a violation of the personnel policies of (local unit type) if expressed or published using any other medium or in any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be grounds for the imposition of disciplinary action against the employee if the words, phrases, photographs, images or information adversely reflects on the employee’s fitness for duty or constitutes a violation of the personnel policies of the Authority.

Bulletin Board Policy:

The bulletin boards located in the Authority pump stations are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Authority Administrator may post, remove, or alter any notice. The Operations Supervisor shall make sure notices are current.

SECTION THREE - PAID AND UNPAID TIME OFF POLICIES

Paid Holiday Policy:

Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

A holiday falling on a Saturday shall be observed on the preceding Friday, and a holiday falling on a Sunday shall be observed on the following Monday unless other arrangements are requested by the employee and approved by the Operations Superintendent and Authority Administrator.

Vacation Leave Policy:

Vacation is an accrued benefit based on the following schedule:

- One day for each full month of service during the first calendar year; maximum 10 days
- Ten days for the second through fifth year;
- Fifteen days for the sixth through fifteenth year; and
- Twenty days after the completion of fifteen years.

Vacation requests must be approved by the Authority Administrator subject to operational needs of the Authority. Daily vacation pay shall be calculated as 1/5th of the average current weekly pay, not including un-scheduled overtime.

Employees who do not use all of their vacation allowance shall have their unused days added to their allowance for the following year. Any employee having in excess of two weeks of accrued vacation at the end of a calendar year shall be paid for the excess. Exceptions to carry forward additional accrued vacation may be requested for unusual circumstances; approval of the Authority Administrator and Authority Membership is required.

Sick Leave Policy:

Employees are entitled to twelve 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 three 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, including a civil union partner, a doctor's verification of that individual 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 Authority may require an employee to be examined by a physician designated by the Authority to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received.

Unused sick time shall be carried forward to the following year. Any employee having in excess of 90 days of accrued sick time at the end of a calendar year shall be paid for the excess. Employees will be paid for one-half of their total accumulated unused sick time at the time the employee resigns or retires from employment.

Personal Leave Policy:

Up to four sick days per year may be used as Personal Days. Personal Days must be approved by the supervisor or Authority Administrator.

Bereavement Leave Policy:

Employees are entitled to three consecutive calendar days leave of absence for each death of an employee's immediate relative. "Immediate relative" includes spouse or significant other, civil union partner, child, parent, stepchild, sibling and grandparents. It also includes, if residing in an employee's household, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage. Employees are paid for all working days during the Bereavement Leave.

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

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

Family and Medical Leave Act Policy:

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act (“FMLA”). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act (“FLA”). In order to be eligible for such leave, employees must have: one (1) year of service with the Authority; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months. Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee’s health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

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

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

Commencing July 1, 2009, Family Temporary Disability (“FTD”) payments for up to six weeks in a twelve month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn

or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1,000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in 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 one day increments. An employee seeking intermittent paid family leave is required to provide the Authority 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 Authority with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six weeks in a year to care for a family member on active duty in the military or up to twelve weeks in a year for a qualifying exigency. A qualifying exigency occurs when a member of the National Guard or Reserves is called to active duty and a close member of his/her family 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.

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 the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. Thereafter, the leave shall be without pay but without loss of time. The paid leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

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

Pursuant to the Uniformed Services Employment and Reemployment Rights Act, any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits: for service of less than thirty-one calendar days, the employee must return to work on the beginning of the first

regularly scheduled workday or eight hours after the end of military duty, with reasonable allowances for commuting; for service of thirty-one to one hundred eighty calendar days, the employee must submit an application for reinstatement within fourteen calendar days after completing military duty; for service greater than one hundred and eighty calendar days, the employee must submit an application for reinstatement within ninety calendar days after completing military duty.

SECTION FOUR - COMPENSATION & EMPLOYEE BENEFITS POLICIES

Payroll Policy:

Salary rates are established by the Authority as necessary and shall be reviewed annually, effective April 1st. Full time employees are paid twice per month, on the 15th & last day of the month. Part-time employees shall be paid on the 15th of each month. The Recording Secretary and Authority Administrator shall be paid monthly upon Authority approval of time worked. Authority members shall be paid quarterly at the January, April, July and October meetings. If the specified payday is not a regular banking day, the payday shall be the first banking day prior.

The Authority will not accept responsibility for any employee's personal finances. The Authority will acknowledge judgments against an employee's pay, but will not act as a mediator between the employee and creditors.

Overtime Compensation Policy:

EXEMPT EMPLOYEES: Under the Federal Fair Labor Standards Act, certain employees in managerial, operations Supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Authority Administrator shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Authority Administrator's prior approval and at the sole discretion of the Authority Administrator. Accrued and taken overtime compensating hours must be noted on the employee's time sheet. Exempt employees must make a request to the Authority Administrator at least two days in advance when they want to take compensating time off. The Authority Administrator will approve the request if the absence does not cause undue hardship to the department. Any exempt employee having in excess of 80 hours of accrued compensation time at the end of a calendar year shall be paid for the excess. Exempt employees will be paid for their total accumulated unused compensation time at the time the employee resigns or retires from employment.

NON-EXEMPT EMPLOYEES: All other employees are classified as Non-Exempt and are subject to the provisions of the Act. 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 and approved by the Authority Administrator. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

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. For purposes of overtime

compensation, 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.

If a Non-Exempt employee is required to return to work in an emergency or because of unusual circumstance, the employee will receive overtime compensation of the greater of (1) two hours or (2) the actual number of hours worked.

On-Call Policy:

As part of the job for plant employees, On-Call duty is required. Employees shall be paid for this time at a rate established by the Authority. On-Call duty for Saturdays, Sundays and holidays includes multiple visits to each plant to check operations and change recording charts; non-exempt employees shall receive two hours pay for this work, exempt employees shall receive two hours compensation time. During On-Call duty, the employee is required to meet response time requirements and other requirements set by the Authority. At the end of each calendar year or at the time of resignation or retirement, any exempt employee who has worked more On-Call hours than set in their job description shall receive proportionate compensation time for the excess.

Health Insurance Policy:

Employees and their immediate family members, including a civil union partner, are provided health insurance and prescription coverage thru the State Health Benefits Plan of their choice. The Authority reserves the right to change provider networks, claims agents, and insurance mechanisms. The complete benefit plan is available from the Authority Administrator and a Summary Plan Description will be provided to all employees. Benefit levels are subject to change at the discretion of the Authority.

Health insurance coverage for employees on a Leave of Absence or who cease Authority employment will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Service Act provision for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of Cobra rights upon being hired. For more information, consult the Authority Administrator.

Life Insurance Policy:

Life insurance of 1.5 times the employee's annual salary is provided through the NJ Pension System. The employee has the option to purchase an equal amount of contributory insurance through this plan.

Retirement Policy:

Under State law, all employees must enroll in the New Jersey Public Retirement System. The employee's contribution to the Plan will be deducted from the employee's pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the Authority Administrator in writing. The State retirement plans request six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their Operations Supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Operations Supervisor will prepare an Employee Action form showing any pay or other money owed the employee. The Authority Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

Workers Compensation Policy:

Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Authority covers workers compensation benefits through its membership in a joint insurance fund. Any occupational injury or illness must be immediately reported to the operations Supervisor. All required medical treatment must be performed by a Workers Compensation Physician appointed by the joint insurance fund the Authority and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Educational Assistance and Training Policy:

Subject to sufficient funds in the budget and upon approval of the Operations Supervisor, employees may apply for reimbursement of tuition expenses incurred for training or college courses directly related to the employee's work. The Authority Administrator will be the sole judge of whether a particular course or program is "directly related" to the employee's work. Employees must obtain this determination before enrolling in a course or program.

With the approval of the Authority Administrator, plant employees may be entitled to the following license incentive to obtain NJDEP certification. The Authority shall reimburse an employee for required courses, related materials and NJDEP license fees necessary to obtain a C-1 Collection System license, subject to the successful completion of the course or license exam. Upon completion of all C-1 courses the Authority shall provide additional compensation of \$50 per month; upon issuance of the C-1 license this monthly compensation shall increase to \$100 per month. Time for training and testing, and expenses related to travel and attendance shall be the employee's responsibility and are not subject to Authority reimbursement. Subject to approval of the Authority Membership, these procedures shall also apply to obtaining a C-2 license.

Any above reimbursements must be repaid if the employee leaves Authority employment within twenty-four months of receipt.

Additional non-mandatory training may be available from the joint insurance fund or other sources with special emphasis on employee rights and protections under various Federal and State laws as well as Authority employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure.

Employees will receive full reimbursement for enrollment and expenses to attend training courses or seminars requested by the Authority or, with the approval of the Authority Administrator, courses or seminars needed to maintain licenses used by the Authority.

Conference and Seminar Policy:

Requests to attend a conference or seminar must be approved by the Authority Administrator and Authority Membership. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. Attendees of any conference or seminar lasting a full day or more shall report, in writing, about the conference or seminar and benefits to the Authority. Approval of any conference or seminar request is conditioned upon the availability of funds.

Clothing Allowance:

All plant employees and System Operator shall receive an annual allowance of \$175.00 for clothing and to obtain and maintain all required personal safety gear. Half shall be paid on 1/1 and half on 7/1; part-time employees shall be paid on a proportional basis. Employees shall wear appropriate and required personal safety gear at all times.

SECTION FIVE - MANAGERIAL/OPERATIONS SUPERVISORY PROCEDURES

Employment Procedure:

- **Recruitment:** The Authority Administrator will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal and equal opportunity requirements. The Authority Administrator will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Positions shall be advertised in at least one official newspaper of the Authority and may also be advertised in other media or periodical to encourage applications from candidates from diverse backgrounds. Advertisements must prominently state that the Authority is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.
- **Interviews:** The Authority Administrator will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Authority will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of his or her job and also provided the accommodation does not impose an unreasonable hardship on the Authority.
- **Physical Examinations:** Testing for alcohol, drug or controlled substance shall be conducted prior to any employment and at random and other times thereafter for employees involved in pump station operations, see Drug & Alcohol Policy. Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Authority Administrator may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Authority Administrator may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Authority and at the expense of the Authority. All medical records of employees and prospective employees are confidential and are to be maintained by the Authority Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.
- **Job Offers:** The final decision will be made by the Authority Membership after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not

impose an unreasonable hardship on the Authority. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.

- **Acceptances and Rejections:** If the first offer is rejected, the Authority Membership will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Authority Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained securely.

Nepotism Procedure:

Unless otherwise provided by law, immediate relatives shall not be hired, promoted or transferred to a regular full-time or regular part-time position where:

- One relative would have the authority to appoint, remove, discipline or evaluate the performance of the other;
- One relative would be responsible for auditing the work of the other; or
- Other circumstances exist that place the relatives in a situation of actual or reasonably foreseeable conflict of interest.

For purposes of this policy, immediate relative includes spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household.

Open Public Meetings Act Procedure concerning Personnel Matters:

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

the Authority Membership or other body of the Authority may at its sole discretion invite the affected individual(s) to attend the applicable portion of the closed session.

Processing and Orientation of New Employees Procedure:

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

- A tour of the appropriate facilities to acquaint the new employee with overall operations as they relate to the specific position;
- The completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Personnel Policies and Procedures Manual and acknowledgement of receipt;
- A safety orientation and acknowledgement; and
- Arrangements for the new employee to complete required PEOSHA safety training.

Initial Employment Period Procedure:

Except where State requirements direct otherwise, new employees (or present employees transferring to new positions) will be hired subject to an initial employment period of not less than six months or more than twelve months, as determined by the Authority Administrator. During this initial employment period, the new employee or transferee will be provided with training and guidance from the operations Supervisor. These employees shall be given a written Evaluation every three months during, and at the end of this initial employment period—see Employee Evaluation Policy. New employees may be discharged at any time during this period if the Authority Membership concludes that the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Authority Administrator may extend the initial employment period. Newly hired employees are not eligible for payment of paid time off except holidays until the successful completion of their initial employment period.

Nothing in the procedure set forth in this section shall alter Authority's employment at will policy. Employment with Authority is at will and may be terminated at any time with or without cause or notice by the Authority or the employee.

Employee Handbook Procedure:

The Employment Policies and Procedural Manual, which shall also serve as the Employee Handbook, is continually evaluated and may be amended, modified or terminated at any time without prior consultation and/or without any employees agreement. The Handbook will be revised and re-distributed whenever there is a significant change in personnel practices or at least every two years.

Employee Evaluation Procedures:

Periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as promotion and termination. In addition to day-to-day feedback to the employee, the Employee Evaluation Policy provides for an Annual Employee Review and Mid-Year Employee Discussion. These documents become part of an employee's permanent record.

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

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

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

Exceeds Expectations means consistently exceeds established standards in most areas of responsibility. All requirements must be met and objectives achieved above the established standards.

Meets Job Requirements means all job requirements were met and planned objectives accomplished within established standards. There were no critical areas where accomplishments were less than planned.

Needs Improvement means performance in one or more critical areas does not meet expectations. Not all planned objectives were accomplished within the established standards and some responsibilities were not completely met.

Does Not Meet Minimum Standards means performance is unacceptable and important objectives have not been accomplished. Needs immediate improvement.

After completing the evaluation, the form(s) with the signed acknowledgement shall be given to the Authority Administrator to be included in the employee's official personnel file.

Disciplinary Action Procedure:

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

Should the Operations Supervisor believe that an employee is not conforming to the Authority's policies and rules or to specific instructions, or has acted improperly, the Operations Supervisor will first privately discuss the matter with the employee to obtain the employee's view. If the Operations Supervisor determines that the employee has acted improperly, the Operations Supervisor shall take one of the following actions depending upon the gravity and the employee's past record. At the discretion of the Operations Supervisor and the Authority Administrator, action may begin at any step, and/or certain steps may be repeated or by-passed.

- **Verbal Reprimand:** Depending on the circumstances, the Operations Supervisor may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The Operations Supervisor will prepare a record of the verbal reprimand including the date, time and what was discussed with the employee. This record must be forwarded to the Authority Administrator for the employee's official personnel file.
- **Authority Administrator Review:** Should the Operations Supervisor consider the offense sufficiently serious to warrant consideration by the Authority Administrator, the employee will be so advised and a meeting arranged with the Authority Administrator

at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at that time of disciplinary action, if any.

- **Written Reprimand:** When the Operations Supervisor determines that a written reprimand is appropriate, the situation must be discussed with the Authority Administrator. The reprimand should clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning and may include additional comments. A copy of the written reprimand with the signed acknowledgement and comments must be forwarded to the Authority Administrator for the employee's official personnel file.
- **Suspension:** Whenever an employee is recommended for suspension, the Authority Administrator will make the decision and may seek the advice of the Authority Attorney if appropriate. Suspended Employees may request a hearing under the applicable grievance procedure.
- **Dismissal:** Whenever an employee is recommended for dismissal, the Authority Membership will make the decision only after seeking the advice of the Authority Attorney. There must be a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal. Terminated employees may request a hearing under the applicable grievance procedure.

Personnel File Procedure:

The official personnel files shall be maintained by the Authority Administrator and employee medical information will be maintained in a separate file. At least annually, the Authority Administrator will review files to make sure they are up-to-date.

The Official file shall include at least the following:

- The original application signed by the employee;
- Notes from any pre-employment interview and reference check;
- The original letter detailing an offer of employment and any additional correspondence concerning the employee's hiring;
- A signed acknowledgement that the employee received a copy of the Employee Complaint Policy letter;
- A signed acknowledgement that the employee has received the Employee Handbook;
- A signed acknowledgement that the employee received the safety orientation;
- Annual written performance evaluations including documentation that the evaluation was reviewed with the employee;
- Counseling Action Plans;
- Records relating to on-the-job accidents;
- Disciplinary actions including an acknowledgement that the employee was notified of the proposed disciplinary action and was given an opportunity to respond;
- Records relating to any other employment actions including promotions, demotions, transfers, resignations, leaves, etc.;
- Educational transcripts; and
- Any other pertinent information.

Employee Complaint Investigation Procedure:

Employees have the right to formally or informally report any statement, act, or behavior by a co-employee, operations Supervisor, elected official or visitor that they believe to be improper.

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.
- **Identification/Screening:** The Operations Supervisor, or Authority Attorney must report all written or verbal complaints to the Authority Administrator unless the complaint is against the Authority Administrator. Upon receipt, the Authority Administrator will determine if the complaint was made pursuant to the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy, the Whistle Blower Policy, a grievance procedure or is another form of complaint. A file will be established including the written complaint, the investigation procedure followed and the response action plan. As soon as possible but no later than ten days after receiving the complaint, the Authority Administrator or investigator appointed by the Authority Administrator will interview the employee. If the employee is reluctant to sign a written complaint, the Authority Administrator or investigator will prepare written notes of the date, time and place of the complaint and the specific allegations. These notes will be read back to the employee who will be asked to affirm, preferably in writing the information's accuracy.
- **Investigation:** The Authority Administrator will seek the advice of the Authority Attorney when planning the investigation. The investigation should be conducted by the Authority Attorney or county prosecutor if it involves potential criminal charges. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. It is important to protect the rights of both the person making the complaint and the alleged wrongdoer.
- **Response Plan – No Corrective Action Required:** The Authority Administrator will discuss the conclusions with the Authority Attorney and render a decision within fourteen days after the investigation is complete. If the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee should be notified in writing. Care should be taken to avoid being too specific, confrontational or accusatory and to avoid any language that might be construed as defamatory. A general statement is usually more appropriate that the claim was thoroughly investigated, but could not be sufficiently documented or confirmed to justify taking formal action. The employee should be assured that future complaints will be investigated and that the Authority is committed to eliminating wrongful employment practices when they are found to exist. If the investigation reveals that the complainant intentionally and maliciously levied false charges against the alleged wrongdoer, the complainant must be notified of the seriousness of filing a false complaint, and the appropriate disciplinary penalty under the circumstances, up to and including termination.
- **Response Plan – Corrective Action Required:** If the investigation reveals that the complaint is justified and substantiated, the Authority Administrator will formulate with the advise of the Authority Attorney a corrective action plan as well as possible disciplinary action. The complaining employee will be notified, in writing that it appears that the complaint was justified and an appropriate response plan has been

formulated. A copy of the response plan should be attached to the letter. The response plan should provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

Requests for Employment Verification and Reference Procedure:

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred to the Authority Administrator. No employee may issue a reference letter without the permission of the Authority Administrator. Under no circumstances should any information be released over the phone.

In response to a request for information, the Authority 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 Authority is required to release the information by law or (2) the employee or former employee authorizes the Authority in writing to furnish this information and releases the Authority from liability.

Continuing Education Procedure:

The Authority, in conjunction with the Authority Attorney and the joint insurance fund will arrange for employment practices seminars at least annually to train all managerial/operations Supervisory personnel. The Authority will also offer non-mandatory training to all other employees with special emphasis on employee rights and protections under various Federal and State laws as well as Authority employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure.

Managerial and operations Supervisory personnel will also update employees periodically by department meetings and memos that should address specific problems and concerns that may arise. Every effort will be made to encourage employee suggestions about ways to avoid employer-employee disputes and violations of employment rights.

SECTION SIX - MODEL FORMS

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Atlantic Highlands/Highlands Regional Sewerage Authority

PO Box 72
Atlantic Highlands, NJ 07716

NOTICE OF PERSONNEL DISCUSSION

To: _____

Address: _____

This is to notify you, pursuant to the Open Public Meeting Act, that the (body name) plans to discuss the subject matter(s) checked below relating to your employment.

- Application for Employment
- Promotion or Transfer
- Compensation
- Performance Evaluation
- Special Leave Request
- Grievance
- Discipline
- Possible Termination
- Other (Specify): _____

The discussion will take place at the following meeting(s):

Date of Meeting(s): _____

Time: _____

Location: _____

The discussion will be in closed session, not open to the public, unless before the meeting the Authority Administrator receives a request, in writing, in which you ask that the discussion be held in public. If the discussion will affect other employees or potential employees, it may be closed to the public unless all such affected persons submit such signed requests. You are not required to attend this meeting.

Notice Date: _____ Signed: _____ (title) _____

Conscientious Employee Protection Act "Whistleblower Act"

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.
N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

The following contact person has been designated to answer your questions or provide information regarding your rights and responsibilities under this act (N.J.S.A. 34:19-4):

Primary Contact: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers must distribute notice of this law to their employees.
If you need this document in a language other than English
or Spanish, please call (609) 292-7832.



La Ley de protección al empleado consciente

“Ley de protección del denunciante”

Acciones de represalia del empleador; protección de las acciones del empleado

1. La ley de New Jersey prohíbe que los empleadores tomen medidas de represalia contra todo empleado que haga lo siguiente:
 - a. Divulgue o amenace con divulgar, ya sea a un supervisor o a una agencia pública toda actividad, directriz o norma del empleador o de cualquier otro empleador con el que exista una relación de negocios y que el empleado tiene motivos fundados para pensar que violan alguna ley, o en el caso de un trabajador licenciado o certificado de la salud y que tiene motivos fundados para pensar que se trata de una manera inadecuada de atención al paciente;
 - b. Facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la violación de alguna ley, regla o reglamento que el empleador o algún otro empleador con el que exista una relación de negocios; o en el caso de un trabajador licenciado o certificado de la salud que facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la calidad de la atención al paciente; o
 - c. Se opone o se niega a participar en alguna actividad, directriz o práctica que el empleado tiene motivos fundados para pensar que:
 - (1) viola alguna ley, o regla o reglamento que dicta la ley o en el caso de un empleado licenciado o certificado de la salud que tiene motivos fundados para pensar que se trata de la atención inadecuada al paciente;
 - (2) es fraudulenta o delictiva; o
 - (3) es incompatible con algún mandato establecido por las directrices públicas relacionadas con la salud pública, la seguridad o el bienestar o la protección del medio ambiente. Artículo 34:19-3 de las Leyes comentadas de New Jersey de protección del empleado consciente (N.J.S.A., por sus siglas en inglés)
2. No se puede acoger a la protección contra la represalia, cuando se hace una divulgación a un organismo público, a no ser que el empleado le informe al empleador de tal actividad, política o norma a través de un aviso por escrito y le haya dado al empleador una oportunidad razonable para corregir tal actividad, política o norma. Sin embargo, no es necesaria la divulgación en los casos en que el empleado tenga indicios razonables para creer que un supervisor o más de un supervisor del empleador tienen conocimiento de tal actividad, política o norma o en los casos en los que el empleado teme que tal divulgación pueda traer como consecuencia daños físicos a su persona siempre y cuando la naturaleza de la situación sea la de una situación de emergencia.

Información del Contacto

La persona siguiente para ha sido designada a contestar sus preguntas o, proporcionar información adicional relacionada con sus derechos y responsabilidades según lo indica esta ley (N.J.S.A. 34:19-4):

Nombre: _____

Dirección: _____

Número de teléfono: _____

Este aviso se debe exponer a la vista de todos.

Una vez por año, los empleadores deben de distribuir un aviso de esta ley a sus empleados. Si necesita este documento en algún otro idioma que no sea inglés o español, sírvase llamar al (609) 292-7832. Posiblemente, una carga nominal puede ser cobrada.



AH/HRSA Employee Complaint Form

Date _____

Attach additional sheets if necessary to fully complete all questions

NAME: _____ **TITLE:** _____

DEPARTMENT: _____

OPERATIONS 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 the Operations 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: _____

EMPLOYMENT APPLICATION

AH/HRSA

PO Box 72
Atlantic Highlands, NJ 07716

Date: _____

Applicant Information:

Name (Last, First, Middle): _____

Address: _____

City/Town: _____

Phone (Cell): _____ (Home): _____ (Work): _____

Social Security Number: _____ - _____ - _____

Position applied for: _____

Have you ever applied to the AH/HRSA before: Yes ____; No ____ If yes, give date _____

Date you can start: _____ Salary desired: _____

Are you available to work: Full time ____; Part time ____; Shift work ____; Temporary ____

Are you currently employed: Yes ____; No ____ May we contact you at work: Yes ____; No ____

May we contact your current employer: Yes ____; No ____

Are you currently on layoff status and subject to recall: Yes ____; No ____

Do you possess a current driver's license: Yes ____; No ____

Have you had a Sewage Collection System or other water or sewage licenses: Yes ____; No ____

Please list type and if current: _____

If you are under eighteen years of age, can you provide proof of eligibility to work: Yes ____; No ____

If hired, can you provide documentation of your eligibility to work in the U.S.? Yes ____; No ____

Pursuant to Federal Law, proof of US Citizenship or immigration status will be required if you are hired.

Have you ever pleaded guilty or been found guilty of a crime or disorderly persons offense: Yes ____; No ____

Employment is conditional upon the results of the criminal background check. An answer of "Yes" may disqualify you from employment depending upon the circumstances involved. If "Yes", please explain below.

The AH/HRSA is an Equal Opportunity Employer M/F

Employment History: This section must be completed even if you attach a resume. List your last four employers, major assignments within the same employer. Begin with the most recent. Include any military service. Explain any gaps in employment in the space on this form marked comments located on the bottom of this page.

| | | | |
|--|------------------|------------|--------------------------------------|
| Employer: | Date started: | Date left: | Work performed/ responsibilities: |
| Address: | Starting Salary: | | |
| Job Title: | Final Salary: | | |
| Reason for leaving: | | | |
| Operations Supervisor's name and phone number: | | | |
| May we contact for a reference: ___ Yes ___ No | | | |
| Employer: | Date started: | Date left: | Work performed/ responsibilities: |
| Address: | Starting Salary: | | |
| Job Title: | Final Salary: | | |
| Reason for leaving: | | | |
| Operations Supervisor's name and phone number: | | | |
| May we contact for a reference: ___ Yes ___ No | | | |
| Employer: | Date started: | Date left: | Work performed/ responsibilities: |
| Address: | Starting Salary: | | |
| Job Title: | Final Salary: | | |
| Reason for leaving: | | | |
| Operations Supervisor's name and phone number: | | | |
| May we contact for a reference: ___ Yes ___ No | | | |
| Employer: | Date started: | Date left: | Work performed/ responsibilities: |
| Address: | Starting Salary: | | |
| Job Title: | Final Salary: | | |
| Reason for leaving: | | | |
| Operations Supervisor's name and phone number: | | | |
| May we contact for a reference: ___ Yes ___ No | | | |

Comments:

Education: Provide information on your formal schooling and education. Include elementary, secondary, and post-secondary education, if any. Include any formal vocational or professional education. For high school and post-secondary education, indicate any major or specialty, such as Academic, Business, or Trade.

| School: | Years completed: (Circle) | Graduated: (Circle) | Major Field: |
|----------|------------------------------|------------------------|--------------|
| High: | 1 2 3 4 | Yes No | |
| College: | 1 2 3 4 | Yes No | |
| Other: | 1 2 3 4 | Yes No | |

Languages: List any foreign languages you know and indicate your level of proficiency.

| Language: | Speak Some: | Speak Fluently: | Read: | Write: |
|-----------|-------------|-----------------|-------|--------|
| | | | | |
| | | | | |
| | | | | |

Special Skills & Experience: State any special skills, experience, training, licenses, certifications or other factors that make you especially qualified for the position for which you are applying.

Comments & Additional Information: Is there any additional information about you we should consider?

References: Provide the names, addresses and phone numbers of three people whom we may contact as a reference. They should not be relatives or former operations Supervisors.

| Name & Address: | Phone Number: | Years Known: |
|-----------------|---------------|--------------|
| | | |
| | | |
| | | |

Understandings and Agreements:

As an applicant for a position with the Authority, I understand and agree that I must provide truthful and accurate information in this application. I understand that my application may be rejected if any information is not complete, true and accurate. If hired, I understand that I may be separated from employment if the Authority later discovers that information on this form was incomplete, untrue, or inaccurate. I give the Authority the right to investigate the information I have provided, talk with former employers (except where I have indicated they may not be contacted). I give the Authority the right to secure additional job-related information about me. I release the Authority and its representatives from all liability for seeking such information. I understand that the Authority is an equal-opportunity employer and does not discriminate in its hiring practices. I understand that the Authority will make reasonable accommodations as required by the Americans with Disabilities Act. I understand that, if employed, I may resign at any time and that the Authority may terminate me at any time in accordance with its established policies and procedures. No representatives of the Authority may make any assurances to the contrary. I understand that any offer of employment may be subject to job-related medical, physical, drug, or psychological tests. I also understand that some positions may involve complete background and criminal checks. *For your application to be considered, you must sign and date below.*

Applicant's Signature _____ Date _____

NJ DIVISION ON CIVIL RIGHTS GUIDE ON PRE-EMPLOYMENT INQUIRIES

| Category | It is discriminatory to inquire about: | Some examples of acceptable inquiries: |
|---------------------------------|--|---|
| Name | <ul style="list-style-type: none"> a) The fact of a change of name or the original name of an applicant whose name has been legally changed b) Maiden name | Whether or not the applicant has ever worked under another name or was the applicant educated under another name. (Allowable only when the data is needed to verify the applicant's qualifications) |
| Birthplace and Residence | <ul style="list-style-type: none"> a) Birthplace of applicant b) Birthplace of applicant's parents c) Requirement that applicant submit birth certificate, naturalization or baptismal record d) Own home, rent, board or live with parents e) Citizenship | <ul style="list-style-type: none"> a) Are you in the United States on a visa, which prohibits you from working here? b) Are you either a US citizen or a permanent resident alien? |
| Creed and Religion | <ul style="list-style-type: none"> a) Applicant's religious affiliation b) Church, parish, or religious holidays observed by applicant | |
| Race or Color | <ul style="list-style-type: none"> a) Applicant's race b) Color of applicant's skin, eyes, hair, etc. c) Driver's license number | |
| Photographs | <ul style="list-style-type: none"> a) Photographs with application b) Photographs after interview, but before a hiring | |
| Age | <ul style="list-style-type: none"> a) Date of birth or age of applicant b) Age specifications, limitations, or implications in a newspaper advertisement which might bar workers under or over a certain age c) Driver's license number | Applicant may be asked if he/she is over the minimum legal age and under a bona fide mandatory retirement age |
| Language | <ul style="list-style-type: none"> a) Applicant's mother tongue b) Language commonly used by applicant at home c) How the applicant acquired ability to read, write, or speak a foreign language | Language applicant speaks and/or writes fluently (only if job related) |
| Relatives | Name and/or address of any relative of the applicant | Name and address of person to be notified in case of accident or emergency |
| Military Experience | <ul style="list-style-type: none"> a) Applicant's military experience in other than United States Armed Forces b) National Guard or Reserve Units of applicant c) Draft classification or other eligibility for military service d) Applicant's whereabouts during periods of armed conflict e) Dates, conditions and type of discharge | <ul style="list-style-type: none"> a) Military experience of applicant in Armed Forces of United States only when used for employment history b) Whether applicant has received any notice to report for duty in Armed Forces |

| Category | It is discriminatory to inquire about: | Some examples of acceptable inquiries: |
|-------------------------------------|--|---|
| Organizations | Any clubs, social fraternities, sororities, societies, lodges, or organizations to which the applicant belongs | Membership in a union, professional or trade organization |
| References | The name of applicant's pastor or religious leader | Names of persons willing to provide professional and/or character references for applicant |
| Sex and Marital Status | a) Sex or marital status or any questions which would be used to determine same b) Number of dependents, number of children c) Spouse's occupation | |
| Arrest and Conviction Record | The number and kind of arrests of an applicant | Convictions which bear a relationship to the job |
| Height and Weight | Any inquiry into height or weight of applicant | |
| Physical Disabilities | Any inquiry as to physical disability, which has no direct bearing on satisfactory performance of the specific job in question. (For example, questions as to the mobility of a person without the use of his or her legs, when the job in questions involves working in a stationary position.) | Does applicant have any physical disability, which would prevent him or her from satisfactorily performing the job? (For example, questions concerning hearing impairment are acceptable on applications for a telephone operation position.) |
| Education | Whether or not the applicant is a high school graduate | a) Show highest grade completed b) Detail your educational background |

AH/HRSA ANNUAL EMPLOYEE REVIEW

EMPLOYEE EVALUATION PREPARATION & CHECKLIST

ADVANCE

- Schedule & confirm with all participants at least two weeks in advance. Provide all with copies of forms to be used and previous Reviews & Discussions.
- Obtain driver's license abstract from Motor Vehicle Commission
- Review the Evaluations for the last three years.
- Review logbooks for Authority vehicle.
- Obtain attendance information since last review; days absent, frequency & occurrences.

PREPARE FOR REVIEW

- Know the objectives and goals of the meeting.

TIME AND PLACE

- Choose a quiet, private spot with as few interruptions as possible.

CONDUCTING THE INTERVIEW

- Create a positive environment and help the employee feel at ease.
- Give balanced feedback, both positive and negative, but start with the positive.
- Focus on the job, NOT the person.
- Ask questions and allow the employee to provide feedback.
- When discussing areas for improvement, discuss methods and objectives for improving.
- Discuss possibilities for advancement, the employee's aspirations and professional development necessary to be a candidate for such future positions.

CONCLUSION

- Summarize and review the important points of the discussion.
- Restate the action steps that have been recommended and provide a time frame for completion.
- Make sure employee reviews the appraisal and provides comments.
- Have employee sign the acknowledgement that the employee has read the appraisal and has noted any disagreement with the content.

FOLLOW-UP

- Follow-up with the employee to see how plans are proceeding within the given time frames.
- Offer the employee assistance in achieving objectives and encourage discussion of successes and obstacles.

AH/HRSA ANNUAL EMPLOYEE REVIEW

EMPLOYEE NAME: _____ SUPERVISOR: _____

DEPARTMENT/JOB TITLE: _____ DATE OF HIRE: _____

PRESENT REVIEW DATE: _____ LAST REVIEW DATE: _____ TIME IN POSITION (YRS.): _____

GENERAL REVIEW PROCEDURE

The statements by each box provide general criteria to consider for that section. Other criteria may be considered by listing it under Comments. Also use the Comments section to note future goals & objectives. Comments can be continued on page 4, please clearly note if continued.

RATING PROCEDURE Comments and/or examples are required for ratings of 1, 2 and 4.

1 – Minimum standards not met 2 - Needs Improvement 3 – Meets Job Requirements 4 – Exceeds Expectations

TRAINING/ JOB KNOWLEDGE: *Consider knowledge of methods, techniques, procedures, tools, and maintenance of certifications necessary to perform the position.*

| |
|--------|
| Rating |
|--------|

Insufficient knowledge and understanding of the job. No desire to improve skills. Lets certification expire.

Often requires additional instruction. Needs to improve certain skills or job knowledge. Making progress, but not fully proficient. New in a position and still learning.

Fully understands job responsibilities. Can operate all equipment required to perform his or her job. Maintains needed certification.

Takes the initiative to improve job through evaluation of job processes. Can lead work group through unusual or unique situations.

TRAINING COMPLETED SINCE LAST REVIEW: _____

Comments: _____

PERFORMANCE: *Consider dependability, communication skills, and the quality and quantity of work based on established standards.*

| |
|--------|
| Rating |
|--------|

Work not up to expectations. Frequently damages government property and/or equipment.

Needs a better grasp of job. Not always as productive as expected. New employee still in learning process, not yet proficient.

Completely performs job meeting all job standards. Consistently provides quality work requiring minimal revision to correct errors.

Job output continuously above standards and before deadlines. Takes initiative to take on other tasks whenever possible.

Comments: _____

WORK CONDUCT: *Consider employee's interest in the position, commendations received, organizational support, personal appearance, and disciplinary actions.*

| |
|--------|
| Rating |
|--------|

Frequently or repeatedly receives disciplinary actions and substantiated complaints from the community and co-workers.

Occasionally has disciplinary problems, but is working to correct behavior. Needs to project a positive outlook and pleasant manner.

Never has any discipline problems. Supervisor has complete trust in employee. Always conforms to dress code.

Consistent positive methods and behaviors, which translates into quality work. Has pride in work. Influences others in a positive way.

Comments: _____

COOPERATION: Consider teamwork, or the ability to work with others in a cooperative and productive manner.

| |
|--------|
| Rating |
|--------|

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Seldom works well with others. Difficult to work with. Does not promote teamwork. Files unsubstantiated grievances. | <input type="checkbox"/> Slow to help others. Does not readily accept additional assignments required of job. Lack of tact or consideration for others. | <input type="checkbox"/> Fully cooperates with co-workers & helps others. Accepts new ideas. Willing to work overtime as needed. | <input type="checkbox"/> Continually goes out of way to help co-workers. Fosters teamwork. Learns other job responsibilities to aid in coverage. |
|--|---|--|--|

Comments: _____

SAFETY: Consider the respect shown for self, co-workers and public.

| |
|--------|
| Rating |
|--------|

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Does not adhere to safety rules. Repeatedly reprimanded for safety rule infractions. | <input type="checkbox"/> Sometimes disregards safety procedures or misuses equipment. | <input type="checkbox"/> Operates equipment and performs tasks within applicable safety standards. Reports all safety hazards. | <input type="checkbox"/> Pays special attention to unsafe working conditions. Helps increase awareness of safety issues in work group. Suggests safety improvements. |
|---|---|--|--|

Comments: _____

CUSTOMER SERVICE: Consider responsiveness to public the needs and requests.

| |
|--------|
| Rating |
|--------|

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Responds inappropriately to questions, requests, or situations. | <input type="checkbox"/> Occasionally does not respond tactfully or completely. | <input type="checkbox"/> Exhibits courtesy and tact. Answers questions or refers to the appropriate party. | <input type="checkbox"/> Responds to requests with enthusiasm and a sense of commitment. Always follows through by providing or obtaining complete information. |
|--|---|--|---|

Comments: _____

JUDGMENT: Consider ability to produce quality work in a cost conscious manner without needing guidance from manager.

| |
|--------|
| Rating |
|--------|

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Requires close and constant supervision. Regularly uses poor judgment occasionally increasing costs. | <input type="checkbox"/> Often afraid to make and take responsibility for decisions. Needs to better identify and communicate problems. | <input type="checkbox"/> Exemplifies good sense of judgment. Not afraid to make decisions when provided information. Learns from mistakes. | <input type="checkbox"/> Anticipates potential problems. Takes full responsibility for mistakes. Takes initiative to obtain information. |
|---|---|--|--|

Comments: _____

ATTENDANCE: Consider absenteeism and punctuality.

Rating

- Excessive absenteeism. Does not give notice of absence. Often affects operations or other staff by absence or lateness.
- Does not give adequate notice of known delays or absence. Often unprepared for work.
- Generally arrives on time and prepared. Good attendance record. Properly schedules time off.
- Always prepared for work. Highly reliable attendance.

SINCE LAST REVIEW: # OF SEPARATE ABSENCES _____ DATES ABSENT _____

DETAILS: _____

Comments: _____

DIRECTING WORK: Consider planning, organizing, problem solving, leadership, and supervisory skills.

Does this person have supervisory responsibilities? All the time as part of job requirement. Supervises on an as needed basis.

Rating

- Continually fails as a supervisor. Lack of leadership, planning, and organizational skills. Unit does not achieve objectives. Does not treat subordinates fairly.
- New supervisor and still learning. Making progress, but not fully proficient. Having trouble making leap from co-worker to supervisor.
- Fully proficient and competent leader. Delegates when needed. Solves problems and makes decisions. Is in complete control of department and sets an example.
- Goes out of way to help subordinates. Consistently treats all employees fairly. Develops highly effective work plans. Assumes responsibility for solving problems.

Comments: _____

ADDITIONAL INFORMATION CONSIDERED & PAGES ATTACHED: No Yes, # of pages _____

Overall Rating: (BECAUSE THE IMPORTANCE OF THE ABOVE ITEMS VARIES BY EMPLOYEE, AND OTHER CONSIDERATIONS MAY BE LISTED SEPARATELY, A NUMERICAL AVERAGE MAY NOT INDICATE AN APPROPRIATE OVERALL RATING. REVIEWERS MAY ASSIGN DIFFERENT LEVELS OF IMPORTANCE TO ITEMS LISTED ABOVE AND OTHER ITEMS COVERED IN THIS REVIEW IN THEIR OVERALL RATING.)

Rating

- 1 – DOES NOT MEET MINIMUM STANDARDS
- 2 – NEEDS IMPROVEMENT
- 3 – MEETS JOB REQUIREMENTS
- 4 – EXCEEDS EXPECTATIONS

General Remarks on Performance: _____

FOR REVIEWERS: Give details of the following.

- Has the employee attended/completed training courses, seminars?
- Has the employee received any awards or licenses?
- Has the Authority received any acknowledgement in whole or part because of employee?
- Has the employee shown any outstanding accomplishments/abilities?
- How could the employee improve job performance?

FOR EMPLOYEE: Give details of the following.

- What would be helpful for your job performance?
- What would help Authority operations?
- Comments on specific Review topics and/or on the Review process?
- Any additional information you feel should be considered?
- Any additions, comments or disagreements on the findings of the Review participants?

I have participated in this Review and have included all factors I feel should be considered.

EMPLOYEE SIGNATURE: _____ **DATE:** _____

PARTICIPANT SIGNATURE _____ **DATE:** _____

PARTICIPANT SIGNATURE _____ **DATE:** _____

PARTICIPANT SIGNATURE _____ **DATE:** _____

Employee must achieve the following goals in order to reach acceptable standards:

Employee should reach these goals by:

- Immediately**
- Employee is on a probationary status and will be re-evaluated on _____**
- Employee is Suspended: Dates: _____**

Consequences of failure to improve or achieve goals:

- May result in further disciplinary action, up to and including termination.**
- Termination.**

Employee's Comments:

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

Employee Signature: _____ Date: _____

Department Head Signature: _____ Date: _____

Authority Administrator Signature: _____ Date: _____

Receipt for Personnel Policies and Procedures Manual

I acknowledge that I have received a copy of the Authority's Personnel Policies and Procedures Manual also known as the Employee Handbook. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my Operations Supervisor or the Authority Administrator. I understand that the Authority is an "at will" employer and consistent with applicable Federal and State law, employment with the Authority 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 Operations Supervisor or other representative of the Authority has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states the Authority's personnel policies in effect on the date of publication. I understand that nothing contained in this manual may be construed as creating a promise of future benefits or a binding contract with the Authority for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time without consultation with me.

This means that there is no promise of any kind by the Atlantic Highlands-Highlands Regional Sewerage Authority contained in this manual; that regardless of what the manual says or provides, the Atlantic Highlands-Highlands Regional Sewerage Authority promises nothing and remains free to change wages and all other working conditions without having to consult any employee and without any employee's agreement; and that the Atlantic Highlands-Highlands Regional Sewerage Authority continues to have the absolute power to fire any employee with or without good cause.

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

The contents of this Manual/Handbook are guidelines only and supersede any prior manual and/or handbook.

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

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

Date: _____

Signature: _____

Print Name: _____

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(Note: Some page numbers in this Index have increased by one or two pages; to be updated with other revisions now being considered.)

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