2012 WHITE COLLAR
ACKNOWLEDGEMENT OF WORK RULES

I, _____, have received a copy of the Township Work Rules for Township employees who are members of Council 52, Local 2192. These Work Rules supercede all previous copies and are marked Work Rules 2012.

I have also received the following policy attachments, which supercede all previous copies of such policies:

Dress & Grooming Guidelines	Attachment A
ID Badge Policy	Attachment B
Personal Protective Equipment Policy	Attachment C
Cell Phone Policy	Attachment D
Modified Duty Policy	Attachment E
Sick Time Policy	Attachment F
Lateness/Tardiness Policy	Attachment G
Uncompensated/Dock Time	Attachment H
Parking Permit Policy	Attachment I
Therapeutic/Prescription Reporting Form	Attachment J
Drug & Alcohol Testing Policy	Attachment K
Sick Time Reminder Notice	Attachment L
Compliance with Township Code 4-83	Attachment M
E-Mail, Voice Mail, Computer and Internet Usage Policy	Attachment N
Time Clock Policy	Attachment O
Failure to Punch Notice	Attachment P
Work Place Violence Policy	Attachment Q

I ACKNOWLEDGE RECEIPT OF THE 2012 Work Rules and attachments. I understand them. I can discuss them with, or address questions to my Union. I also understand that it is my responsibility to read and adhere to them.

PRINTED NAME:_____

SIGNATURE:_____

DATE:_____

TOWNSHIP OF WAYNE
WORK RULES
2012

As it affects Council 52, Local 2192 (WHITE COLLAR)

All employees are expected to behave in a safe, courteous manner which boosts the Township's and its employees image.

Violence, bullying, threats, sexual harassment, horseplay or other behavior detrimental to operations, image or morale will not be tolerated.

Violations of these work rules may result in disciplinary action up to and including termination of employment.

1. THE WORK DAY

a) All personnel shall be on the job, dressed appropriately and ready to begin work at the start of the workday. Any employee not dressed appropriately at the start of the day shall be considered as being unprepared for work, shall be sent home and uncompensated for the day. (**Attachment A**)

b) All full time employees are required to have, carry and/or display an employee identification badge on their person at all times while working or on official Township business in accordance with the Township Employee ID Badge Policy. (**Attachment B)**

c) Employees required to go to private residences or businesses must display their ID in accordance with the Township ID Policy.

2. Time Cards-On Site Presence

Employees are subject to all Township Attendance Policies including Lateness and Sick Time and Dock Policies. **(Attachment G, F and H)**

Employees must adhere to all payroll record requirements including use of time cards and clocks. Failure to punch in or out will be subject to discipline up to and including termination as per Time Clock Policy. **(ATTACHMENT O)**

a) Employees are required to clock in and out at the beginning and end of each day, shift or work period.
b) Employees are not permitted to be in Township Buildings more than one hour before starting time.
c) Employees are not permitted to clock in more than 15 minutes prior to their starting time or 15 minutes past the end of their assigned shift.
d) Employees are prohibited from clocking another employee's

card. All employees involved in such activity will be subject to discipline up to and including termination.

3. UNIFORMS

a) If an employee is required to wear a uniform, it must be worn in the proper manner. Collars and sleeves shall not be ripped, trousers will not be rolled up. Uniforms shall be free of decorations. The Township will not be responsible for uniforms lost or stolen. It is each employee's responsibility to take care of their uniforms.

b) Uniforms are to be worn during work hours only. However, employees may wear uniforms in transit to and from work.

4. SAFETY EQUIPMENT

It is a mandatory requirement that all safety equipment supplied by the Township be used properly and as directed. Failure to do so will be cause for disciplinary action. Safety/Personal Protection Equipment shall be utilized in accordance with the Township PPE Policy. **(Attachment C)**

5. TOOLS

a) All tools or equipment should be maintained in proper working condition. Broken or damaged tools or equipment must be reported immediately to respective supervisor.

b) No tools or equipment will be used for personal purposes.

c) Employees will be held responsible for loss, damage or injuries resulting from the negligent use, misuse, abuse or improper care of tools.

6. MOTOR VEHICLES AND POWER EQUIPMENT

No employee will use a vehicle or power equipment without prior authorization of their supervisor and without being properly trained and qualified in its use.

Any unauthorized use shall result in disciplinary action up to and including termination.

7. OPERATION OF VEHICLES AND EQUIPMENT

a) At the start of the work shift, or the first time vehicles or equipment are used all Driver/Operators must perform the circle check prior to moving or operating vehicles and equipment. The circle check shall consist of the following:

1. Checking tires.

2. Walking around the vehicle or equipment and making sure everything is secure and clear of obstructions so the vehicle or equipment may be moved or operated safely.

3. Checking lights and warning devices.

4. Reporting any major damage or any damage or defect which could affect the safe operation of the vehicle or was not present when the vehicle was last used.

b) Drivers/Operators will be held strictly responsible for the safe operation of a vehicle or equipment in their charge. All defects found during use of a vehicle or equipment must be reported immediately to their supervisor. When requesting repairs at Equipment Maintenance use the official forms obtained at the Equipment Maintenance Foreman's window.

c) For the purpose of assuring that the vehicle is clear of all obstruction and structures, the driver/operator must make the "Safety Clearance Circle Check" upon entering the vehicle. This means walking around a vehicle and inspecting same before entering it and driving off.

d) Employees must obey all motor vehicle and traffic laws. This includes the wearing of seat belts.

e) Riders/passengers other than Township employees are strictly prohibited unless authorized by the supervisor.

f) Any negligent use or misuse of Township vehicles or equipment will be cause for disciplinary action up to and including suspension or termination.

g) Drivers are expected to proceed from their respective base to their work site in a direct manner with no stops unless authorized by the employee's supervisor.

h) Employees are not to leave Wayne Township unless authorized to do so by a supervisor.

i) Interiors of all Township vehicles and equipment must be kept free of debris. Ashtrays and floors must be kept clean.

j) Smoking is <u>prohibited</u> in all Township owned vehicles subject to penalties up to and including suspension or termination.

k) Use of cell phones is prohibited while operating a Township vehicle or equipment. Any use of cell phones on Township time shall be in accordance with the Township Cell Phone Policy. (**Attachment D**)

8. MOTOR VEHICLE ACCIDENTS

a) All motor vehicle accidents, no matter how small, are to be reported to the employee's immediate supervisor by two-way radio or telephone at the time of the accident.

b) All incidents involving damage to Township vehicles or equipment no matter now small are to be reported to the employee's immediate supervisor by radio or telephone at the time of the incident.

c) The Township Police Department must be called to the scene of accidents involving Township vehicles when any of the following are met:

   1) Accidents occurring on a public roadway or private property, or;
   2) Involves injury, or;
   3) Involves a vehicle or property not owned by the Township

d) If an accident occurs outside the Township, the employee must call the local Police Department or State Police to report to the scene.

e) Employees and drivers are required to fully cooperate with all investigating authorities including the Township Incident Review Board.

f) The Township Accident Review Board will review all incidents involving damage to township vehicles and equipment.

g) In House Vehicle Damage Reports are to be used only for accidents which meet all of the following:

   1) The accident occurs on Township property other than a public roadway and;
   2) The accident does not involve injuries, and;
   3) The accident involves only Township property, and;
   4) The accident resulted in only minor damage and;
   5) The accident has been reported to a supervisor and supervisor has granted permission to use an In House Report.

   In House Reports must be completed by the employee/driver the same day as the occurrence*. The Report forms are available in the Equipment Maintenance Division.

   *When not possible because Equipment Maintenance closed then within 24 hours.

9. FOUND (UNKNOWN) DAMAGE

When damage of unknown origin is found to vehicles or equipment, such damage must be reported immediately to a supervisor. The supervisor must determine if a Police Report is necessary, if

necessary the Police must be called immediately. In all cases an In-House Damage Report is required. This report can be obtained from Equipment Maintenance.

10. ACCIDENTS OR JOB INJURIES

Any accident or injury incurred while on the job, no matter how small, must be reported by the employee to their immediate supervisor without delay. The employee and the supervisor must then follow the procedures for reporting such work-related injuries and accidents, complete all necessary reports and forms, and be seen by only authorized health care providers.

a) Modified duty is an option for all conditions (job related or not) which limit an employee to perform the full duties of his/her job. Each case will be considered independently and follow the Township's Modified Duty Policy (**Attachment E**).

11. ATTENDANCE (SICK LEAVE,TARDINESS, UNCOMPENSTED DOCK TIME)

Employees are responsible for keeping track of their allotment of sick time and its use.

Employees are expected to show up on time for and work every day in accordance with Work Rule #2 and the applicable collective bargaining agreement.

Employees must report the need for sick time by calling their supervisor no later than 15 minutes beyond their assigned starting time.

Employees arriving later than 30 minutes or more without notification will be sent home and docked for the day. This will then fall under the dock time policy. (Lateness/Tardiness Policy)

Dispatchers and other shift workers must notify a supervisor prior to the start of their shift.

An employee failing to call in will be considered absent without leave and shall not be paid for the day. In addition, it may be considered an unexcused absence in accordance with Attachment H or a voluntary quit as covered by applicable contract and/or Township Code.

The Township reserves the right to request sick time/FLMA verification whenever it deems it necessary to do so. The Township also may require medical documentation evidencing that the employee is capable of returning to work after the use of paid or unpaid sick time/FLMA, where deemed warranted by the Township. The Township reserves the right to send an employee to a Township Physician whenever it deems necessary.

Sick time shall be utilized in accordance with the collective bargaining agreement and the approved Township Sick Policy.(Attachment F)

Employees arriving later than 30 minutes or more without notification will be sent home and docked for the day. This will then fall under the dock time policy. (Lateness/Tardiness Policy)

Tardiness shall be treated in accordance with the approved Township Policy. **(Attachment G)**.

Dock time shall be handled in accordance with the approved Township Policy. **(Attachment H)**.

Employees must adhere to all other attendance policies including but not limited to Wayne Township Lateness/Tardiness, Uncompensated/Dock and Sick Time Policies.

12. PURCHASES

a) No purchase shall be made on the Township's behalf unless authorized by a Division or Department Head.
b) All authorized purchases must be accompanied by a Township requisition or purchase order.

13. CONTACT WITH THE PUBLIC

It is everyone's job to deal with the public in some manner. All encounters with the public must remain civil, courteous and respectful. Phone contact as well as face to face communication must be handled professionally

14. TOWNSHIP TELEPHONE

The Township telephones are for Township business. Incoming and outgoing personal calls should be kept to a minimum and must not interfere with an employee's duties or responsibilities. Personal long distance and overseas calls shall not be made from Township phones.
During times of emergency, or special need, exceptions to the above may be approved by an employees Division or Department head.

15. CELL PHONES

Cell phone use during work hours is limited to emergency and work related calls only. No Texting while driving. No cell phone may be used while operating a Township vehicle or equipment unless hands free device is utilized. All use is governed by the Township Cell Phone Policy. **(Attachment D)**

16. EMPLOYEE PARKING

Employees must park their personal vehicles in the designated parking areas. Personal vehicles are not to be driven to and from the job assignments during the work day unless authorized by the supervisor.

Employees working at Valley Road Municipal complex must get a parking permit and park in the "green" employee parking area only. (**Attachment I** -Parking Permit Policy)

17. OFFICE/WORK AREAS

Office areas are to be kept clear of tripping hazards.

No offensive language is to be used when dealing with the public or fellow employees; in person, on the computer, or on the phone.

Employees are prohibited from any display or distribution of material which is discriminatory, as defined and set forth by NJSA 10:5-3.

Employees are restricted from those office areas with limited access such as Violations, Police/Records, Treasury/Revenue, unless their presence is requested, required and/or approved.

18. DRIVER'S LICENSE

All employees who are required to operate a motor vehicle as part of their employment responsibilities shall maintain a valid and current driver's license and/or CDL when required by the Township from the State where they reside.

It shall also be the responsibility of those employees, without exception, to notify his/her Division Head when he/she has been convicted of a moving violation or if the driver's license is suspended or revoked for any reason. Such notice is to be given as soon as is possible. Failure to notify will result in disciplinary action up to and including termination.
Any employee who operates a Township vehicle without a valid and current license may be terminated upon the Township becoming aware of such infraction. (Even if the Township becomes aware after the license is restored.)

19. ALCOHOL/DRUG PROHIBITION

During working hours the possession of alcoholic beverages and/or illegal drugs, as well as the dispensing and/or sale, whether or not on Township property is cause for immediate dismissal.

During working hours the presence of alcohol or illegal drugs in ones system shall be cause for disciplinary action up to and including termination. Such an employee is to be immediately removed from operating Township vehicles or equipment by their supervisor and the Department Head contacted immediately. This would also apply to the abuse of legal over the counter or prescription drugs which may impair the employee's ability to perform the duties of his/her job properly or safely. All employees are required to notify the Division of Human Resources using the Therapeutic/Prescription Reporting Form when they are taking a legal over the counter or

legally prescribed drugs which would impair or affect their operation of Township vehicles, equipment or employee safety. **(Attachment J)**

Such notice must be given prior to performing any effected duty.

All employees are subject to drug and/or alcohol testing when reasonable suspicion of use or abuse is present or when an employee is involved in a workplace accident/incident suffering or causing a work related injury or which causes damage to public or private property. Drivers are also subject to drug and alcohol testing as required by law. **(Attachment K)**.

20. LIFTING

Lifting various objects is required for most jobs. Job Descriptions may supply guidance. Except in an emergency, no employee shall be required to routinely lift 50 lbs or more. When an object weighing more than 50 lbs. is required to be lifted, mechanical assistance must be utilized. When mechanical means are not available or practical, two or more employees must perform the required lifting task.

21. Modified Duty

Modified Duty will be made available, when possible, on a case by case basis, in accordance with the Wayne Township Modified Duty Policy. **(Attachment E)**.

22. Ethics

The Township expects all employees conduct themselves ethically and professionally.

Ethics and proper behavior are discussed in our Employee Handbook and the Local Government Code of Ethics N.J.S.A. 40 A: 9-22.1 et seq.

All duties are to be carried out with integrity, impartiality and in the public interest while avoiding the appearance of conflict between public duties and private interests.

23. Acceptance of Gifts

Employees are prohibited from accepting gifts or other things of value as set forth in Chapter 4 Section 4-87 of the Township Code.

Direct solicitation for any purpose, of the public, residents, patrons or any other Township "customers", may imply or be misinterpreted to suggest possible favor. Therefore, employees especially inspectors and code enforcement officers should refrain from the direct solicitation of any donations, discounts, and/or gifts, etc.

Employee to employee solicitation ie. school fund raisers, is not prohibited, but must be conducted in a professional, cordial manner.

24. Smoking

There are no designated smoking breaks.

Smoking is prohibited within 100 feet of the Townhall complex. Smoking is also prohibited at the Dey Road complex except in areas officially designated by the Township as smoking areas ie. Employee parking lot.

Smoking is prohibited in all Township owned vehicles.

25. OUTSIDE EMPLOYMENT

Employees must recognize that the Township of Wayne is their primary employer. All employees shall comply with the provisions of Township Code 4-83 "Outside Employment" "Employees are permitted to accept permanent outside employment provided that there is no possibility that such employment will interfere with an employee's position through conflict of interest. Before accepting such permanent outside employment, an employee shall advise his Department Head, in writing, of the place of such employment, hours of work" utilizing an official Township form for each outside employer. "Outside employment" includes self employment.
(Attachment M)

Compliance with Township Code 4-83, Outside Employment, must be completed and filed each January. Additionally, if there is any change in an employee's outside employment during the course of the year, the employee will be required to immediately notify their Department Head/Division Head and complete and submit a new Attachment M.

26. PROHIBITED MATERIALS

Employees are prohibited from displaying, posting or distributing materials containing offensive, harassing or defamatory language, either slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability, religion or other legally protected status.

27. E-MAILS/COMPUTER EQUIPMENT

The Township provides computers and an Electronic Mail, or E-Mail, system to facilitate business communications. Employees are required to use equipment and E-Mail in a professional manner in order to improve business efficiency, subject to the terms set forth herein. The use of the Township's E-Mail or computer equipment system for personal reasons is prohibited and should conform to the terms of this policy. Misuse of the Township's E-Mail or computer equipment

system may result in disciplinary action up to and including termination, as well as legal action.

Confidentiality, Privacy and Monitoring

Township computer system/network, E-Mail system hardware, as well as all messages composed, sent or received on the E-Mail system are the exclusive property of the Township. Employees are cautioned that E-Mail systems do not provide complete confidentiality, and that **Township employees have no right to privacy when they use the Township's computer equipment or E-Mail system**. The Township has the right to access, monitor and disclose the contents of any electronic message composed, sent, received, or in any other way stored in the computer/E-Mail system, for any business purpose, including to determine whether there have been any breaches of security, violations of Township policy, or other E-Mail system misuse.

Content of E-Mail Communications

The Township's policies against harassment and discrimination apply fully to use of the E-Mail system. In addition to any other restrictions set forth herein, employees are prohibited from using the Township's computer equipment and E-Mail system to distribute electronic communications containing offensive, harassing or defamatory language, or any communication containing ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religion or other legally protected status. Employees are further prohibited from using the Township's computers and E-Mail system to display or transmit sexually explicit images, messages or cartoons, or any electronic communication that is political or religious in nature. Violations of this prohibition will result in disciplinary action up to and including termination of employment.

Internet

Access to the Internet utilizing a Township computer or equipment shall be for work related purposes only. Such access is permitted only with authorization and there shall be no expectation of privacy. The Township has the right to access, monitor and disclose the content of any and all sites or information visited, accessed, sent, composed, received or stored in the Township system, at any time, for any purpose, including security checks, and checks for violations of Township Policy.

Compliance with Law

Use of the Township's computer system must be in accordance with the law. The computer system shall not be used to send or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization. Violations of applicable laws may result in civil or criminal prosecution, and will result in disciplinary action up to and

including termination of employment.

E-Mail Passwords

E-Mail passwords are the confidential and proprietary information of the Township. To prevent unauthorized access to E-Mail messages, E-Mail passwords should not be shared with anyone but the authorized user.

28. EMPLOYEE BEHAVIOR

Employees are expected to carryout and perform their duties and assignments in a competent and efficient manner and shall not be careless or negligent.

All employees are expected and required to behave in a professional, safe, courteous manner which boosts the Townships and its employees image.

Behavior unbecoming a public employee is prohibited and will not be tolerated.

Prohibited behavior includes but not limited to: offensive e-mails, foul language, threats, disparaging or discriminatory remarks, racial or other slurs, sexual harassment, theft, violence, assault, and the violation of any lawful regulation, assignment or directive. (Violence Attachment Q)

Violations will result in disciplinary action up to an including immediate termination of employment.

29. DISCREPANCIES OR CLARIFICATION

Employees shall refer to the Employee Handbook, applicable Contract and Supervisors for further guidance.

Questions should be addressed first through ones Supervisor, Division Head, Department Head or the Human Resources Department. Visits or appointments in the Human Resource Department should occur with prior permission of Division head.

30. DISPATCHERS

Dispatchers are also required to adhere to all applicable parts of the Police Policy and Procedure Manual and any applicable written directives promulgated through the Police Department.

31. LAB WORKERS

Lab workers are also required to adhere to all applicable lab and chemical handling procedures, laws or regulations.

ATTACHMENT A

TOWNSHIP OF WAYNE

NOTICE TO EMPLOYEES

DRESS AND GROOMING GUIDELINES

STATEMENT

All employees of the Township are required to present a neat, clean and professional image to the public. A business like appearance must be maintained at all times. This is critical toward promoting a good image of the Township to our community.

CLOTHING

1. All employees required to wear uniforms must do so. Uniforms must be neat and clean and in good repair at all times.

2. Departmental practice will reflect appropriate clothing and grooming standards in accordance with Township standards. There may be variations by departments according to work needs and functions.

3. All employees who are not required to wear uniforms must dress in appropriate, business like clothing.

    a) Acceptable dress for women: business like suits, blazers, skirts, blouses and pants, sweaters, career-type dresses.
    b) Acceptable styles for men: business suits, blazers and sport jackets, collared shirts, sweaters, shirts and pants; ties worn with the above if customary within the department.

4. All fabrics, styles and designs should be appropriate and professional.

5. a) Samples of unacceptable dress for women: sheer and/or tight clothing; revealing garments; low necklines; short skirts (generally, more than 3 inches above the knee); tee shirts; shorts, tights and/or leggings; spandex, blue jeans (for office staff); halter/midriff tops; sundresses without jackets; sweatsuits, workout gear, sneakers/athletic footwear (for office staff).

    b) Samples of unacceptable styles for men: blue jeans for office staff; sports gear; shorts; sweatsuits; tee shirts that are not part of the work uniform; sneakers or athletic footwear (for office staff); workout gear.

    c) Blue jeans and/or sneakers should not be worn by office staff whose principal activities involve administrative duties and contact with the public. This also applies on designated "casual days". Exceptions to this may be made by the

Department Head on days where office staff are performing functions that warrant the use of casual clothing (e.g. moving, storage, heavy filing). This does not apply to field personnel who have permission of the Department Head to wear this clothing and/or footwear.

d) The above is not exclusive and is subject to change.

6. Items as listed above or unlisted items may be permitted under certain circumstances, including medical reasons, if such attire is appropriate to performing certain job functions. The Department Head is responsible for exceptions with the knowledge of the Business Administrator.

7. Shoes must be neat, clean and in good repair.

8. The Business Administrator may designate casual dress days. Casual dress days require the wearing of neat casual, comfortable clothing. For example, collared shirts and causal slacks for men; casual slacks, tailored blouses and pantsuits for women.

   The examples of unacceptable dress for women and men mentioned above are also applicable to casual dress days.

GROOMING

1. All employees must take care to insure that their personal hygiene is acceptable so as not to interfere with work operations. If there is a problem, a conference will take place and progressive discipline may be applied if there is no improvement. Offensive hygiene could be a symptom of a medical problem. If the Township believes this may be the case, a medical evaluation will be conducted at the expense of the Township.

2. All hairstyles should be neat, clean and well-groomed, and reflect a professional appearance.

3. Nails should be clean and not excessively long. Nail polish and art should project a professional image.

GENERAL

Employees who do not comply with the provisions of this policy and/or their individual department's regulations or uniform policy, if applicable, will be subject to disciplinary action. Any complaints arising out of the application of this policy will be resolved in accordance with the collective bargaining agreement and/or Township Code, if applicable.

ATTACHMENT B

WAYNE TOWNSHIP
EMPLOYEE IDENTIFICATION BADGE POLICY

Effective Date: April 1,2004 Revision Date:

POLICY:

All full time employees are required to have, carry and/or display an employee photo identification badge on their person at all times while working or on official Township business.

PURPOSE:

It is the intent of the Township of Wayne to provide a safe friendly working environment for both employees and the residents we serve. Towards this end we are committed to giving residents an easier more uniform means of identification verification; encouraging members of our community to verify employees identification before allowing access to their residences; and making employees more approachable/identifiable in general throughout our facilities.

PROCEDURES:

1. Township employees will be issued photo ID's upon hire and completion of payroll documents and ID worksheet. (see attached worksheet)

2. Badges shall include the following information: ID#, Worker's photograph, name, job title and employees Department/Division. New badges will be issued to reflect any changes in the required information. (see attached worksheet)

3. If any ID badge is lost or stolen, it is the responsibility of the employee to report this to their immediate supervisor as soon as possible. The supervisor and employee must make arrangements to get another badge re-issued.

4. Badges will be re-issued once free, any additional replacements due to loss or theft will cost an employee five ($5.00) dollars replacement fee and subject employee to any applicable disciplinary action.

5. When an employee resigns, is terminated or retires and will no longer be working for the Township, he/she must surrender their ID Badge to the Human Resource Department on their last day of work or be subject to fifteen ($15.00) dollar fee taken out of final pay.

6. Badges may not be altered. No pins, stickers or markings are allowed to be displayed on the ID badge.

7. Employees will be issued both a neck lanyard and clip device to aid in the wearing of the ID.

8. Employees are required to wear (display) their ID badge in plain sight. Uniformed police or other police while displaying their police badge, blue collar workers (except meter readers) and any employee whose badge may pose a danger during the performance of their job are excluded.

9. All employees, with the exception of uniformed police, are required before entering a personal residence to present their ID to the resident. Badge must be worn in full view, at time of introduction and entry, badge must be brought to the attention of the resident.

10. Any doubt about the requirement to wear an ID should be discussed with Human Resources.

11. This policy is considered an addition to general or specific work rules and the employee handbook.

ATTACHMENT C

WAYNE TOWNSHIP
PERSONAL PROTECTIVE EQUIPMENT
POLICY

Wayne Township is committed to provide a safe and healthful work environment for the entire staff. In pursuit of this endeavor, the following Policy is in place to prevent personal injury. This Policy is in accordance with the Code of Federal Regulations and Township Work Rules.

1) Responsibility

A) It is the responsibility of the Department Head and Division Heads to provide the staff with the correct Personal Protective Equipment to perform their daily functions.
B) It is the responsibility of the Foreman and Supervisor to insure personal protective equipment is available, being distributed, and used when hazards are potential.
C) It is the responsibility of each employee to utilize the personal protective equipment available, maintain and care for such equipment and report any deficiencies to an immediate supervisor.

2) Hazards

A) All areas where work is being performed shall be assessed by the employee for potential and obvious hazards before any work is to take place.
   1) Eye or Face Protection will be worn by all employees when exposed to hazards from flying particles or objects, molten metal, liquid chemicals, chemical gases or vapors, acids or caustic liquids, or potentially injurious light radiation.
   2) Protective clothing shall be worn by all employees when exposed to hazards from any object, or substance which could potentially be absorbed into the skin or cause burns, severe scrapes, severe cuts, damage or irritate the skin or body.
   3) Each employee shall wear a protective helmet when working in areas where there is a potential for injury to the head from falling objects.
   4) Approved foot protection is required, at all times, by employees to prevent foot injury from falling objects, rolling objects, or objects piercing the sole. Supplied shoes should be worn.
   5) Hand Protection is required by all employees when hands are exposed to hazards such as those from skin absorption of harmful substances, severe cuts or lacerations, severe abrasions, punctures, chemical burns, thermal burns, and harmful temperature extremes.
   6) Hearing protection is required and should be utilized by all employees when working with or near load machinery or equipment, or in areas designated as hearing protection required.
   7) Respirators and filtering facepieces shall be utilized whenever an employee has a potential exposure to harmful dust, particulates, gases, fumes, mists or vapors. The filtering facepieces may also be utilized on a voluntary basis by request of an employee for comfort or allergy protection.

3) Equipment Care and Maintenance

A) All Personal Protective Equipment shall be maintained and free of any holes, tears, scratches, cracks or any damage that would cause the equipment not to protect as it was designed.
B) All Personal Protective Equipment shall be inspected by the user before and after each use.
C) Any Personal Protective Equipment found to be damaged or defective shall be discarded and replaced.

4) Personal Protective Equipment Training

A) Each employee shall be trained to know at least the following.

1) When Personal Protective Equipment is necessary.
2) What Personal Protective Equipment is necessary.
3) How to properly wear Personal Protective Equipment.
4) The limitations of Personal Protective Equipment.
5) Proper care, maintenance, useful life and disposal of the Personal Protective Equipment.

3) Each affected employee shall demonstrate an understanding of the training and the ability to properly use Personal Protective Equipment.

4) When there is a reason to believe that any affected employee who has already had training does not have the understanding or ability of the training, the employee will be retrained in all aspects of Personal Protective Equipment. Circumstances where retraining is required include, but are not limited to, situations where:

1) Changes to the work place render previous training obsolete.
2) Changes to the types of Personal Protective Equipment used render previous training obsolete.
3) Inadequacies in an affected employees knowledge or use of assigned Personal Protective Equipment indicate that the employee has not retained the requisite understanding or skill.

Failure to use Personal Protective Equipment will result in the following disciplinary action:

Failure to use Safety Devices

1st infraction – Official Verbal Warning
2nd infraction – Written Warning
3rd infraction – 1 to 3 days suspension without pay
4th infraction – Further disciplinary action up to and including Termination

Any of the above steps may be skipped depending on the circumstances and the seriousness of the infraction or hazard.

Lets all work together to help keep this a safe and accident free environment.

ATTACHMENT D

WAYNE TOWNSHIP CELL PHONE POLICY

Cell Phone Use Procedures

I. Purpose

It is the purpose of this policy to regulate the use of mobile communication devices (cell phones).

Use of such devices could prove dangerous or disruptive. Regulation of use, while operating Township equipment or driving Township vehicles, or while working, is deemed necessary to protect employees and the public.

II. Policy

Employees should not use personal cell phones during work hours. Use of cell phones during work hours is limited to emergency and work related calls only.

All outgoing personal calls must be made on the employee's own time (lunch, dinner, etc.) all incoming emergency calls should be directed to the Garage or main office, the call takers will then notify the employee by radio of the emergency.

Personal cell phones should remain off during work hours except during scheduled breaks, lunch, and dinner.

Employees should not be spending time on personal phone calls (cell or otherwise) during work hours.

III. Definitions

Cell Phones: Include but not limited to cellular, analog, or wireless and digital telephones, devices commonly known as "walkie-talkies" or direct-connect", and devices having both features.

Stopped/parked: Vehicle must be positioned as not to create a traffic hazard; and for automatic transmission vehicles, that the vehicle is in the parked gear; for a standard transmission, that vehicle is in neutral gear and the brake is being utilized, or, in either case the vehicle is not running.

Cell Use: To use a hand-held mobile communication device, ie. dialing, answering, talking, listening **or texting.**

Picture phone: Any cell phone with camera (picture taking) or video capabilities.

IV. Procedures

A. Use in Motor Vehicles

1. No employee is permitted to operate or drive any vehicle or equipment while using a cell phone unless utilizing a hands free device.
2. Should a call need to be made or answered or text read/sent, without a hands free device; the vehicle/equipment being operated must be completely stopped/parked, safely out of traffic.

B. Use In Township Offices and Buildings

1. Personal cell phones are to remain off during work hours except during scheduled breaks, lunch or dinner. Use during these times should not be at an employee's desk.
2. In the event of an emergency, employees can be reached at or through the office number.
3. Personal cell phones are to remain off or in silent/vibrate mode in offices, and in all public areas such as; hallways, reception/lobby areas, the public counters and windows, elevators, during all meetings, and in Court.
4. Use of cell phones during business hours, no matter the reason, is to be treated the same as, the use of a township's phone during work hours.
5. Should an employee use a cell phone in any public area, common courtesy and ethics shall apply, and such use must not be disruptive to municipal business or the public.
6. When a real need for cell phone use for personal reasons during work hours arises (e.g., during a family emergency) employees are to inform their immediate superior prior to, or, as soon as possible, of the circumstances.
7. When circumstances are determined to warrant emergency use of a cell phone, the supervisor and employee will agree on the duration of the special circumstance. During such times, cell phones must be kept in silent mode and calls must not be disruptive to co-workers.
   Such a permitted use will be limited and remain minimal as to not impede the completion of ones work assignments or job responsibilities.

C. Picture Phones

1. The use of phones with image recording capabilities (to record or take pictures) is prohibited.

D. Township Issued Cell Phones

1. Township cell phones are issued for work related purposes because the Township has recognized a need.
2. Township issued cell phone use is governed by all cell phone use policies and procedures set forth in this policy.
3. Township issued cell phones may be changed or revoked at the Township's discretion.
4. Township cell phones are not to be used for texting or to call 411 unless specifically authorized by Administration.

E. Reservation of Authority

1. The Township reserves the right to change, amend, or modify this policy and procedure at any time.

ATTACHMENT E

Wayne Township
Modified Duty Policy

The purpose of the Modified (light) duty option is to allow an injured worker to return to work earlier on a temporary basis. The modified duty time period is used to rehabilitate the injured employee, work conditioning or just allow a healing time before such employee can return to full duty.

Modified duty is a technique used when, an individual is unable to perform their regular assignment or possible assignment due to a temporary condition resulting from:

- Recovery from an illness, injury or condition (on or off job).
- Rehabilitation from substance abuse.

Modified duty allows the Township to bring the employee back into a working routine in a controlled, progressive manner, allowing for the appropriate adjustment period.

Modified duty periods shall not exceed four months without prior approval from Human Resources.

The physician in each case shall supply the restrictions or limitations to be adhered to during the employee's modified duty period. For consistency each physician will only consider the duties during the employee's regularly scheduled 8-hour period, or in the case of shift work 1st shift. Modified duty periods will occur up to the full 8-hour workday, and up to 5 days per week.

Physicians must update information concerning restrictive and expected duration at least every 30 days.

> Employees on modified duty will not be called in to work overtime. Those employees must be taken out of the call rotation until the modified duty period ends.

The availability of modified duty is limited and continually changes. Its approval is based on the employee's restrictions, duration of such restrictions, and/or the jobs and projects available. There is no guarantee of modified duty availability. When granted, it is only granted on a temporary basis subject to individual circumstances.

Job related conditions shall be given priority over non-job related conditions for available assignments.

Once an employee is assigned to modified duty they are required to report as assigned.

Modified duty may entail work outside of an employee's normal division or department and may require an employee to work outside of normal work hours.

Employees working on modified duty may use time off as allowed by contract i.e. sick, personal or vacation.

Every effort will be made to prearrange tasks, but the employee may be required to report daily. Any employee on modified duty works strictly at the township's discretion.

Should any restrictions on an employees ability to perform the essential functions of their position last longer than two months such employee may be required to undergo a fitness for duty exam, paid for by the Township.

If at anytime, the employees restrictions or limitations are determined permanent and no reasonable accommodation is possible enabling the employee to perform the essential requirements of their position; the Township may consider any available open position for which the employee is still qualified and capable. Such position may be at a lower pay rate. The employee may accept the change or apply for a disability retirement.

In an emergency, as determined by the Township, employees on modified duty may be called for overtime; as long as the tasks are within the applicable restrictions.

An employee's salary will be adjusted according to contract when such employee has been on modified duty for an extended period of time. (see applicable contract)

After successful completion of modified assignment and/or notice from a treating physician, the worker will be restored to their full time regular position at their previous pay.

ATTACHMENT F

WAYNE TOWNSHIP
SICK TIME POLICY

The Township grants employees an allotment of sick days on a cumulative yearly basis by contract.

Employees are required to report to work when scheduled unless utilizing sick, vacation, personal or other time in accordance with the applicable contract.

Sick leave may be used by an employee for personal illness, illness in his immediate family which requires his attendance upon the ill member, quarantine restrictions, or disabling injuries.

For purposes of this policy:

The employee's past history of sick use will be considered. Sick time abuse is not limited to a calendar year.

Once an employee has utilized all but five (5) days (approximately 40 hours) of sick leave, as a courtesy, their Division Head will issue a reminder notice to the employee explaining that the employee has only five (5) days (40 hours) remaining in his/her sick bank.

An event is any sick time usage evidencing a pattern of absenteeism, including absences on: Fridays or Mondays; the first or last business days of the week; the day before or after a holiday or vacation day; or any combination of the above. An event will be charged for any usage for which a doctor's note is not supplied when required by this policy or required in conjunction with a disciplinary action.

Doctor's notes/slip may be required whenever deemed appropriate, independently or in conjunction with any disciplinary action.

The Township reserves the right to have an employee examined by a Township physician whenever it deems necessary.

A doctor's note is required upon return from any sick leave of three or more consecutive days, or when a sick day is utilized in conjunction with a vacation or holiday.

The Township may, in its sole discretion, require a doctor's note for sick leave of any duration. If required, a doctor's note must be provided upon employee's return to work or within (72) seventy-two hours if a request is made for further clarification. Failure to meet this requirement will result in the absences being characterized as unexcused and dealt with in accordance with the uncompensated dock time policy.

A doctor's note is a document written by a treating physician which gives sufficient information to determine a reason for use of sick time. At a minimum, a doctor's note must include the doctor's name, address, phone number, employee name, the date or dates seen by the physician, the date(s) employee was/is unable to work and the date upon which the employee is able to return to work.

In addition, any employee who receives a reminder notice must provide a doctor's note as described above and such note must set forth the condition(s) for which the employee was seen. This additional requirement shall remain in effect for the balance of the calendar year in which the reminder was received.

Abuse of sick time will be handled in the following manner:

Step/Write up:

1. VERBAL WARNING - After three (3) events in a six month period. (Green Form)

2. WRITTEN WARNING – After two (2) additional events in the next six month period. (Yellow Form)

3. DISCIPLINARY - Next subsequent event as per warning: Recommended action will be up to three (3) work days suspension without pay. (Pink Form)

4. FURTHER DISCIPLINARY ACTION - Any further events and the employee will be subject to further disciplinary action up to and including termination. (Pink Form)

IMPROVEMENT: Six months with no sick time used (no events).

When an employee has met the above requirement (minimum six months with no sick time events used) the employee may be moved back one step in the process and when going back from 1st step designated as having a clean slate. Any such improvement shall utilize the following procedure:

1) Employee makes written dated request to Department/Division Head.

2) Employee has gone six months without using any sick time (no events).

3) Department Head verifies improvement and no infractions have occurred in the six months immediately preceding the request, and makes recommendation for change to Administration.

4) No request will be accepted while disciplinary action is pending.

5) A form making record of such action shall be placed in the employee's file and be attached to the write up under this policy.

When an employee has met the above requirement for a second six months (total 1 year no sick time events used) that employee may be designated as having a "clean slate" with regard to this policy. This designation will be handled using the following procedure:

1) Employee makes written dated request to Department/Division Head.

2) Employee has gone an additional six months without using any sick time (no events) (total of 1 year).

3) Department Head verifies improvement and no infractions have occurred in the six months immediately preceding the request, and makes recommendation for change to Administration.

4) No request will be accepted while disciplinary action is pending.

When the above requirements have been met, a letter making record of such action shall be placed in the employee's file. This letter shall set forth the clean slate* status of the employee and be attached to the related write ups under this policy.

*A clean slate indicates an employee's next step would be a Step 1 Verbal Warning within the parameters of the Sick Time Policy.

Nothing in this policy shall preclude the Township from exercising its managerial right to implement progressive discipline for reasons other than that covered by this policy.

NOTE:

A Division/Department Head may eliminate one or more of the above steps if the employee has problems with tardiness, patterned or abusive absenteeism or other disciplinary problems. This should only be done in consultation with the Director of Human Resources.

ATTACHMENT G

WAYNE TOWNSHIP
LATENESS /TARDINESS POLICY

Employee shall report to work as scheduled.

Abuse will be handled in the following manner:

STEP/WRITE UP:

1.	**VERBAL WARNING -** (Green Form)	Lateness two (2) times in a pay period, or three (3) times in a month, or four (4) times in a six (6) month period.
2.	**WRITTEN WARNING -** (Yellow Form)	One (1) more lateness in the next six (6) month period.
3.	**DISCIPLINARY -**	Next subsequent late as per warning: recommended action will be up to three (3) work days suspension without pay.
4.	**FURTHER DISCIPLINARY ACTION -** (Pink Form)	Any further lateness and the employee will be subject to further disciplinary action up to and including termination.

NOTES:

A. If an employee reports later than 30 minutes past start time without notification such employee shall be sent home – unpaid.

IMPROVEMENT: Six months with no lateness (no events).

When an employee has met the above requirement (minimum six months with no late events) the employee may be moved back one step in the process and when going back from 1st step designated as having a clean slate. Any such improvement shall utilize the following procedure:

1) Employee makes written dated request to Department/Division Head.

2) Employee has gone six months without any latenesses (no events).

3) Department Head verifies improvement and no infractions have occurred in the six months immediately preceding the request, and makes recommendation for change to Administration.

4) No request will be accepted while disciplinary action is pending.

5) A form making record of such action shall be placed in the employee's file and be attached to the write up under this policy.

When an employee has met the above requirement for a second six months (total 1 year no lateness events) that employee may be designated as having a "clean slate" with regard to this policy. This designation will be handled using the following procedure:

1) Employee makes written dated request to Department/Division Head.

2) Employee has gone an additional six months without a lateness (no events) (total of 1 year).

3) Department Head verifies improvement and no infractions have occurred in the six months immediately preceding the request, and makes recommendation for change to Administration.

4) No request will be accepted while disciplinary action is pending.

When the above requirements have been met, a letter making record of such action shall be placed in the employee's file. This letter shall set forth the clean slate* status of the employee and be attached to the related write ups under this policy.

*A clean slate indicates an employee's next step would be a Step 1 Verbal Warning within the parameters of the Lateness/Tardiness Policy.

Nothing in this policy shall preclude the Township from exercising its managerial right to implement progressive discipline for reasons other than that covered by this policy.

Note: A Division/Department Head may eliminate one or more of the above steps if the employee has problems with tardiness, patterned or abusive absenteeism or other disciplinary problems. This should only be done in consultation with the Director of Human Resources.

REVISED 1/2010

ATTACHMENT H

UNCOMPENSATED/DOCK TIME

It is the responsibility of every employee to utilize sick, vacation and personal time responsibly throughout the year so that he/she has available time necessary to cover illness, emergencies etc.

It is not the policy of Wayne Township to allow the use of "dock" (uncompensated) time, either in place of, or as an addition to, sick leave, vacation or personal time provided by contractual agreement.

Once an employee has utilized all but five (5) days (approximately 40 hours) of sick leave, as a courtesy their Department/Division Head will issue a notice to the employee warning/reminding that the employee has only five (5) days (approximately 40 hours) remaining in his/her sick bank. (See **Attachment L**)

In any calendar year:

Steps: 1) FIRST ACTION
After an employee utilizes all available leave and he/she calls out or is charged with an unexcused absence, the employee will not be paid for that time not worked and suspended an additional three (3) work days without pay.

2) SECOND ACTION
If an employee calls out or is charged with an unexcused absence a second time, he/she will not be paid for that time not worked and suspended an additional ten (10) work days without pay.

3) THIRD ACTION
Any further instance of call out or unexcused absence will result in minimum thirty (30) work day suspension without pay up to and including termination of employment.

NOTE:
A Division/Department Head may eliminate one or more of the above steps if the employee has problems with tardiness, patterned or abusive absenteeism or other disciplinary problems. This should only be done in consultation with the Director of Human Resources.

OTHER:

1) Exceptions to the above procedure time may be made in instances of documented and approved Family and Medical Leave, or unpaid leave as available by contract and in extraordinary circumstances with the recommendation of the Department Head and approval of the Business Administrator.
2) Nothing in this policy shall preclude the Township from exercising its managerial right to implement progressive discipline for any reason other than that covered in this policy.

Attachment: Sick Time Reminder Notice

ATTACHMENT I

PARKING PERMIT POLICY

MUNICIPAL COMPLEX

Every employee will be issued one parking permit/tag.

Parking for Township employees is provided in the parking lot in front of the Municipal Building. The employee parking area is designated by green striping.

All employee-operated vehicles must be registered with the Township and the parking permit/tag, issued by the Township, must be hung from the inside, rear view mirror. Parking permits are available in the Personnel Office.

Parking permit/tags are issued for the use of the employee only and are not transferable to other individuals or family members.

Note: There are special fifteen (15) minute parking spaces located in front of the Municipal Building. These are not available for employee parking and are reserved for members of the public conducting business in the Municipal Building.

OTHER TOWNSHIP FACILITIES

Employees working at other Township facilities must park their vehicles in designated areas. Such areas are designated by each Division Head or Department Head.

2007

ATTACHMENT J

Therapeutic/Prescription Reporting Form

Date_____

Employee_____

Medication

List or Description of prescribed drugs (write full name):

_____

_____

_____

_____

Schedule of medication (frequency)_____

Duration of medication _____

Amount of dosage _____

The employee is reporting this in compliance with 49 CFR Part 382 et al.

The employee further states that the prescribing physician has informed him that this medication has no adverse effects with respect to driving and safety sensitive functions. A copy of or a note from the prescribing physician will be supplied if requested to the employee's supervisor. (when this occurs attach copy to this form)

_____ _____

Signature of Employee **Date**

_____ _____

Form received by **Date**

Safety 11/95

ATTACHMENT K

OVERVIEW **HANDOUT**

WAYNE TOWNSHIP POLICY ON DRUG & ALCOHOL TESTING

I. INTRODUCTION AND PURPOSE

It is the policy of the Township of Wayne to maintain a drug and alcohol free workplace while complying with all applicable laws and regulations.

As a public employer, the Township of Wayne is firmly committed to operating in the safest and most efficient manner possible. As a responsible employer, it is also committed to promoting the safety and welfare of its employees. The problem of drug and alcohol abuse in our society is a potential threat to those objectives, endangering not only the general public, but also the personal lives of township employees.

In order for Wayne Township to meet its commitments to the public and its employees, it is essential that the Town operate in an alcohol and drug free environment, and that its employees be free from the effects of alcohol and other mind-altering drugs. It is the responsibility of each employee to ensure that he/she is alcohol and drug free and in compliance with the requirements outlined in this policy.

The purpose of this document is to implement a drug and alcohol testing program which meets the needs of Township Policy, the State and the Federal regulations cited below. The purpose of the testing program is to ensure a drug and alcohol free workplace. The Township goal is to meet all requirements of this policy while conducting the testing in a fair, equitable, dignified and private manner.

II. AUTHORITY

This policy was developed in accordance with the following Federal rules and regulations which apply to the State of New Jersey:

U.S. Department of Transportation, Office of the Secretary, 49 CFR Part 40 - Procedures for Transportation Workplace Drug Testing Programs; Final Rule

U.S. Department of Transportation, Office of the Secretary 49 CFR Part 382 et al.- Controlled Substances and Alcohol Use and Testing

New Jersey Public Employees Occupational Safety And Health Act., N.J.S.A. 34: 6A-25 et seq.

New Jersey Controlled Substance Laws, N.J.S.A. 2C: 35-1 through 24

New Jersey DWI, N.J.S.A. 39: 4-50

III. APPLICABILITY

The following policy shall apply to all departments in Wayne Township Government. As a condition of employment, this policy in its entirety applies to all employees* whose job duties include the performance of safety-sensitive functions including those related to the operation of a commercial motor vehicle, as defined below, for which the employee is required to maintain Commercial Driver's License valid in the State of New Jersey. This applies to employees whose job includes such functions on a regular or occasional basis where the employee may have a distinct possibility of performing safety-sensitive functions when on-duty. It also applies to employees who perform safety-sensitive functions on an intermittent basis, such as a temporary worker or a driver of a non commercial vehicle.

In addition to covering all operators of commercial vehicles subject to the CDL requirement, including intermittent or restricted use CDL's and drivers, this policy covers all other employees for pre-employment, reasonable suspicion, post accident/injury and return from extended leave testing.

*NOTE: Law enforcement employees are also covered by the Drug Screening Guidelines promulgated by the N.J. Attorney General, effective October 22, 1986 and amended on August 1, 1990.

IV. DEFINITIONS

Alcohol - means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol Use - means the use of any beverage, mixture, or preparation, including any medication, containing alcohol.

Breath Alcohol Technician (BAT) - certified to operate Breathalyzer

Commercial Motor Vehicle - means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- Has a gross vehicle weight rating of 26,001 or more pounds; or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (USDOT 49 CFR part 172, subpart F).

Communication Agreement – Agreement allowing SAP to communicate with Township about employees' treatment.

Controlled Substance - Has the meaning assigned by 21 U.S.C. 812 including substances listed on Schedules I through V as they may be revised from time to time (21 CFR Parts 1301-1316), and including those substances defined by N.J.S.A. Title 24 and companion regulations as they may be revised from time to time.

Criminal Drug Statute - Federal or State Criminal Statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

Direct Observation (DO) - Supply of a urine sample under direct observation.

Drug -Interchangeable use with the term "controlled substance". Including but not limited to marijuana (THC) ng/mL 50, cocaine ng/mL 150, opiates ng/mL 2000, phencyclidine (PCP) ng/mL 25, amphetamines ng/mL 50, designer drugs, methamphetamines ng/mL 10, ecstasy, heroin and special K.

Medical Review Officer (MRO) - Designated Town Doctor(s) or contract physician(s) with appropriate medical training and knowledge of substance abuse conditions, authorized to receive, review and report laboratory drug test results.

On Duty - Any time period (regular work hours, overtime, hourly services), including breaks, during which an employee is required to comply with a directive from a supervisor and/or the employee is actually performing, may be expected to perform and/or be available to perform a safety sensitive function or other regular duties of his job.

For non-CDL employees any time for which you are being compensated and expected to perform the duties of your position.

Performing a Safety-Sensitive Function - any period in which a driver is actually performing, ready to perform, or immediately able to perform any safety-sensitive function.

Positive Alcohol Test - A breath alcohol level of .02 or greater as measured by a breath analysis machine approved for use by the FHWA and appearing on the "Conforming Products List" in Federal Register.

Positive Drug Test - A controlled substance test result reported positive by the laboratory and subsequently confirmed upon review by the medical review officer as evidence of prohibited drug use.

Reasonable Suspicion – Suspected use of alcohol or drugs while working or reporting for work as observed by one or more supervisors or employees.

Substance Abuse Professional (SAP) – Designated professional with appropriate training and knowledge to assess, address and counsel in substance abuse.

Safety-Sensitive Function - means any on-duty function as follows:

- All time spent at the driving controls of a motor vehicle.
- All time at a carrier or shipper plant, terminal, facility or other property, waiting to be dispatched, unless the employee has been relieved from duty by the supervisor.

- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations, or otherwise inspecting, servicing, or conditioning any commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle.
- All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- All time spent performing the driver requirements associated with an accident.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
- All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required" and performing any other work in the capacity of, or in the employ or service of, a common, contract or private carrier. 49 CFR 395.2.
- All time working at the Water Pollution control Facility.
- Police Officers, Animal Control Officers, Life Guards, Inspectors, Flagmen, Dispatchers.

Subject to Duty - Any time period an employee is required to be available (on call) to report for duty to perform a safety-sensitive function or regular function of the job.

Supervisor or Supervisory Employee - An employee with responsibility for directing the work of other employees.

Workplace - Any location, including but not limited to garages. depots, yards, offices, field or road sites, whether or not owned or operated by the Township of Wayne where official Township business is conducted or where job duties are performed.

V. POLICY

A. Voluntary Participation in Treatment

Employees who have drug and/or alcohol abuse problems are encouraged to voluntarily seek treatment. Treatment may be sought through the employer (Employee Assistance Program) or independently by the employee without employer involvement.

Employees may be able to avoid negative consequences regarding their employment by seeking help to correct their substance abuse problem, before it becomes an issue under this policy.

Information regarding the availability of counseling services for drug or alcohol abuse problems can be obtained by contacting the Human Resources Director at extension 3203, Wayne Counseling & Family Services directly (973) 694-1234, New Life Recovery directly (973-728-7788), or your personal physician.

B. Prohibited Conduct

As a condition of employment all covered employees are prohibited from:

1. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.02 or above.

2. Being on duty or operating a motor vehicle while in the possession of alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicine containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.

3. Using alcohol while performing safety-sensitive functions.

4. Performing safety-sensitive functions within **four** hours after using alcohol.

5. When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

6. Reporting for duty or remaining on duty which may require the performance of safety-sensitive functions when the driver distributes, possesses or uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. **NOTE:** Covered employees shall provide notice of such therapeutic use of controlled substances. The reporting form is available from Human Resources or your Shop Steward. All forms are to be returned to Human Resources and will be kept as part of the driver qualification file/or medical file.

7. Reporting for duty or remaining on duty if the individual tests positive for controlled substance(s).

8. The use or possession of alcoholic beverages, as well as the use, sale, dispensing, possession or presence in one's system of illegal drugs, whether or not on Township property, at any time during the hours between the beginning and ending of the employees work day, may be cause for immediate dismissal. This prohibition also applies to the abuse of legal or prescription drugs which impair the employee's ability to perform duties of the job properly or safely. (Also see Work Rules and SOP's).

9. Failing any Return-To-Duty test.

Violation by any employee of any of the above prohibitions is subject to disciplinary action up to, and including termination of employment.

Department Head, Division Head, Assistant Division, Foreman or Supervisor having knowledge that a covered employee is in violation of any of the above shall not permit the employee to perform or continue to perform safety-sensitive functions.

C. Requirement of Cooperation with Collection and Testing

Each employee, or individual with a conditional offer of employment, or otherwise required to be tested for drugs and/or alcohol pursuant to this policy must provide adequate, valid, undiluted, unadulterated breath and/or urine samples as requested. They must also supply all the information necessary to identify the samples (i.e. complete paperwork and initial specimen) and otherwise cooperate with the collection and testing procedure.

Failure to cooperate or provide such samples, without a valid medical explanation, shall constitute a refusal to cooperate.

Refusal to cooperate will result in immediate disciplinary action. Any individual with a conditional offer of employment who refuses to cooperate will not be hired.

Refusal of an employee to cooperate will be considered testing positive for drugs or alcohol concentration.

Adulterated samples will be considered an attempt to defraud and a positive test result.

D. Circumstances under which Drug and/or Alcohol Testing will be administered and determined

All testing as described below will be performed with standardized equipment and certified laboratories in accordance with the procedures established in 49 CFR Part 40, et. al.

Additionally, nothing in this policy shall be construed to authorize any delay in obtaining emergency medical treatment, where appropriate, for a covered employee. Individuals will be notified of all positive laboratory results of any drug test and provided with an opportunity to discuss the results with the Medical Review Officer prior to a final determination and reporting of the test results as positive.

Drug and/or alcohol testing will be administered as follows:

1. Pre-employment:

   All notices for employment opportunities requiring the possession of a Driver's License for the performance of safety-sensitive functions shall include notice of the requirement to undergo testing for controlled substances upon the receipt of a conditional offer of employment. This includes those notices posted by the Department of H.R., as well as all job opportunities advertised by the Township.

   a) Post-offer for Final Applicants

      All individuals receiving conditional offers of employment will be required to undergo testing for controlled substances before final employment is confirmed.

      This category includes, but is not limited to, new employees, former employees returning to Township service via re-employment lists, interim appointees, and temporary employees.

      All individuals will be notified of the results of any drug pre-employment test that is

positive. An individual who tests positive for a controlled substance will not be hired, appointed, or returned to service etc.

Should the sample be reported as a negative dilute the candidate will be required to retest.

Should it be reported as adulterated it shall be considered a positive.

2. Return or Movement of Current Employees/Leave of Absence:
Current Township employees who are initially assigned or reassigned to a safety-sensitive function in which service has not been rendered for six months or more are required to be tested prior to starting work in the new function. This category includes, but is not limited to, FMLA and other leaves, reassignments, temporary or interim appointments, demotions, promotions, transfers, and appointments resulting from a reduction-in-force.

3. Post-Accident Testing:
Following an accident involving a motor vehicle, the employee driver shall be tested for alcohol and controlled substance use when:

a) the accident involves the loss of human life or injury; or
b) the employee receives a citation under State or Local Law for a moving traffic violation arising from the accident and any vehicle is disabled as a result of the accident; or
c) required by a police officer of the investigating department.

Such testing shall be done as soon as practicable following the accident provided that it is done in the first two hours if not documented as to why not and:

a) under no circumstances shall a post-accident test for alcohol be administered beyond the 8 hour period immediately following the accident.
b) under no circumstances shall a post-accident test for controlled substances be administered beyond the 32 hour period immediately following the accident.

Under this type of testing, employees will be removed immediately from the performance of safety sensitive functions pending the outcome of the test(s).

4. Post Damage/Injury Testing
All employees are subject to drug and alcohol testing when involved in a workplace accident/incident, suffering or causing a work related injury or which causes damage to public or private property.

Testing under "Post Damage or Injury", is a requirement of Wayne Township Workrules and Policy, but shall be conducted under the same guidelines as CDL testing.

Consequences remain as set forth in Section H. Any testing required under this shall be done as soon as practicable following the incident/injury provided that it

is done within the first three hours, if not, there must be documentation as to why not and:

a) Under no circumstances shall the post Damage/Injury test for alcohol be administered beyond the 8 hour period immediately following the incident.
b) Under no circumstances shall a post Damage/Injury test for controlled substances be administered beyond the 32 hour period immediately following the incident.

5. Random Testing:
All employees legally required and/or allowed by law will be subject to random unannounced drug and alcohol testing. Selection of employees will be by a method employing a scientifically valid random number generation method and objective, neutral criteria which ensure that every such employee has an equal statistical chance of being selected each time.

The method used will be a random draw, random-number table or computer-based random number generator that is matched with employee's identification numbers.

All employees will be subject to testing only while on duty, as defined in Section IV herein. The minimum testing frequency level shall be in conformance with the standards established by the Federal Highway Administration and published in the Federal Register on an annual basis.

At least, as required by law, 50 percent of the total number of CDL employees will be subject to random drug testing and 25 percent will be subject to random alcohol testing each year.

The process will be unannounced as well as random. Once the employee has been notified that they have been selected for testing. The employee must be escorted by a Supervisor and report immediately to the collection site. The employee will have approximately 30 minutes to get to the collection site.

6. Reasonable Suspicion Testing:
All employees are subject to reasonable suspicion testing:

When reasonable suspicion of use or abuse is present or when an employee is involved in a workplace accident/incident either suffers or causes injury or which causes damage to public or private property or persons.

The required observations for alcohol and/or controlled substances shall be made by a supervisor who has been trained in accordance with this policy.

In all cases of reasonable suspicion testing, supervisors shall be required to document their observations in a standard manner.
Under this type of testing, employees will be removed immediately from the performance of safety-sensitive functions pending the outcome of the test(s).

i. Alcohol Testing - An on-duty employee shall be required to submit to an alcohol test when the supervisor has reasonable suspicion to believe the employee has violated the Prohibited Conduct of this policy related to alcohol. The supervisor's determination that reasonable suspicion exists must be based upon specific, contemporaneous, articulable observation concerning the appearance, behavior, speech or body odors of the employee. Under no circumstances shall a test for alcohol under these conditions be administered beyond the eight hour period immediately following the supervisors determination.

ii. Controlled Substance Testing - An on-duty employee shall be required to submit to a test for controlled substances when the supervisor has reasonable suspicion to believe the employee has violated the Prohibited Conduct of this policy related to controlled substances. The supervisor's determination that reasonable suspicion exists must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

7. Return-to-Duty Testing:
All Employees are subject to Return To Duty Testing.

Return to duty testing is required for any employee returning after suspension or lay off, or any time off due to prohibited conduct as set forth in Section V., B of this policy or any suspension due to positive test results under this policy.

It is the township's policy to do **both** drug and alcohol testing during return-to-duty tests.

Failure of any return-to-duty testing shall be cause for immediate termination of employment.

A return to duty test is required of any employee returning after testing positive for drugs, or alcohol at a level 0.02 or greater.

i. Alcohol Testing - Each Division/Department shall confirm with Human Resources before a covered employee returns to duty requiring the performance of safety-sensitive functions after engaging in conduct prohibited by Section V.,B of this policy, undergoes a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02. Individuals who are given an opportunity for a return to duty alcohol test, as described above, and are still found to have alcohol concentration of 0.02 or greater shall be terminated.

ii. Controlled Substance Testing - Each Division/Department shall confirm with Human Resources before a covered employee returns to duty requiring the performance of safety-sensitive functions after engaging in conduct prohibited by Section V., B. of this policy, undergoes a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substance use. Any return to duty controlled substance test must be a verified negative. Any employee who fails a return to duty controlled substance test (Positive result) shall be terminated.

8. Follow-up Testing:
When an employee is permitted to return to duty following time off due to prohibited

conduct as set forth in Section V.,B of this policy, the employee shall be subject to unannounced follow-up alcohol and/or controlled substances tests **once a month for the first 12 months** following the return-to-duty. Additional follow-up testing after the first year shall not exceed 60 months from the date of the employee's return-to-duty. The number and frequency of such additional follow-up testing shall be as directed by a Substance Abuse Professional. **Follow up testing does not take the place of random reasonable suspicion or return to duty testing.**

Follow up testing shall be paid for by the employee.

E. Training

Each employee will receive training with respect to the alcohol and drug testing policy and substance abuse.

F. Confidentiality

Information regarding therapeutic drug use or medical condition obtained in the course of drug and alcohol testing must be treated as a confidential medical record. Such information shall be collected and maintained on separate forms and in medical files separate from the employee's personnel file.

The Laboratory performing drug testing under this policy shall report individual test results to the Medical Review Officer (MRO) only. The results shall not be disclosed by the laboratory to any other person other than to the individual who provided the sample.

The MRO can release controlled substance test results to the employer only after they have been confirmed positive and only after the MRO has made all reasonable efforts to discuss the results with the individual who provided the sample.
Statistical compilations, without individual identifiers, may be made available to the public.
Any individual who is the subject ofa drug test, shall upon written request, within five days have access to any records relating to his/her drug test when allowed by law.

G. Employee Notification

1. The Township shall establish the necessary operational procedures to implement this policy in accordance with the standards established in *49* CFR Parts 383, et al. and provide notice to all covered employees by copy of the policy and an explanation of the procedures prior to implementing any testing procedures.

2. All employees shall sign acknowledging the receipt of the policy and an explanation of the procedures and such receipt shall be maintained in the employee's personnel file.

H. Consequences of the Use of Drugs and the Misuse of Alcohol

1. Post Accident/Post Injury:
The Township shall suspend any employee found with an alcohol concentration of between .02 and .04 for three (3) work days without pay when such testing is post accident/injury and it is determined that the accident is the fault of the employee.

The Township shall terminate any employee found with an alcohol concentration of 0.04 or greater when such testing is post accident and it is determined that the accident/injury is the fault of the employee. The employee will be terminated regardless of fault if he tests positive for a controlled substance.

2. Random or Reasonable Suspicion:

a) Alcohol Level of Greater Than **0.02** but Less Than **0.04** – If an employee has an alcohol concentration of 0.02 or greater he/she must be immediately removed from his safety sensitive functions.

First Offense:	He/She will be suspended without from work for a period of **one work day**.
Second Offense:	He/She will be suspended **three work days** without pay, and sent to Wayne Township Substance Abuse Professional (SAP) for evaluation; a communication agreement must be signed.
Third Offense:	He/She will be suspended **ten work days** without pay, and sent to Wayne Township Substance Abuse Professional (SAP) for evaluation; a communication agreement must be signed.
Fourth Offense:	Employee will be **terminated**.

b) Alcohol Level **0.04 or Greater** – If an employee has an alcohol concentration of 0.04 or greater, he/she must be immediately removed from his safety sensitive functions. Employee shall be terminated in any case where the alcohol concentration is found to be 0.04 or greater when such test is post accident and it is determined that the accident is the employees fault.

First Offense: He/She will be suspended without pay from work for a period of **ten work days**, and sent to Wayne Township Substance Abuse Professional (SAP) for evaluation; communication agreement must be signed.

Note: Once an employee is in the .04 category they remain in such category for **any** second or third offenses of the alcohol policy.

Second Offense: He/She will be suspended without pay for a period of **thirty work days** and sent to Wayne Township Substance Abuse Professional (SAP) for evaluation; a communication agreement must be signed.

Third Offense: He/She will be **terminated**.

3. Verified Positive Drug Test:

If an employee has a verified positive or adulterated drug test result, he/she must be immediately removed from his CDL functions. The employee will be terminated regardless of fault in any case where they test positive for controlled substances when such test is post accident.

Note: Should a result be returned as "negative dilute" the employee shall be retested. The township reserves the right to require an observed sample as a re-test.

First Offense:

a) In lieu of termination the employee will be suspended without pay for a period of **45 working days**. The employee will not be available for work on/for any holiday, weekend or overtime which falls within the 45 working day period. Employee's suspension is on a last chance basis.
b) Employee must be seen and evaluated by the Township SAP.
c) Employee must give permission to the SAP to communicate about his evaluation, care, test results, and overall treatment with the Township of Wayne's Director of Human Resources.
d) At the end of suspension, employee will be subject to a Return-To-Duty Test. Such testing will be for both alcohol and drugs. In the event that the employee falls any part of the Return-To-Duty Test his employment with the Township shall be terminated immediately.
e) Employee shall be subject to minimum follow up testing once a month for a period of twelve months at his own expense (paid at time of service) and at a time and place to be determined by the Township. Follow up testing does not take the place of random, reasonable suspicion or return to duty testing. Follow up testing shall be unannounced and be for alcohol and controlled substances. In the event the employee fails any test his employment with the Township shall be **terminated immediately**.

Second Offense: He/She will be **terminated**.

4. Refusal to take a Test:

Refusal to take the test is considered the most serious of offenses under this policy.

If an employee refuses to take/or complete the test or the employee's behavior is deemed as a refusal to cooperate or an attempt to alter, the following steps will be followed:

a) The testing individual (Collector/BAT) will instruct the employee a SECOND TIME to take/complete the test.
b) The testing individual (Collector/BAT) will immediately inform the Township and document the employee's refusal under "Remarks".

Such refusal shall cause the employee to be immediately terminated.

5. Employee unable to complete a Test:

a) Drug Testing –

If the employee is unable to provide at least 45 ml, the collection site technician shall instruct him/her to drink not more than 24 ounces of fluids during a period of up to two hours. The employee will then attempt to provide a complete sample using a fresh collection container. If the required amount is provided, the original insufficient specimen shall be discarded, If the employee is still unable to provide an adequate specimen, the insufficient specimen shall be discarded, testing

discontinued, and the employer notified. The MRO shall refer the individual for a medical evaluation or perform such to determine whether the individual's inability to provide a specimen is genuine or constitutes a refusal to submit to a drug test. Refusal by an employee to complete and sign the required testing form, or otherwise to cooperate with the collection process must• be noted on the form and the test will be terminated. Such a refusal is considered a refusal to take a test and is considered the same as a **positive drug test**. Such refusal is also considered the most serious of offenses under this policy and is grounds for immediate dismissal.

b) Alcohol Testing –

If an employee attempts and fails to provide an adequate amount of breath, the BAT must note this on the form and immediately inform the employer. The employer shall direct the employee to obtain, from a licensed physician who is acceptable to the employer, an evaluation concerning the employee's medical ability to provide an adequate amount of breath. The evaluation should be as soon as practical after the attempted breath test. If the physician indicates that there was a valid medical reason for the inadequate amount of breath, the employee's failure to provide an adequate amount of breath will not be considered a refusal. If no valid medical reason is determined, the inadequate amount of breath must be considered a refusal to take the test. Any cost involved for this evaluation is solely the responsibility of the employee.

If re-screening or confirmatory test cannot be completed, the BAT must, if practicable, complete a new test using a new alcohol testing form with a new sequential test number. Refusal by an employee to complete and sign the alcohol with the collection process must be noted on the form and the test will be terminated. Such a refusal is a refusal to take a test and considered and alcohol result of 0.04 or greater third offense.

6. Return to Duty Testing:

   Failure of **any** return to duty testing shall be cause for **immediate termination** of employment.

7. Follow up Testing:

   Alcohol - Failure of follow up testing as directed by the SAP and the 6 minimum in a 12 month period required falls back into the offense steps as outlined in above.

   Control Substance - Failure of a follow up test will result on the immediate dismissal and termination of employment.

I. Testing

Alcohol - Test shall be of breath for alcohol content.
Drug -Testing shall be split urine sample for controlled substances.

J. Split Sampling

If an employee tests positive for drugs, he may instruct the MRO to send the second half of the split sample to reconfirm the results. The cost of the second test will be the responsibility of the employee if the results confirm the first test.

Employees testing positive for drugs, who exercise their right to send the second half of the split sample to reconfirm the results shall be suspended without pay pending the results of such confirmatory testing.

K. Testing Outside Scope of Employment

Failure of any drug or alcohol test outside of the employee's scope of employment are not solely controlled by this policy. Loss of Drivers License will be dealt with under other policies.

VI. THERAPEUTIC DRUG USE

Therapeutic drugs are those prescribed by a licensed medical practitioner (as defined in 382.107) or bought over the counter without a prescription. Employees may not operate any vehicle or machinery while under the influence of a therapeutic drug unless the packaging instructions or the prescribing doctor advises the employee that the substance will not affect the ability to safely operate a motor vehicle.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using a controlled, illegal, prescribed, therapeutic or over-the-counter substance which adversely affects the driver's ability to safely operate a commercial or noncommercial vehicle. Any driver who violates this paragraph will be subject to discipline including termination of employment.

VII. SUPPLEMENTAL INFORMATION

The Township CDL Drug and Alcohol Testing Policy is in compliance with all applicable laws and regulatory agency requirements including but not limited to the NRC Fitness for Duty Rule 10 CFR Part 26, and the DOT Drug Testing Rule 48 CFR Part 199. These regulations are and will be subject to interpretation. Wayne Township Policies and Procedures are required to comply with applicable regulations and therefore may require revision in the future.
Nothing in this policy shall preclude the Township from exercising its managerial right to implement progressive discipline for reasons other than that covered by this policy.

ATTACHMENT L

SICK TIME REMINDER NOTICE

TO:

FROM:

SUBJECT: Attendance

DATE:

We have reviewed your attendance record and have determined that you have _____ days/hours available for use through the end of the calendar year.

We are reminding you to please utilize your remaining sick time carefully and that a doctor's note, as defined in the Township Sick Time Policy, is required for any use of your remaining sick time this calendar year. Once your sick time is exhausted, you will not be paid if you call out and you are beyond your contractual limits. The Township does not allow the use of "dock"/uncompensated time. The only exceptions to this may be made for those individuals on approved Family and Medical Leave or leave under special circumstances with the approval of the Business Administrator.

Also, please be advised that the use of dock time may result in disciplinary action, up to and including termination of employment with the Township.

If you have any questions about this letter, or wish to discuss it further, please let me know.

Signature:_____ Date:_____
DIVISION SUPERINTENDENT

_____ Date:_____
EMPLOYEE

Original: Personnel File
Copy: Department
Copy: Employee
REVISED 5/5/2006

ATTACHMENT M

Compliance with Township Code 4-83

OUTSIDE EMPLOYMENT

Employee Name: _____

Address: _____

_____

Phone #: _____

_____ I am **NOT** employed other than for Wayne Township.

_____ **I AM EMPLOYED/SELF EMPLOYED** outside of my employment with Wayne Township.

Name of Employer: _____

Address: _____

_____

Phone #: _____

Location of Work: _____

Days and Hours of Work: _____

_____

If you have more than one outside job, complete a separate form for each.

_____ _____

Employee Signature Date

ATTACHMENT N

E-MAIL, VOICE MAIL, COMPUTER AND INTERNET USAGE POLICY

Township of Wayne computers, E-Mail, voice mail and the Internet access are for official business. Use for non-business purposes is prohibited. All E-Mail, voice mail and Internet messages are official documents subject to the provisions of the Open Public Records Act. The Township of Wayne 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 Township of Wayne as deemed necessary and appropriate. By using Township of Wayne E-Mail, computer systems, voice mail and the Internet, each user agrees that the Township of Wayne has unrestricted access and the right to disclose all information communicated or stored on the Computer/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 system hardware, as well as all messages composed, sent or received on the E-Mail system are the exclusive property of the Township. Employees are cautioned that E-Mail systems do not provide complete confidentiality, and that Township employees have no right to privacy when they use the Township's computer equipment or E-Mail system. The Township has the right to access, monitor and disclose the contents of any electronic message composed, sent, received, or in any other way stored in the E-Mail system, for any business purpose, including to determine whether there have been any breaches of security, violations of Township policy, or other E-Mail system misuse.

Content of E-Mail Communications

The Township's policies against harassment and discrimination apply fully to use of the E-Mail system. In addition to any other restrictions set forth herein, employees are prohibited from using the Township's computer equipment and E-Mail system to distribute electronic communications containing offensive, harassing or defamatory language, or any communication containing ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religion or other legally protected status. Employees are further prohibited from using the Township's E-Mail system to display or transmit sexually explicit images, messages or cartoons, or any electronic communication that is political or religious in nature. Violations of this prohibition will result in disciplinary action up to and including termination of employment.

Compliance with Law

Use of the Township's E-Mail system must be in accordance with the law. The E-Mail system shall not be used to illegally send or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization. Violations of applicable laws may result in civil or criminal prosecution, and will result in disciplinary action up to and including termination of employment.

E-Mail Passwords

E-Mail passwords are the confidential and proprietary information of the Township. To prevent unauthorized access to E-Mail messages, E-Mail passwords should not be shared with anyone but the authorized used.

Consent

The use of the Township's computer equipment and E-Mail system constitutes an employee's consent to all of the terms set forth herein. If deemed necessary by the Township, this consent may be required in writing.

Perils of E-Mail

Any E-Mail you send or receive concerning municipal business are public records.
The ease and apparent informality of E-Mail can lull people into feeling like they are having a casual conversation while they are using it. However, in reality, when you use E-Mail to discuss municipal matters, you are producing a public record, just as you are when you write a hard copy letter, memo, or other document. Any member of the public can obtain a copy of such E-Mail unless it comes under one of the exemptions in the Open Public Records Act. Therefore, do not put anything in an E-Mail that you would not put in a letter or memo on the same subject. In other words –THINK BEFORE YOU CLICK!

E-Mails concerning municipal business, because they are public documents, are subject to records retention rules.
In other words, you must think before you delete, as well. The New Jersey Division Archives Management (DARM) rules governing the retention of public records apply to electronic public records as well as hard copy public records. Detailed information on this subject can be accessed at www.state.nj.us/state/darm/links/circular-letter-03-10-st.html.

E-Mails can even pose Open Public Meetings Act issues.
Supposed you are a member of a five person governing body. If you E-Mail one of the other members about a municipal issue, and she responds, you have created two public records, with the attendant issues. However, if she responds and forwards both E-Mails to a third member, who responds to both of you with his opinion, not only does the Open Public Records Act come into play, but the Open Public Meetings Act may be violated. Because a quorum of the governing body, enough to make a decision or to act, are discussing a municipal matter, you may be found to be holding a public meeting without properly noticing or inviting the public.

Even is no action is taken pursuant to the E-Mails, and the matter is later acted upon at t properly noticed open public meeting, the formal action can be viewed as something that was improperly decided in private and "rubber-stamped" in public. Remember that the Open Public Meetings Act can be violated even if its requirements are literally met, but its policy of ensuring that government acts openly is circumvented by such "secret" preparations.

As long as you remember the issues involved in its use, E-Mail can be a wonderful tool or for municipal officials. Just remember, if you have any questions about the OPRA or OPMA consequences of an E-Mail exchange, be sure to check with you municipal attorney to make sure that you don't click or delete yourself into a problem.

Issued 1/2008

ATTACHMENT O

WAYNE TOWNSHIP TIME CLOCK POLICY

The Township considers punching in and out a basic, essential function; required of its personnel so the Township can properly account for work time. Failure to do so affects the Township's ability to pay employees.

Employees must clock in when reporting to work and clock out when going off duty. Every employee is responsible for their own time. Under no circumstances is an employee authorized to clock another employee's card. Violations of this rule will result in disciplinary action up to and including discharge for either or both employees.

Employees may clock in no earlier than 15 minutes before the start of the workday or work period and clock out no later than 15 minutes after the completion of the workday or work period.

Employees must adhere to all other attendance policies including but not limited to Wayne Township Lateness/Tardiness, Uncompensated/Dock and Sick Time Policies.

Although an essential function, it is recognized that over the course of one's employment there may be an occasion or circumstance when an employee forgets to punch, this is recognized in the number of incidents allowed prior to a suspension. The fact that write ups of this nature are permanent reflects the importance and essential nature of this function.

Failure to clock in or out shall result in the following actions in addition to actions applicable under other attendance policies or work rules:

First incidence of failure to punch/clock in or out; results in a pre-warning. Such warning shall remain in the employees Personnel File permanently.

Second incident;
Employee issued a Step I verbal warning. Such warning shall remain in employee Personnel File permanently.

Third incidence;
Employee issued a Step II written warning such warning shall remain in employee Personnel File permanently.

Fourth offence;
Employee issued a Step III Disciplinary Action such action shall remain in employee Personnel File permanently. Employee will be suspended no less than ½ day.

Fifth or each subsequent offense;
Employee subject to increased suspension and disciplinary action up to and including termination.

REVISED 2012

ATTACHMENT P

FAILURE TO PUNCH NOTICE

TO:_____

From:_____

Subject: <u>Failure to Punch Pre-Warning</u>

A review of time cards revealed that on _____ you failed to punch in/out. This is a violation of Township Policy and Workrules.

The Township considers clocking in and out to be an essential part of the official record keeping for payroll and failure effects the ability to be paid as well as the integrity of the records.

Since this is your first instance this memo shall serve as your pre-warning. In accordance with the Township Time Clock Policy any further incidents shall result in disciplinary action.

This shall be your only pre-warning.

This form shall remain in the above employees personnel file.

1/2010

ATTACHMENT Q

Workplace Violence Policy

The Township of Wayne will not tolerate workplace violence. Violent acts or threats made by an employee against another person or property are cause for immediate dismissal and will be fully prosecuted. This includes any violence or threats made on Township of Wayne property, at Township of Wayne events, at any location where said individual is performing in the course of his/her employment or under other circumstances that may negatively affect the Township of Wayne's ability to conduct business.

Prohibited conduct includes but is not limited to:

- 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 private property, employer property or property of another employee;
- Possession of a weapon while on Township of Wayne property or while on Township of Wayne business except with the authority of the Police Chief; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

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

Violations will result in disciplinary action up to an including immediate termination of employment.