EVESHAM MUNICIPAL
UTILITIES AUTHORITY

PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK

(Revised: September 2025)

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EVESHAM MUNICIPAL UTILITIES AUTHORITY					
PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK					
SECTION ONE: GENERAL PERSONNEL POLICIES CHAPTER ONE: GENERAL PERSONNEL POLICY					
September 2025					

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

All employees, officers and Department Heads shall be appointed and promoted by the Evesham Municipal Utilities Authority (Authority) Executive Director. No person shall be employed or promoted unless there exists a position created by a resolution adopted by the Authority Board of Commissioners as well as the necessary budget appropriation and salary resolution.

The Executive Director and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Authority's Board of Commissioners has appointed the Assistant Executive Director/Director of Personnel to assist the Executive Director to implement personnel practices. The Executive Director and the Director of Personnel shall also have access to the labor counsel and general counsel as appointed by the Board of Commissioners for guidance in personnel matters.

As a general principle, the Authority has a "no tolerance" policy towards workplace wrongdoing. Authority officials, employees and independent contractors are to report anything perceived to be improper. The Authority believes strongly in an Open Door Policy and encourages employees to talk with their supervisor, Assistant Executive Director for Personnel, Deputy Executive Director, Executive Director, or the General Counsel/Labor Counsel concerning any problem.

The Personnel Policies and Procedures Manual adopted by the Board of Commissioners is intended to provide guidelines covering public service by Authority employees and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for Authority personnel. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Authority. No statement or promise by any manager or supervisor may be interpreted as a change in policy nor will it constitute an agreement with an employee. **The Personnel Policies and Procedures Manual will be subject to periodic review and may be updated as circumstances dictate. All new employees will be issued and sign for a copy of the Manual. In addition, a copy of the manual will be placed on the employee portal on the Authority's website.**

Non-Union Employee at Will Employment Status

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

The Evesham Municipal Utilities Authority (Authority or Employer) is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) and all other applicable state or federal laws. Under no circumstances will the Authority discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition, childbirth, breastfeeding, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by state or federal law. Accordingly, all terms and conditions of employment, including, but not limited to, decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer, their Department Head, Director of Personnel, the Executive Director, or any other supervisor with whom they feel comfortable, using the complaint procedure set forth in the Policy Against Harassment set forth in this Manual.

The Authority prohibits employee compensation and benefits discrimination based on sex, race, age and any other legally protected classification. The Authority strives to provide equal pay for substantially similar work, when viewed as a composite of skill, effort and responsibility. Factors taken into consideration when setting pay for employees at the company include job title, job description, job responsibilities, collective negotiations agreement, managerial/supervisory status, seniority, performance, merit, productivity, disciplinary history, experience, training, education, ability and physical or mental exertion requirements. Pay differentials based on lawful factors other than sex, race, age or other protected classification shall not constitute a violation of this policy.

The Authority prohibits employee compensation and benefits discrimination based on sex, race, age and any other legally protected classification. The Authority strives to provide equal pay for substantially similar work, when viewed as a composite of skill, effort and responsibility. Factors taken into consideration when setting pay for employees at the Authority include job title, job description, job responsibilities, managerial/supervisory status, seniority, performance, merit, productivity, disciplinary history, experience, training, education, ability and physical or mental exertion requirements. Pay differentials based on lawful factors other than sex, race, age or other protected classification shall not constitute a violation of this policy.

The Evesham Municipal Utilities Authority (Employer or Authority) complies with the New Jersey Law Against Discrimination, the Americans with Disabilities Act and the federal Pregnant Workers Fairness Act. The Authority will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability, pregnancy, pregnancy related medical condition, breastfeeding or childbirth. The Authority also will make reasonable accommodations wherever necessary for all employees or applicants with disabilities, or with known limitations related to pregnancy, childbirth or related medical conditions, provided that the individual is qualified to safely perform the essential duties and assignments connected with the job, with or without a reasonable accommodation, and provided that accommodations **do not impose an undue hardship**. The Authority's nondiscrimination policy applies to all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and termination. Disabilities caused by pregnancy and/or childbirth are treated in the same manner as any other disabilities.

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

(1) has a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, walking, seeing, hearing, or speaking;

(2) has a record of such an impairment; or

(3) is regarded as having such an impairment.

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

The New Jersey Law Against Discrimination defines disability as a physical or sensory disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall

also mean AIDS or HIV infection. An individual is also considered disabled if the individual is perceived or believed to have a disability and a person who has had a disability previously.

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

The Pregnancy Workers Fairness Act ("PWFA") defines "pregnancy and childbirth" as meaning the pregnancy or childbirth of the specific employee in question and includes, but is not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth.

Requesting Accommodation. Qualified employees or prospective employees with disabilities or who need accommodations due to pregnancy, childbirth, or related medical conditions, may request accommodations to perform the essential functions of their job or gain access to the hiring process or employment benefit. Employees or prospective employees should direct their written request to the Authority. In the written request, the employee or prospective employee should identify themselves as a person with a disability, eligible for protection, or include an explanation of the pregnancy-related limitation and identify the nature of the accommodation or consideration desired.
The Authority may require the employee to provide adequate medical or other appropriate documentation of the disability or pregnancy or childbirth-related condition and the need for the desired accommodation. The Authority will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or employee with a disability or employee affected by pregnancy or childbirth unless the accommodation would impose an undue hardship on the Authority's business operation.

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

• Identify the essential functions of a job.

• Determine whether a person with a disability, with or without accommodation, is qualified to perform the duties; and

• Determine whether reasonable accommodation can be made for a qualified individual absent undue hardship.

Reasonable accommodations that the Authority may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include, but are not limited to, the following:

• Making existing facilities accessible and usable;

• Job restructuring;

• Part-time or modified work schedules;

• Acquiring or modifying equipment or devices

• Appropriate adjustment or modifications of testing materials, training materials, and/or policies;

• Reassignment to a vacant position.

In the case of an employee needing accommodations for pregnancy or childbirth, a reasonable accommodation may include the temporary suspension of essential functions and/or modifications or adjustments that permit the temporary suspension of essential functions.

In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

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

Qualified individuals with disabilities are entitled to equal pay and equal treatment. The Authority does not discriminate against qualified applicants or employees who are able to perform the essential functions of their jobs, with or without reasonable accommodation. Disabled employees in need of a reasonable accommodation in order to perform their essential job functions should direct such requests in writing to the Assistant Executive Director for Personnel. When a request for a reasonable accommodation is made, both the employer and employee are obligated to engage in a good faith interactive process. The interactive process is defined as a series of communications between the covered individual and the employer to determine the precise limitations created by a disability and how best to effectively accommodate them. In some circumstances an employee may be required to submit information from his/her health care provider to substantiate the request as part of the interactive process, however, such information will be held in confidence to the extent required by law. Requests may be denied if they are unreasonable, ineffective or impose an undue hardship on the Authority. An employee’s failure to engage in this process or provide supporting medical information may also result in the denial of the accommodation request.”

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Authority facilities. Any questions concerning proper assistance should be directed to Assistant Executive Director of Personnel.

As part of our family-friendly policies and benefits, the Authority supports breastfeeding mothers by reasonably accommodating any mother who wishes to express breast milk

during regularly scheduled break periods when separated from her newborn child unless such breaks would pose an undue hardship on the operations of the Authority.

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

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

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

Provisions. All employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The Authority prohibits any form of harassment or discrimination related to an employee's protected group status, including race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities), atypical hereditary cellular or blood trait, or because of the liability for service in the Armed Forces of the United States, veteran status, citizenship status, or any other group status protected by law. Harassment includes, but is not limited to:

A. Treating an individual less favorably based on a person's protected group status;

B. Using derogatory or demeaning slurs to refer to a person's protected group status;

C. Calling another by an unwanted nickname which refers to one or more protected group statuses, or telling ethnic jokes that harass an employee or create a hostile work environment;

D. Using derogatory references regarding a protected group status in any job-related communication;

E. Engaging in threatening, intimidating, or hostile acts, in the workplace, based on a protected group status; or

F. Displaying or distributing material in the workplace that contains language or derogatory or demeaning images, based on any protected group status.

Any form of harassment or discrimination related to an employee's protected group status violates this policy. Any form of harassment or discrimination related to an employee's protected group status violates this policy. A hostile work environment can arise not only from conduct at the workplace but can also arise from conduct occurring in a work-related context outside of the workplace (i.e. virtually or off-site) and conduct occurring in a non-work-related context (i.e. through private phones, computers, or social media) when that conduct impacts the workplace.

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

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

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

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

(1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or

(2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or

(3) That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.

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

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

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

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

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

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

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

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

The names and telephone numbers of the designated Affirmative Action Officer, executive Director and Director of Personnel are contained in the Contact Information attached to this policy.

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

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

The Authority strongly encourages employees who witness conduct which they believe violates the Authority's Policy Against Harassment to report the violation pursuant to this complaint procedure. The Authority encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within sixty (60) days

to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

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

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

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

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

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

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

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

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

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

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

Training. The Authority recognizes the need to reinforce its policies with effective training. Training is to be provided to all supervisory and non-supervisory employees. Ultimately, the goal of effective training is to build a culture in which all employees feel safe. Training may be conducted in person or through electronic means. To the extent economically and operationally feasible, training should be conducted live whenever possible. Training should empower participants to intervene appropriately when they witness harassment or discrimination. This means not only training participants on the requirements of the policy prohibiting harassment and discrimination, but also training participants on tools for response and lodging complaints. Training should emphasize the negative impact of harassment and discrimination on employees, workplace productivity, workplace culture, and encouraging those employees who either experience harassment/discrimination or witness it to report it.

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

Contact Information

1. Affirmative Action Officer: Laura Puszcz 856-983-1878 ext 106
2. Executive Director: Jeffrey Booth 856-983-1878 ext 107
3. Director of Personnel: Frank Locantore 856-983-0331 ext 218

Harassment Complaint Form

THIS INVESTIGATION IS CONFIDENTIAL AND INFORMATION OBTAINED DURING THE COURSE OF THIS INVESTIGATION MUST NOT BE DISCLOSED

Name: _____

Department: _____

Job Title: _____

Supervisor: _____

Union Representative *(if any)*: _____

Time Period Covered by Complaint: _____

Individuals Who Allegedly Committed Harassment:

	Name	Department	Job Title
1.			
2.			
3.			
4.			
5.			

Describe the dates and the nature of the harassment allegedly committed by each identified individual:

_____

_____

_____

_____

Identify all employees or others with knowledge of the complained of conduct:

Are there any documents which contain information supporting the occurrences described above?

Is there any physical evidence which supports your complaint? If so, please describe:

Have you missed any work time as a result of the alleged harassment? If "yes," identify the occasions.

Have you incurred any unreimbursed medical expenses as a result of the alleged harassment?

If you previously complained about this or related acts of general harassment to an Authority supervisor or official, please identify the individual to whom you complained, the date of the complaint, and the resolution of your complaint:

(Attach Additional Sheets if Necessary)

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

What is your requested remedy in this complaint?

Acknowledgement:

The information provided above is true and correct.

Signature of Complainant:_____ Date: _____

To investigate your complaint, it will be necessary to interview you, the alleged harasser(s), and any witnesses with knowledge of the allegations or defenses. The Authority will notify all persons involved in the investigation that it is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action up to and including termination.

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

Signature of Complainant:_____ Date: _____

Witness Statement Form

THIS INVESTIGATION IS CONFIDENTIAL AND INFORMATION OBTAINED DURING THE COURSE OF THIS INVESTIGATION MUST NOT BE DISCLOSED

Name: _____

Department: _____

Job Title: _____

Union Representative *(if any)*: _____

Length of Time Known: Complainant_____ Respondent _____

Individuals Who Allegedly Committed Harassment:

	Name	Department	Job Title
1.			
2.			
3.			
4.			
5.			

Identities of other persons with knowledge of facts relevant to this investigation:

_____

_____

_____

_____

_____

_____

(Attach Additional Sheets if Necessary)

Witness Statement Form (cont'd)

Please provide a detailed description of the events you witnessed. Include the date, time, location and individuals present.

Any other information which should be considered in evaluating the validity of the complaint in this case:

Acknowledgment:

I,_____, affirm that the information I have provided is true and correct. I acknowledge that the investigation is confidential and that I am not to disclose information obtained by me during the course of this investigation. I understand that unauthorized disclosures could result in disciplinary action up to and including termination.

Signature of Witness:_____

Date: _____

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

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

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

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

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

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

Any threats or acts resulting in the conviction of an employee or agent of the Authority, or of an individual performing services on the Authority's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the Authority.

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

Aggressive, hostile or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;

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

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

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

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

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

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

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

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

Committing acts motivated by or related to, sexual harassment or domestic violence.

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

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

Dropping hints about a knowledge of firearms;

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

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

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

Acting out either verbally or physically;

Disgruntled employee or ex-employee who is excessively bitter;

Being a loner;

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

History of interpersonal conflict;

Intense anger, lack of empathy;

Domestic problems, unstable/dysfunctional family;

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

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

Procedures for Dealing with Acts of Workplace Violence. When a violent act occurs in the workplace: If a violent act or altercation constitutes an emergency, call 9-1-1 or the local police department. In instances that are not emergency situations, contact your Department Head or the Director of Personnel. If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or if it would be too dangerous for the employee to separate the parties, call 9-1-1 or the local police department, and contact your Department Head or the Personnel Director. The Department Head will contact the Director of Personnel, who will take responsibility for coordinating a response to the incident.

In instances that involve criminal situations, the Director of Personnel will contact the appropriate local police department for assessment, and if necessary, a criminal investigation.

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

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

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

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

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

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

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

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

Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the Authority or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, is fraudulent or criminal;

Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the Authority or another employer, with whom there is a business relationship

Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes: (1) is in violation of a law, or a rule or regulation issued under the law; (2) is fraudulent or criminal; or (3) is incompatible with a clear mandate of public

policy concerning the public health, safety or welfare or protection of the environment. See N.J.S.A. 34:19-3.

If an employee reasonably believes that any Authority activity, policy, or practice violates any law or rule or regulation issued under the law, the employee must bring it to the attention of a supervisor via written notice, unless: (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. The employee must give the Authority a reasonable opportunity to correct the activity, policy or practice. It is the Authority's responsibility to correct or prevent such violations. This is a legal obligation and a practical necessity. A violation can taint the credibility of the Authority and cause the Authority and its employees to be subjected to adverse publicity leading to public distrust.

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

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

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

1) Employee education and information on terminal illnesses and specific life-threatening illnesses.

2) Referral to agencies and organizations which offer supportive services for life-threatening illnesses.

3) Consultation in assisting employees in efficiently managing health, leave and other benefits. The Authority encourages employees who need these resources to contact the human resources official.

The Authority encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The Authority shall make reasonable accommodations to known physical and mental limitations of all employees, provided that the individual is otherwise qualified to

safely perform the essential functions of their job and also provided that the accommodation does not impose an unreasonable hardship on the Authority.

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

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

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

New Jersey COVID-19 Protection Act

The Authority will not, during the Public Health Emergency and State of Emergency declared by the Governor in Executive Order 103 of 2020 concerning the coronavirus disease pandemic, terminate or otherwise penalize an employee if the employee requests or takes time off from work based on the written or electronically transmitted recommendation of a medical professional licensed in New Jersey that the employee take that time off for a specified period of time because the employee has, or is likely to have, an infectious disease, as defined by law which may infect others at the company's workplace. In regard to such employees, the company will reinstate the employee to employment in the position held when the leave commenced with no reduction in seniority, status, employment benefits, pay or other terms and conditions of employment."

Providing a safe and healthy work environment is of paramount importance to the Authority. To achieve a healthy work environment and create an organizational culture where safe work practices are at the forefront of each task performed by Authority employees, a comprehensive Safety Manual has been created and distributed to each employee. The information and procedures contained in the Safety Manual shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA) and be consistent with both industry best practices as well as best practices identified by the Authority's Joint Insurance Fund (JIF). Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. In addition to the requirements of this section, Union employees will be required to comply with the safety requirements defined in the current collective bargaining agreement. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action. Any occupational or public unsafe condition, practice, procedure or act must be immediately reported to the supervisor. Any on-the-job accident or accident involving Authority facilities, equipment or motor vehicles must also be immediately reported to the supervisor. In addition to its' employees, the Authority is equally concerned about the safety of the public. The Authority will ensure that contractors working on behalf of the Authority comply with clearly established Occupational Safety and Health Administration (OSHA) regulations and establish safe and secure work zones. Authority personnel are to ensure that remote facilities are maintained in a safe and secure manner so as not to pose an undue risk to the public.

Employees have a right to report safety violations, work-related injuries or work-related illnesses free from retaliation. Any unsafe condition, practice, procedure or act must be immediately reported to the proper supervisor and/or Safety Coordinator whether committed by an Authority employee or Authority vendor or contractor. If the unsafe condition, practice, procedure or act is causing an immediate threat of bodily injury or property damage, the on-site supervisor, Safety Coordinator, Competent Person or any other Authority employee is permitted to take action to delay or, if necessary, halt work, until all safety issues are addressed. All safety violations will be documented on the Authority's Safety Incident Report which is to be completed by the on-site supervisor or the Safety Coordinator if present at the time of occurrence. The completed form will be forwarded to the Operations Manager and the Director of Personnel, Safety and Security for follow-up including disciplinary action when appropriate. The completed Safety Violation Report will also be presented at the Safety Committee meeting following the incident.

The Authority has appointed a Safety Committee that meets on a regular basis to discuss and recommend solutions to safety problems. The Safety Committee will consist of representatives from management, the union workforce and office staff. Areas to be addressed by the Safety Committee include, but are not limited to:

- Review of pending areas in need of improvement;
- Review of facility and job site inspection reports;
- Claims management;
- Accident reviews;
- Briefings on material from the JIF;
- Changes to operational practices.

The Authority will maintain an open-door policy with regards to safety concerns. Employees are encouraged to discuss safety concerns as well as suggestions for improvement with their Safety Committee Representative, Supervisor or Shop Steward.

The Authority makes every effort to provide for employees' safety and security while at work. The Authority, however, does not accept responsibility for the protection of employees' personal property. The Authority is not liable for loss or damage to personal property.

The Authority maintains a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the Authority prohibits the possession, transfer, sale, or use of such materials on its premises. The Authority requires the cooperation of all employees in administering this policy. Desks, lockers, other storage devices, and Authority vehicles may be provided for the convenience of employees but remain the sole property of the Authority. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the Authority at any time, either with or without prior notice (for further information, consult the Authority's Property Inspection, Search and Surveillance Policy). The Authority has installed a camera system to conduct video surveillance of Authority property to, among other things, identify safety concerns, detect theft, and discourage or prevent acts of harassment and workplace violence. Additionally, the Authority may monitor employee e-mails.

Security is everyone's responsibility. If any employee sees or suspects that an individual is breaching security, it is the employee's responsibility to notify his or her supervisor or Department Head immediately. In the event a serious incident occurs, employees must report it to their Department Head promptly. The following are examples of serious incidents that should be reported immediately:

1. Any accident which results in the injury of a third party while on the premises.

2. Any incident in which physical force is either used by or against an employee.

3. Any incident which involves a crime, or an attempt to commit a crime, such as robbery or the theft of money, trespassing, vandalism or unauthorized tampering of Authority equipment or property.

4. Any incident in which a serious unfavorable reaction from the public might be expected.

5. The loss of Authority keys, ID/swipe card or uniform.

6. Any other incident, which an employee believes is of a nature that it should be brought to the attention of the Department Head without delay.

7. Observation of any suspicious vehicle or person at or around any Authority property or facility.

8. Suspicious packages, letters, parcels, containers or backpacks left at or adjacent to any Authority property or facility.

9. Any and all evidence that the Authority's computers, e-mails, or other electronic storage devices or IT infrastructure has been hacked or subjected to any virus or malware.

Employees are encouraged to make any reports, in writing, so that they may be properly addressed by the Authority.

The Evesham Municipal Utilities Authority is designated by the U.S. Department of Homeland Security ("DHS") under the National Infrastructure Protection Plan and Presidential Directive-21 as a critical facility because safe drinking water is a prerequisite for protecting public health and properly treated wastewater is vital for preventing disease and protecting the environment. To ensure that the Authority's facilities are properly safeguarded, the Authority deploys 24/7 video surveillance to detect unauthorized breaches of security and other misconduct.

The Authority may install video surveillance camera systems within public buildings and throughout public areas within the Authority, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. Any activity within such public buildings and area are subject to monitoring and recording. **Therefore, employees should have no expectation of privacy in such public buildings and areas.** In implementing these video camera systems, the Authority will ensure compliance with federal, state and local laws governing such usage.

The Authority's video surveillance camera systems are a significant tool to which the employees of the Authority will avail themselves in order to complete the goals and objectives. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Authority designee will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the Authority's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission for the designee of the Authority.

The Authority shall designate a person to be responsible for the maintenance and administration of the video surveillance camera system. Such designee will be responsible for maintaining a user access log detailing the date and name of individuals who view/access a stored recording.

Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that the Executive Director and Assistant Executive Director in charge of security are immediately informed of such breach.

As a U.S. Department of Homeland Security ("DHS") designated critical facility under the National Infrastructure Protection Plan and Presidential Directive-21, safeguarding the confidentiality of critical infrastructure from all threats, foreign and domestic, is paramount. As such, employees and visitors are prohibited from making and disseminating unauthorized audio and visual recordings, including the taking of photographs of the facility, within the facility and of Authority property without express approval of the Executive Director or his designee.

In addition to security concerns, the Authority also prohibits the use of secret recording devices because a healthy organizational culture can be quickly compromised where the conversations of fellow employees, managers or supervisors are surreptitiously recorded. This may cause a loss of trust, erodes the mutual respect among members of the organization and has a detrimental effect on morale. In order to eliminate the negative effects caused by the use of secret recording devices and to safeguard confidentiality in view of the Authority DHS designation, Authority employees are subject to the following policy:

- The recording of any conversation with a recording device**, while on duty** or on Authority premises including cell phones, smartphones or any other piece of equipment or device is strictly prohibited unless expressly authorized by the Executive Director or his designee.
- Before recording any conversation, all parties to the conversation must be informed that the conversation will be recorded, the recording device must be in plain view of all of the participants and all involved parties must consent.
- Any interview conducted pursuant to a workplace investigation may be recorded or transcribed at the discretion of the Personnel Director provided that the subjects involved are made aware of the recording and that the recording device is in plain view of all of the participants.

Nothing in this policy is intended to, and should not be interpreted to, interfere with any state or federal rights of employees. Furthermore, nothing in this policy is intended to, and should not be interpreted to, interfere with the rights of employees to engage in concerted activity that is protected under the New Jersey Employer-Employee Relations Act.

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

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

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

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

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Authority duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Authority or any person or firm seeking to influence Authority decisions or that would violate New Jersey's Local Government Ethics rules. Employees are required to report to the Executive Director any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. In accordance with State law, employees are prohibited from engaging in political activities while performing their public duties and from using the Authority's time, supplies or equipment in any political activity. Political activities include, but are not limited to, advocating the election or appointment of any candidate for office, verbally or otherwise, and soliciting funds for campaigns or campaign materials. This means that wearing political campaign buttons, hats, t-shirts or anything else advocating any presidential, congressional, gubernatorial, mayoral or any other candidate for public office is strictly prohibited at the workplace or in the field during working hours.

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

• be a candidate for public office in a partisan election. (This provision does not apply to the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs.)

• use his/her official authority to influence, to interfere with or affect election results or nominations for office.

• directly or indirectly coerce contributions from any employee to support a political party or candidate. See The Hatch Act, 5 U.S.C. § 1501 et seq.

Violations of either State or Federal laws are serious matters and such violations should not be taken lightly. Any employee engaging in such political activities during working hours will be subject to disciplinary action up to and including termination of employment. Employees who engage in political activities during their non-working hours must not represent themselves as spokespersons for the Authority. Employees should report any violation of this policy to their supervisor or Department Head.

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure. **A grievance submitted by a union employee will be addressed pursuant to grievance procedure set forth in the applicable bargaining unit agreement.** A grievance from a non-union employee must be submitted within five (5) working days after arising. Failure to report a grievance within such time period shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty (30) working days prior to the date the grievance was first presented in writing.

- Step One: Any employee or group of employees with a grievance shall communicate their grievance to their supervisor or Department Head who will discuss the matter with the Director of Personnel. The supervisor or Department Head will communicate the decision to the employee within five (5) working days.

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

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

Non-Union

The Authority may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives.

Non-union employees shall serve at the discretion of the Authority and shall not be entitled to the protections afforded by union contract and/or state statute.

Union Employees

Layoffs of Union employees will be handled according to the terms defined in the current collective bargaining agreement.

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

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

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

Any employee performing work which requires the operation of an Authority vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. An employee that fails to report such an instance, is subject to disciplinary action, including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate an Authority vehicle shall be subject to possible termination. Union employees who have their driving privileges revoked or suspended will be subjected to the terms and conditions defined in the current collective bargaining agreement.

Individuals working for the Authority are required to report all vehicular accidents and any serious motor vehicle violations including, but not limited to those listed below (whether incurred on the job or not) to their Supervisor and Personnel Director within forty-eight (48) hours of the accident or receipt of the violation notice. Failure to report accidents and/or moving violations will result in disciplinary action.

- Driving while intoxicated
- Driving under the influence of drugs
- Negligent homicide arising out of the use of a motor vehicle
- Operating during a period of suspension or revocation
- Using a motor vehicle for the commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without owner's authority (grand theft)
- Permitting an unlicensed person to drive
- Reckless driving
- Speed contest

- Hit and run driving

A finding of guilty by a court of competent jurisdiction of any of these offenses will result in the immediate suspension of driving privileges for the Authority for a period of six (6) months. Driving privileges apply to the authorized use of Authority vehicles owned, leased, or controlled by the Authority or an individual's use of a personal vehicle while conducting business on behalf of the Authority.

Following a finding of guilty by a court of competent jurisdiction of any one of the offenses identified above, progressive discipline will be instituted beginning within a six-month suspension of Authority driving privileges/responsibilities. Additional offenses in violation of this policy will result in additional and more significant penalties at the discretion of the Authority up to and including termination of employment.

Individuals who are in driving positions on behalf of the Authority will be automatically terminated upon receipt of three serious moving violations within a three-year period. Prior to reinstatement of driving privileges, a confidential motor vehicle record check will be completed. In addition, an employee who has been arrested and/or charged with an offense of either driving while under the influence of drugs/alcohol or refusal to take a breathalyzer must notify the immediate Supervisor or Personnel Director immediately upon reporting to work. An employee who fails to report such an instance is subject to disciplinary action, including demotion or termination. Any information obtained by the Authority in accordance with this section shall be used by the Authority only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C. 2721 et seq.)."

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

All employees shall not disclose to any person, other than their superiors, any Authority information they obtain while performing their job functions, unless otherwise permitted by law. If a request for information is made and the employee is uncertain as to whether the information is routine or not, the person requesting such information shall put their request in writing to be reviewed by management.

As a general rule, most personnel matters and information are confidential by nature. The New Jersey legislature has codified what limited personnel information is available for public disclosure under the State's Open Public Records Act, specifically:

- Employee's name;
- Title or position;
- Salary/pay roll record;
- Length of government service;
- Date of Separation;
- Reason for Separation (resignation, retirement, termination);
- Amount (if any) of pension received

The Authority has established procedures to comply with the requirements of the Open Public Records Act and has designated the Deputy Executive Director/Director of Finance as the Authority's Custodian of Records. All employees are prohibited from discussing or disclosing to any unauthorized person(s) any confidential personnel information including, but not limited to information relating to the following:

- Appointments;
- Terminations;
- Terms and Conditions of employment outside of the collective bargaining process;
- Performance evaluations;
- Workplace investigations;
- Disciplinary Action;
- Medical Information;
- Job assignments.

without the express permission of the Executive Director or his designee**.**

Because of their roles, specific Authority employees may have to access and use certain personal employee and resident information, such as Social Security numbers, only as necessary and appropriate for such persons to carry out their assigned tasks for the Authority. The unauthorized access, viewing, use, disclosure or the intentional public display of such information and the unauthorized removal of documents from the Authority's premises that contain Social Security number or other personal information is prohibited and can result in discipline up to and including termination of employment. Employees who come into contact with Social Security numbers or other sensitive

personal information without authorization from the Authority may not use or disclose the information further, but must contact the Personnel Director or his designee and turn over to him all copies of the information in whatever form. When necessary, documents containing Social Security information will be properly destroyed through shredding or other means prior to disposal to ensure confidential Social Security and other information is not disclosed.

Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination, even if they do not actually benefit from the disclosed information.

NOTHING IN THIS SECTION IS MEANT TO APPLY TO OR INTERFERE WITH THE DISCLOSURE OF INFORMATION PURSUANT TO ANY RIGHT GUARANTEED UNDER THE NEW JERSEY EMPLOYER-EMPLOYEE RELATIONS ACT; CONFIDENTIAL EMPLOYEE PROTECTION ACT (CEPA); Open Public Records Act; common law right of access; any other applicable law, or any right guaranteed by a negotiated collective bargaining agreement, labor agreement or applicable section of this handbook.

Employees are expected to conduct themselves in a manner which exhibits a respect for the rights and property of the Authority, fellow employees, and residents. It is important that all employees perform to the best of their abilities at all times.

While many of the below behaviors are addressed under specific policies, the following list, while not all inclusive, further identifies examples of inappropriate behavior:

• Insubordination or the refusal by an employee to follow management's instructions concerning job-related matters. Insubordination is further defined as having occurred when:

- An employee fails to promptly obey all lawful orders/instructions or direction of a supervisor.
- Any action by an employee that disrupts or prevents or attempts to disrupt or prevent Authority operations or delivery of Authority services.
- An employee fails to respond promptly, honestly and completely to an inquiry from a supervisor that is specifically related to the performance of the employee's official duties.

• Serious breach of discipline

• Neglect of duty

• Entering the building without permission during non-scheduled work hours;

• Careless waste of materials or abuse of tools, equipment, supplies, or Authority property;

• Incompetency or inefficiency or incapacity;

• Fighting or creating a disturbance among fellow employees;

• Using obscene, abusive, or threatening language or gestures;

• Sleeping on duty;

• Use or possession of intoxicants, narcotics or controlled substances in violation of Authority policy; being intoxicated or narcotized while on duty;

• Violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial vehicles, and state and local policies issued thereunder;

• Failure to report an absence, absence without leave or failure to report to work after authorized leave has expired or after such leave has been disapproved or revoked;

• Using leave for purposes other than for which it was granted;

• False statements, misrepresentation, or fraud in application form or any other matter concerning employment;

• Falsification of public records, including attendance and other personnel records.

• Chronic or excessive absenteeism;

• Disorderly or immoral conduct;

• Theft, bribery or unauthorized use or possession of the Authority, co-worker or resident property;

• Disregarding safety or security regulations;

• Soliciting on Authority premises during work time. This includes, but is not limited to, distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and for sales of products;

• Falsifying or otherwise altering Authority records or reports, such as applications for employment, medical reports, production reports, time records, expense accounts, absentee reports, or shipping and receiving records;

• Negligence or willful damage to public property or wasteful, unnecessary or unauthorized use of Authority supplies, especially for personal purposes;

• Conviction of a crime or disorderly persons offense;

• Failure to maintain confidentiality/unauthorized disclosure of confidential or Authority information;

• The use or attempted use of one's authority or official influence to control or modify the political action of any employee or engaging in any form of political activity during working hours;

• Infringement of policies defined in this manual or failure to comply with departmental rules and regulations;

• Rude or disrespectful conduct toward the public;

• Failure to maintain workplace and area cleanliness and orderliness;

• Smoking where prohibited by ordinance, law or a rules

• Improper attire or inappropriate personal appearance;

• Engaging in any harassment or discrimination based upon a protected class;

- Violation of established safety, security and fire regulations;
- Possession of firearms or other weapons on Authority property or while on official business, unless otherwise authorized by the Authority;
- Deliberate delay or restriction of work effort, and/or incitement of others to delay or restrict work effort or any other actions disruptive to the effective, efficient, economical operation of the Authority's affairs;
- Conduct unbecoming a public employee;
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;
- Defacing walls, bulletin boards or any other property of the Authority or other employees;
- Gambling on Authority premises;
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Authority premises;
- Violating any Authority rules, procedures, regulations or policies;
- Unauthorized use of computers, Internet, email, voicemail, telephone and cellular phone;
- Violation of New Jersey's Local Government Ethics Laws; and
- Discrimination that affects equal employment opportunity and/or is in violation of the New Jersey Law Against Discrimination, including, but not limited to sexual harassment.

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

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

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

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

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

At the discretion of Authority, disciplinary action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record. The Authority reserves the right to utilize resources including but not limited to training, performance improvement plans or last chance agreements as corrective tools in the disciplinary process.

Employees who object to the terms or conditions of the discipline are entitled to appeal the discipline through the applicable grievance procedure for non-union employees and through the grievance procedure established in the collective bargaining agreement for union employees. Employees may not grieve oral warnings, written warnings or written reprimands. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

Neither this manual nor any other Authority guidelines, policies or practices create an employment contract. Employment with Authority may be terminated at any time with or without cause or reason by the employee or Authority consistent with applicable law or consistent with the provisions of any applicable collective bargaining agreement.

No Authority employee, supervisor or member of the Board of Commissioners shall retaliate against any Authority employee for the lawful exercise of any provisions of this handbook, contract, labor agreement or for exercising any right granted under State or federal law. All forms of unlawful retaliation are prohibited, including, but not limited to, discipline, reprisal, intimidation, or other forms of retaliation. Notwithstanding the foregoing, nothing in this section shall prevent the Authority from imposing disciplinary action for any violation of Authority policies, procedures, rules or regulations.

If any employee believes they are subject to conduct that violates this policy, the employee should promptly report such conduct using the complaint procedure set forth in the Employee Complaint Policy set forth in this Manual. Any manager or supervisor who observes retaliatory conduct must immediately report the conduct to the Director for Personnel, Deputy Executive Director, Executive Director.

Lactation Break Policy

As part of our family-friendly policies and benefits, the Authority supports breastfeeding employees by reasonably accommodating any employee who wishes to express breast milk during regularly scheduled break periods when separated from their newborn child unless such breaks would pose an undue hardship on the operations of the Authority.

Subject to the foregoing, any employee who is breastfeeding their child will be provided a reasonable break time to express milk in a suitable room or other location with privacy, other than a toilet stall, in close proximity to their work area. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.

For hourly employees, breaks of more than twenty (20) minutes in length will be unpaid, and the employee should indicate this break period on their time record. Employees may also elect to use their meal period for expressing milk. The number of breaks that a covered employee will need to take for expression purposes varies depending on the amount of time the employee is separated from the nursing infant and the employee's physical needs. The Authority will generally provide break time at least once every three hours if requested by the employee.

It is unlawful to discriminate in any way against an employee who chooses to express milk in the workplace. Supervisors and co-workers are reminded to respect and be sensitive to an employee's choice to nurse, as well as to their other efforts to do what they considers best for their child."

The possession or use of unlawful drugs and abuse of alcohol pose a threat to the health and safety of all employees as well as to the Authority's rate payers and the general public with whom we interact on a daily basis. To that end, the Authority has adopted a Drug and Alcohol Free Workplace Policy and all employees are subject to the rules and regulations set forth in that policy. Specifically, the Authority strictly prohibits the manufacture, distribution, dispensation, possession, use, storage, and/or transportation of alcohol or unlawful drugs, regulated cannabis, drug paraphernalia, and unauthorized prescription drugs by any person while on Authority premises, while conducting Authority business, and/or during Authority work hours. No Authority employee shall report to work, or work under the influence of alcohol, illegal drugs, or an unauthorized controlled substance. Likewise, operating an Authority vehicle or a personal vehicle while on Authority business under the influence of alcohol, illegal drugs, or an unauthorized controlled substance is strictly prohibited.

All Authority employees are hereby advised that the Authority strictly prohibits the use, possession, transport or sale of regulated cannabis (i.e., recreational or medical marijuana legally obtained in accordance with New Jersey law) and/or unregulated marijuana (i.e., all other forms of marijuana obtained from unlicensed and unregulated sources) on Authority Property or while conducting Authority business, even if the employee has a valid prescription for medical cannabis or lawfully purchases recreational cannabis. N.J.S.A. 24:6I-52(b).

Employees assigned to operate Authority vehicles or perform safety sensitive functions as defined by both the DOT and Non-DOT protocols must immediately notify the Director of Personnel whenever they are prescribed a substance by a licensed medical professional that is either a Scheduled Controlled Substance or that may impair or affect the employees abilities to perform their job in a safe manner. The EMUA shall maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act.

Prescription medication may be used only by the individual to whom it was prescribed. Soliciting, selling or distributing prescription drugs to other Authority employees is strictly prohibited. Prescription and non-prescription (over-the-counter) drugs should be used only as prescribed or indicated while on Authority property, while conducting Authority business, and/ or during Authority work hours. For purposes of this policy, prescription medication taken without a prescription, or by a person other than the person it was

prescribed to, or inconsistent with how it was prescribed, shall be deemed an unauthorized controlled substance.

Employees using prescription drugs that may affect job performance or safety must immediately notify the EMUA which is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act. Before commencing work, the employee must also provide the name of the prescription and a doctor's authorization to work. The EMUA may require an employee who takes such prescription medication(s) to obtain medical clearance from a doctor verifying that they do not interfere with the employee's ability to perform his/her job duties safely. When that occurs, the Authority will engage in the interactive process with the employee and their treating health care professional to determine if the employee can remain on duty, be assigned to transitional duty or paced on medical leave.

Any employee who is observed by a supervisor or Department Head to be intoxicated or under the influence of alcohol or drugs during work hours or is under reasonable suspicion of same, shall be immediately tested, according to established DOT or Non-DOT protocols (See Appendix A) and is subject to the rules and regulations established in both as well as in the Personnel Manual. Employees found to be in violation shall be subject to discipline up to and including termination. Employees who are required to maintain a commercial driver’s license (CDL) are subject to random testing, pre-employment testing, reasonable suspicion testing and post-accident testing according to Federal standards. Employees assigned to operate Authority vehicles and/or perform certain safety sensitive or high risk functions are subject to pre-employment testing, reasonable suspicion testing, random testing and post-accident testing according to the standards and practices in the Authority’s Drug and Alcohol Testing protocols found in Appendix A. Refusal to submit to or cooperate with testing when requested to do so may result in disciplinary action up to and including termination.

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Assistant Executive Director for Personnel, the Executive Director, or the General Counsel/Labor Counsel. Regardless of who receives the initial report, all employee complaints will be forwarded to the Assistant Executive Director for Personnel unless the complaint directly involves him/her in which case the report will be forwarded to the Executive Director. Reporting of such incidents is encouraged either when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

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

All employee complaints will be investigated pursuant to the Employee Complaint Investigation Procedure found in Section Five of this handbook. If the investigation substantiates the complaint and establishes <u>just cause</u> to believe a violation of Authority rules, regulations, policies or procedures has occurred, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action taken against Union employees will follow the terms outlined in the current collective bargaining agreement. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining employee will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the reported incident.

Employee Complaint Investigation Procedure:

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

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.

- **Identification/Screening**: The supervisor, General Counsel or Labor Counsel must report all written or verbal complaints to the Executive Director unless the complaint is against the Executive Director. Upon receipt, the Executive Director will determine if the complaint was made pursuant to the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy, the Whistle Blower Policy, a grievance procedure or is another form of complaint. A file will be established including the written complaint, the investigation procedure followed and the response action plan. As soon as possible but no later than ten days after receiving the complaint, the Assistant Executive Director for Personnel or investigator appointed by the Executive Director will interview the employee. If the employee is reluctant to sign a written complaint, the assistant Executive Director for Personnel or investigator will prepare written notes of the date, time and place of the complaint and the specific allegations. These notes will be read back to the employee who will be asked to affirm, preferably in writing the information's accuracy.

- **Investigation:** The Assistant Executive Director for Personnel will seek the advice of General Counsel or the Labor Counsel when planning the investigation. The investigation should be conducted by the appropriate legal counsel or county prosecutor if it involves potential criminal charges. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. It is important to protect the rights of both the person making the complaint and the alleged wrongdoer.

- **Response Plan – No Corrective Action Required**: The Assistant Executive Director for Personnel will discuss the conclusions with the (Employment Attorney/Advisor title) and render a decision within fourteen days after the investigation is complete. If the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee and the accused should be notified in writing. Care should be taken to avoid being too specific, confrontational or accusatory and to avoid any language that might be construed as defamatory. A general statement is usually more appropriate that the claim was thoroughly investigated but could not be sufficiently documented or confirmed to justify taking formal action. The employee should be assured that future complaints will be investigated and that the Authority is committed to eliminating wrongful employment practices when they are found to exist. If the investigation reveals that the complainant intentionally and maliciously levied false charges against the alleged wrongdoer, the complainant must be notified of the seriousness of filing a false complaint, and the appropriate disciplinary penalty under the circumstances, up to and including termination.

- **Response Plan – Corrective Action Required**: If the investigation reveals that the complaint is justified and substantiated, the Assistant Executive Director for Personnel will formulate with the advice of the counsel a corrective action plan as well as possible disciplinary action. The complaining employee will be notified, in writing that it appears that the complaint was justified and an appropriate response plan has been formulated. A copy of the response plan should be attached to the letter. The response plan should provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

EVESHAM MUNICIPAL UTILITIES AUTHORITY					
PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK					
SECTION TWO: PERSONNEL RULES AND REGULATIONS CHAPTER THREE: APPEARANCE AND DRESS CODE					
September 2025					

All Evesham Municipal Utilities Authority personnel are expected to present a professional, business like image to our rate payers, contractors, visitors and the public. Dress, grooming and personal hygiene must be appropriate for the position. Uniforms are required for certain jobs and are to be worn in accordance with applicable departmental standards. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees shall not wear suggestive attire, athletic / athleisure clothing, shorts, sandals, T-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance (Please see the below chart for further clarification of acceptable clothing). Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Facial hair may be restricted or prohibited if it interferes with the proper wearing of personal protective equipment necessary for the employee's position. Shaggy, unkempt hair is not permissible regardless of length. With the advanced approval of the Executive Director, the Authority will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action or will be sent home without pay.

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

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

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

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

Operational staff / Operational supervisors

Appropriate	Inappropriate
Slacks	**Slacks**
Authority issued slacks / work pants	Slacks / work pants other than Authority issued
Shirts	**Shirts**
Authority issued shirts	Shirts other than Authority issued
Shoes	**Shoes**
Boots with steel / composite toe (must be compliant with current OSHA regulations)	Any other shoes other than steel / composite OSHA regulated safety shoes
Hats	**Hats**
Authority issued hats	Hats other than Authority issued

Office / Administration staff

Appropriate	Inappropriate
Slacks	**Slacks**
Khakis or corduroys	Sweatpants, athletic wear
Jeans (must be clean and free of rips; tears and fraying; may not be excessively tight or revealing)	Low-rise or hip-hugger pants
Capris	Tights
Dress pants	Ripped or frayed jeans
Pantsuits	
Shirts	**Shirts**
Polo collar knit or golf shirts	Shirts with writing (other than Authority logo)
Oxford shirts	Beachwear
Authority logo wear	Athletic / athleisure wear
Short-sleeved blouses or shirts	Crop tops; clothing showing midriffs
Jackets or sweaters	
Shoes	**Shoes**
Dress shoes, casual shoes such as boat shoes, Sketchers, loafers, boots. Office/Administrative Staff must wear approved safety shoes when conducting business in the plants.	Flip/flops, slides. Athletic shoes such as sneakers. Shoes with holes.
Hats	**Hats**
Authority issued hats	Hats other than Authority issued

At no time will any employee be permitted to wear any article of clothing that displays obscene, offensive, profane or political images, words or phrases.

At the discretion of the Executive Director or his designee, in special circumstances such as extreme hot or cold weather, or during special occasions, employees may be permitted to dress in a more casual manner than is normally required. On those occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic/athleisure wear. Likewise, tight, revealing, or clothing with offensive comments or displays will not be permitted.

Without unduly restricting individual tastes, the following appearance guidelines shall be followed at any Authority worksite:

- Shoes must provide safe and secure footing and offer protection against hazards.
- Hardhats and required Personal Protective Equipment (PPE) must be worn when required.
- Canvas or athletic shoes are not considered appropriate professional attire other than for “casual Fridays”.
- Tank, strapless, tube or halter tops or shorts may not be worn under any circumstances.
- Pants shall not have holes in them and shall be pulled up to the waist so that undergarments are not visible.
- Mustaches and beards must be clean, well-trimmed and neat. For those employees whose duties may require the use of a respirator, the Authority can require the employee to be clean shaven as needed.
- Hairstyles are expected to be in good taste. Extreme hairstyles such as spiked hair are prohibited.
- No political or other advocacy attire or buttons shall be displayed at the workplace during work hours.

- Long hair shall be worn with hair pulled back from the face and neck when necessary to avoid interfering with job performance, machinery or PPE.
- Offensive body odor or poor personal hygiene is not acceptable.
- Perfume, cologne and aftershave should be used in moderation.
- Jewelry shall not be functionally restrictive, excessive or dangerous to job performance.

The Authority recognizes the importance of individually held religious beliefs to our employees. The Authority will reasonably accommodate any employee's religious beliefs in terms of workplace appearance or attire unless the accommodation creates an undue hardship or prevents the proper use of required PPE. Anyone requesting an accommodation based on religious beliefs, should contact the Director of Personnel, Safety and Security.

The Authority prohibits discrimination based on race. Race is inclusive of traits historically associated with race, including but not limited to, hairstyles such as braids, locks and twists. Employees will not be discriminated against or found in violation of this policy for choosing to wear their hair in such styles as Afros, braids, locks, twists or knots.

In order to present an image of efficiency and professionalism, all office should be kept neat and orderly under the following guidelines:

- Work areas should be kept as neat as possible during the regular work day.
- Pictures or items hung on the walls in common areas must be approved in advance by the Executive Director or his designee.
- Posters, pictures, notes, figurines or any other item for display are permitted on the inside of any personal workspace provided they are tasteful and do not offend any other employee.

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

Every Authority employee shall have his/her principal place of residence in the State of New Jersey. New hires shall have one year from the time of taking office, employment or position to satisfy the requirement of principal residency. Failure to satisfy this requirement shall render the employee unqualified for holding office, employment or position with the Authority.

If, however, an employee holds an office, employment, or position with the Authority as of September 1, of 2011 (the effective date of P.L.2011, c.70), but does not have his or her principal residence in this State on that effective date, he/shall will not be subject to the residency requirement while that employee continues to hold office, employment, or position without a break in public service of greater than seven (7) days. Any person who commenced employment with the Authority after September 1, 2011, who wishes to relocate out of the State of New Jersey must obtain a waiver from the State's Department of Labor and Workforce Development's Employee Residency Review Committee (Committee). Waivers may be granted by the Committee based on critical need or hardship. Employees who are considering relocating out of the State of New Jersey should apply in advance for the waiver before moving out of state. Information on the waiver process may be found at https://www.nj.gov/labor/research-info/njfirst.shtml.

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

An employee requesting transitional duty or the Workers Compensation Physician shall notify the Assistant Executive Director for Personnel as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee, according to a licensed medical professional, will be able to perform the essential functions of the position after the transitional duty period with or without reasonable accommodation. The Assistant Executive Director for Personnel will consult with the Supervisor to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be in any department and not just the employee's normal department. The Assistant Executive Director for Personnel will decide if it is in the best interest of the Authority to approve a transitional duty request and will notify the employee of the decision.

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

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment or overtime of any kind unless they receive prior written approval from the Assistant Executive Director for Personnel. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Executive Director informed of the medical progress. If at the end of transitional duty period the employee is not able to return perform essential job functions with or without a reasonable accommodation, the Authority reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers Compensation or another leave of absence. This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy or other Federal or State law

The official personnel file for each employee shall be maintained by the Assistant Executive Director for Personnel. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Authority premises in the presence of the Assistant Executive Director for Personnel or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records of disciplinary action (exception will be any investigative reports). Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

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

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

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

It is the responsibility of each employee to notify the Director of Personnel and the payroll office promptly, in writing, of any changes of vital information including but not limited to:

- Name:
- Address
- Telephone Number-Primary and Secondary
- Marital/Familial Status
- Dependent Children
- Change in Status of Health/Prescription or Dental Insurance Coverage
- Changes in Pension Beneficiaries
- Changes Related to Beneficiaries for Authority Sponsored Life Insurance (When Applicable)
- Changes in any Withholdings
- Employee Emergency Contact
- Change in Driver's License Status (When Applicable)

Changes may be accomplished by completing and filing an Employee Information Change Form with the Director of Personnel and by completing the necessary insurance and pension forms with the payroll office. When necessary, the payroll office will provide the employee with additional proper forms to change beneficiary, income tax deductions, etc.

Evesham Municipal Utility Authority
Employee Information Change Form

Employee Name:_____
Department: _____

Indicate the change you are reporting by checking the appropriate line:

_____ Name

_____ Address

_____ Phone Number

_____ Birth of Child

_____ Death of Covered Family Member

_____ Marriage

_____ Divorce

_____ Child's Status as Dependent

Please provide details relating to the change you have check above, including the date of the change.

_____

_____

_____

_____

I authorize these changes to be effective _____

Signature of Employee:_____

Date:_____

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

Personal Use of Cellular/Wireless Devices:

Excessive use of cellular/wireless devices during the workday can interfere with employee productivity, present a distraction to co-workers and place the employee as well as others at risk. During work hours, employees shall use the appropriate discretion when using personal cellular/wireless devices so that there is no impact on productivity and no increased risk of property damage or personal injury. Employees are prohibited from using their personal communication device to copy and/or upload any, confidential information (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure).

Cellular Telephone Calls/Text Messaging:

Personal calls and/or text messages are prohibited during work hours except in the case of an emergency. Employees are expected to make non-work related calls/texts during their authorized Un-paid break periods unless specifically authorized by a supervisor.

Prohibited Activities:

In order to ensure productivity, the following uses of personal cellular/wireless devices are expressly prohibited during work hours:

- Accessing the internet for non-work related purposes;
- Playing games
- Watching any movies, television, sports, video or still photos;
- Personal use of social media;
- Accessing, distributing or viewing any pornographic or harassing material.

Authority Provided Cellular/Wireless Devices:

Where a business necessity exists, the Authority will issue employees with an authority owned cell phone for work-related communication. Field force personnel who are issued an authority phone shall not carry a personal cell phone/wireless device on their person. Personal cell phones may be kept in the employee's personal vehicle, lunch bag or locker and may ONLY be used while on the employee's unpaid break.

There will be NO expectation of privacy with regards to the use of any authority cell phone or with any record, bill, invoice or content generated by an authority cell phone or other wireless device. Management will be responsible for reviewing the billing records for all

Authority issued cellular phones/wireless devices and shall make a determination as to whether any use of an Authority device is authorized. Should an employee's personal use of an Authority cellular phone or wireless device result in a charge to the Authority, the employee may be responsible to reimburse the Authority for any and all excessive charges so incurred.

Authority issued cellular or wireless devices shall remain the sole property of the Authority and shall be subject to inspection and/or monitoring, including records, texts, images or any other recordings, at any time. Employees issued such devices are expected to have the device in their possession during the workday and are to protect the equipment from loss, damage or theft. Upon separation from the Authority, or at any time upon request, the employee may be asked to produce the device for return or inspection. Employees who refuse to or are unable to produce the device within the requested time frame may be subject to disciplinary action and may be required to reimburse the Authority for any loss or damage.

Safety:

Employees shall refrain from using any cellular device, personal or Authority issued, while operating any Authority vehicle or motorized equipment. Authority employees are prohibited from using any Authority owned cellular device while operating their personal vehicle. If the use of a cellular device becomes necessary while operating an Authority vehicle, the employee shall remove the vehicle from traffic to a safe location and come to a complete stop before placing or answering any call. An employee operating any safety sensitive equipment will place the equipment in a safe condition before placing or answering any call.

Text messaging, reading or answering e-mail or accessing the internet while operating an Authority vehicle or equipment is expressly prohibited.

Any Authority employee who is charged with a motor vehicle violation resulting from the use of a cellular phone while driving an Authority vehicle may be subject to disciplinary action up to and including termination. Any employee so charged will be responsible for any personal liability resulting from such traffic violation and are responsible for paying any fines and/or costs associated with the violation.

The Authority's e-mail, voicemail, phones, computer systems, computer networks, Internet service, and other electronic devices (collectively "Authority IT") are for official Authority business during working time and all other non-business purposes or use outside of working time is prohibited. "Working time" shall be defined as any time in which the employee is engaged in or required to perform work tasks for the Authority. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and mealtimes. This includes, but is in no way limited to, the use of computers or Authority-issued mobile devices, use of social networking, gaming or TV/video.

Note: All e-mail, voicemail, text, and internet messages are official documents subject to the provisions of the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq.

The Authority operates in an environment where the use of Authority IT is essential for certain employees. Those employees are encouraged to use Authority IT; however, it is the responsibility of the employee to guarantee that Authority IT is solely used for business-related purposes during working time, (as defined above) and are used in a proper and lawful manner at all times.

- Employees are advised that all Authority IT is to be used for business purposes and only during working time (as defined above), and that they have no expectation that any information stored on Authority IT is private. Because e-mail messages are considered as business documents, the Authority expects employees to compose e-mails with the same care as a business letter or internal memo.

- Downloading or misusing software available through the Internet could violate copyright laws or licensing requirements and cause harm to Authority IT. Therefore, such is prohibited. Employees may only download software after receiving advanced permission from the Authority's Network Administrator.

- Personal use of any Authority IT during working time (as defined above) is prohibited, unless expressly authorized by the employee's supervisor.

- The Authority reserves the right to block or cancel an employee's access to Internet sites or the Internet as a whole while using Authority IT or on the Authority's time.

- All Authority IT as well as all data, communications, information, documents, and files contained on or within Authority IT , is the property of the Authority.

• The Authority reserves its right to monitor, intercept, and review any and all data and information on or within Authority IT, including but not limited to, e-mail messages, text messages, call logs, voicemail, computer files and Internet usage and history, with or without notice, at any time, at the Authority's discretion. The Authority also reserves the right to access and disclose such communications and recordings to third parties in certain circumstances. Therefore, employees shall have no expectation of privacy in any transmissions made or received using Authority IT, including computers, phones, and email accounts.

• Employees must be aware that the mere deletion of a file or message may not fully eliminate that file or message from the system.

• The existence of personal access codes, passwords and/or "message delete functions," whether provided by the Authority or generated by the employee, do not restrict or eliminate the Authority's access to any Authority IT,as the employees are on notice that they should not have any expectation of privacy when using these systems.

• Employees shall not share personal access codes or passwords, provide access to an unauthorized user, or access another's Authority IT, including but not limited to, computer, phone, e-mail or Internet account without prior authorization.

• All Authority IT, including its connection to the Internet, is to be solely used for business-related purposes during working time (as defined above). If permission is granted, an employee's personal use of Authority IT shall not interfere with the employee's duties and shall comply with the Authority's policies and all applicable laws.

• Any messages or transmissions sent outside of the organization via e-mail or the Internet will pass through a number of different computer systems, all with different levels of security. Accordingly, employees must not send privileged and/or confidential communications (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure), via e-mail or the Internet unless the message is properly encrypted and additional security measures are discussed with the Authority's Network Administrator.

• Because postings placed on the Internet may display the Authority's address or other Authority-related information, and thus reflect on the Authority, make certain before posting such information that it exhibits the high standards and policies of the Authority. Under no circumstances shall data of a confidential nature (i.e. Social Security numbers, medical and/or HIPAA protected information, dependent information or other information protected from unlawful disclosure) be posted on the Internet.

• Employees should refrain from identifying yourself as an employee of the Authority, in any way, when using social media or the internet. If you do identify yourself as an employee in any manner on any website, social media, internet posting , blog, or comment, or if you discuss any aspect of the Authority's business or post a link to the Authority, you must include the following disclaimer in an openly visible location: "the

views expressed on this post are mine and do not necessarily reflect the views of the Authority or anyone associated/affiliated with the Authority." You must never identify yourself as a representative of the Authority on any social media, website, posting, blog, or comment unless you have prior, written authorization from the Executive Director.

- Subscriptions to news groups or mailing lists using Authority IT are permitted only when the subscription is for a work-related purpose and authorized by Authority. Any other subscriptions are prohibited.

- All files downloaded from the Internet, e-mail attachments or the like should be checked for possible viruses. If uncertain whether your virus-checking software is current, you must check with the Authority's Network Administrator before downloading.

- Any "unauthorized use" of e-mail or the Internet is strictly prohibited while at work or while using Authority IT. "Unauthorized use" includes, but is not limited to: illegal or unlawful activity; connecting, posting, or downloading obscene, pornographic, offensive, violent, sexually suggestive, or discrimination based material; attempting to disable or compromise the security of information contained on the Authority's computer systems; or sending or receiving obscene, violent, harassing, offensive, sexual or discrimination based messages. If an employee receives a message that is representative of an "unauthorized use" of the Authority's electronic media from someone outside of the Authority, it is the employee's duty to immediately inform the sender of such materials that he or she must refrain from sending such materials.

- Your Internet postings SHOULD NOT VIOLATE ANY OTHER APPLICABLE AUTHORITY POLICY, including, but not limited to, the following: the Authority's Anti-Harassment and Discrimination Policies.

- Authority business which is conducted by an employee on his or her personal computer or device is subject to this policy and may be subject to the provisions of OPRA. Therefore, the Authority discourages the use of personal devices to conduct Authority business, and all Authority business should be conducted via Authority IT.

Any employee who violates this policy shall be subject to disciplinary action, up to and including termination. This policy shall not be construed to restrict employees' rights to share information about their employment terms and conditions communicate with each other; or engage in other concerted activities for their mutual aid and protection.

<u>Social Network Postings</u>

For purposes of this policy, a social network is defined as a site that uses internet services to allow individuals to construct a profile within that system, define a list of others users with whom they share some connection, and view and access their list of connections and those made by others within that system, or any website or application that enables users to interact and/or create and/or share content or information. The type of network and its design vary from site to site. Examples of the types of internet based

social networking activities include but are not limited to: blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting comments on the sites, and examples of social networking sites include, but are not limited to: Facebook, Twitter, LinkedIn, Instagram, SnapChat, TikTok, YouTube, Tubmblr, Google+, and Pinterest, . The absence of, or lack of explicit reference to a specific site or activity does not limit the extent of the application of this provision.

The use of the internet and social networking sites is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings, sharing, and liking upon the Authority and its relationship with the community. This provision identifies prohibited activities by employees on the internet where posted information is accessible to members of the general public, including, but not limited to, public postings on social networking sites.

Specifically, the Authority reserves the right to investigate postings and other social networking activity, both private or public, that violate work-place rules, such as the prohibition of sexual harassment and other discriminatory conduct, where such postings lawfully are made available to the Authority by other employees or third parties. Employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone. If you would not be comfortable with your supervisor, coworkers, or the management team reading your words, you should not write them.

Be advised that employees can be disciplined for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, discriminatory. libelous, offensive, that can create a hostile work environment, or that otherwise violates Authority policy. The Authority reserves the right to discipline or remove any employee who posts material inconsistent with its core mission and values. You can also be sued by Authority employees or any individual who views your commentary, content, or images as, for example, defamatory, pornographic, proprietary, harassing, discriminatory, libelous or creating a hostile work environment. What you say or post on your site or what is said or posted on your site by others could potentially be grounds for disciplinary action, up to and including termination. However, nothing in this social networking policy is designed to interfere with, restrain, or prevent social media communications during non-working hours by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the New Jersey Authority-Employee Relations Act or to prevent communications which are protected by the First Amendment freedom of speech clause, unless such communications are made as part of the employees' official job duties.

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

Unless an employee received permission from the Executive Director, Authority owned vehicles shall be used only on official business and all passengers must be on Authority business. All Authority owned vehicles must be operated in a safe manner consistent with the procedures set forth in the vehicle operations section of the safety manual.

Vehicles may be taken home only with the advance approval of the Executive Director except Supervisors may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home an Authority vehicle, it is to be used only for official Authority business; any other use is not permitted. At no time shall children be in the Authority vehicle. Any violation of this policy constitutes cause for disciplinary action.

The Evesham Municipal Utilities Authority will monitor the use of Authority vehicles and equipment during working hours through the use of a combination of software and hardware connected to a Global Positioning System. The information to be collected shall include, but is not limited to speed, location, stop/idle time, route traveled and time on location. The vehicles and/or equipment to be monitored is at the sole discretion of the Authority. The information obtained will be utilized to ensure the safe and efficient performance of tasks and assignments related to the Authority’s mission of providing clean, safe drinking water and environmentally safe collection and treatment of wastewater services to the rate payers of Evesham Township.

The hardware associated with the Authority’s Global Positioning System will only be installed on Authority owned vehicles and equipment. No Authority owned tracking

equipment or software will be installed on any vehicle or item personally owned by an Authority employee. As a result there should be NO EXPECTATION OF PRIVACY regarding the information collected and stored by the system conferred to any employee while operating any Authority vehicle or equipment during hours the employee is performing work for or under the direction of the Authority.
Any Authority employee found to be tampering with any hardware or software related to the operation of the Global Positioning System will be subject to disciplinary action up to and including termination. For the purposes of this policy, tampering is defined as any deliberate or reckless action taken that prevents or attempts to prevent the Global Positioning System to function as designed or to block, disconnect, delete, subvert, disrupt, modify or in any manner attempt to disrupt the transmission, reception, storage or monitoring of the data provided by the Global Positioning
System's hardware and software.

Driving Privileges and Licensure. The use of an Authority Vehicle by an employee is subject to the approval and discretion of the Chief Administrative Officer. Any employee operating an Authority Vehicle must have, in his or her possession, a valid driver's license issued by a state regulatory body within the United States. Licenses issued by any territory or possession of the United States, the District of Columbia, or any international agency (including any province of the Dominion of Canada) must be expressly approved by the Authority's insurance carrier before an employee will be permitted to operate an Authority Vehicle.

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

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

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

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

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

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

2. The Authority shall utilize information obtained pursuant to this section only for the purposes of furthering the objectives of this Policy and for no other reason, and will not

reveal personal or other information contained in an employee's driving abstract record to any party except where required by applicable law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EVESHAM MUNICIPAL UTILITIES AUTHORITY					
PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK					
SECTION TWO: PERSONNEL RULES AND REGULATIONS CHAPTER TWELVE: NO SMOKING POLICY					
September 2025					

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Authority has adopted a smoke-free policy for all buildings. Authority facilities shall be smoke-free and no employee or visitor will be permitted to smoke or vape anywhere in Authority buildings. Employees are permitted to smoke or vape only outside Authority buildings and such locations as not to allow the re-entry of smoke into building entrances. Vaping or smoking inside vehicles owned by the Authority and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

The bulletin boards located in the Authority administrative building and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Executive Director may post, remove, or alter any notice. No anonymous, malicious or inflammatory material may be posted. The Authority reserves the right to remove any posted material not meeting the conditions and requirements of this policy.

The Authority shall make a bulletin board located at the Elmwood plant available to the Union to post notices for posting related to Union meetings and official business only. No other notices other than notices sanctioned and approved by the Union shall be posted unless agreed to in writing by both the EMUA and the Union. The shop steward shall acknowledge all notices on the bulletin board as being approved by the Union for posting.

Purpose

It is the policy of the Authority, upon reasonable grounds and when deemed necessary by management, for authorized management personnel to inspect, search and surveil Authority property and personal property brought onto Authority property. **Employees should have no expectation of privacy in any Authority property or any personal property brought onto Authority property.** An employee's refusal to cooperate with an inspection, search or investigation relating thereto may result in disciplinary action up to and including termination.

Procedures for Unannounced Searches & Inspections

Decision to search

In most situations, the following Authority representatives will be involved in a decision to conduct an unannounced search or inspection:

- Employee's department supervisor or on-call supervisor if after-hours.
- Assistant Executive Director for Personnel.
- Executive Director and/or Deputy Executive Directors or his/her designee.

Conducting searches

1. The following persons should conduct and observe any approved unannounced search during:
    - Employee's department supervisor or on-call supervisor if after hours.
    - Assistant Executive Director for Personnel or his designee.
    - Executive Director and/or Deputy Executive Directors or their designee.

2. When available a minimum of three management representatives are required to conduct an unannounced search. Two of these representatives should conduct the search, and the third representative should record the inventory. Items found and identifying locations should be noted.

3. One of the Management representatives conducting the search must be of the same sex as the person whose belongings are being searched.

4. In the case of the search of personal property located on Authority property, the search should be conducted in the following manner:

    - The employee involved will be taken to a private location and informed that the Authority is to conduct a search and inspection of his or her personal possessions (including his or her vehicle), in accordance with Authority

policy. The Management representative conducting this meeting should ask the employee if he or she will cooperate with the search.

- The search should not begin until the employee gives signed and written consent to the search, however, should the employee refuse consent his or her employment may be separated.
- Where emergent circumstances are present and an employee is unavailable or unable to consent due to incapacity the Authority may conduct a search of an employee's personal property located on Authority property without employee consent.
- Where illegal contraband, firearms, child pornography or circumstances indicative of a possible crime exists, the matter may be referred to the Police Department, Prosecutor's Office or the Federal Bureau of Investigation.
- In the presence of all required the Management representatives and the employee, the designated Authority representatives will search as necessary through the employee's locker, work area, personal items or vehicle. The designated Management representative should record an inventory of all items found during the search and secure relevant items.
- After the search is completed, the designated Management representative should:
    - Conclude the search by either thanking the employee for his or her cooperation or by placing the employee on paid or unpaid suspension pending the outcome of the investigation.
    - Set up a specific time for the employee to meet with his or her department director, or other designated Authority representative.
- An employee who refuses to cooperate with a search request from an authorized Authority representative should:
    - Not be detained in any way or for any reason, but should be informed that any sort of refusal to cooperate will be grounds for disciplinary action up to and including termination.
    - Be immediately relieved of duty and placed on unpaid suspension pending investigation.
- The following may be searched:
    - Any property of the Authority including, but not limited to, lockers, desks, offices, filling cabinets, phones, computers, laptops, email, other electronic devices, vehicles and other individually assigned spaces.
    - Any personal property brought onto the Authority premises by the employee, including but not limited to:
        - Pockets
        - Purses/wallets
        - Briefcases
        - Cars/trucks
        - Shopping bags/boxes
        - Removable clothing
        - Any personal property within Authority property

- The employee may be asked to remove a coat, sweater, lab coat or similar type of clothing so that it can be inspected. The employee may be asked to turn his or her pockets inside out. The search should not include any form of body searching.

5. Each Authority representative present during the search/investigation must immediately write an independent report of the incident, or at his or her discretion, a joint statement/summary may be written and signed by all involved in the search, including the employee(s). The report(s) should be delivered to the Assistant Executive Director for Personnel.

The following information must be included in the report:

- Reason for the search.
- Who was involved in the search.
- Where the search was conducted.
- Date and time of search.
- What, if anything, was found during the search.
- What actions were taken with the employee involved.
- What items were seized and what action was taken with the item(s).
- What instructions were given to the employee

9. The Assistant Executive Director for Personnel (or, in his or her absence, the Deputy Executive Director for Operations) should immediately report to the appropriate authorities any illegal items that are found and should document such notification.

Procedures for Announced Searches

Announced searches will be conducted periodically for health and welfare purposes; however, such searches are not limited to these reasons. Any Authority property, including employee lockers or other individually assigned spaces, may be searched.

1. Twenty-four hour advance notice should be given to the employees affected by the announced search.
2. A minimum of three of the Authority management representatives are required to conduct an announced search.
3. Two of these management representatives will conduct the search. The third management representative will document the items found during the search and document where these items were found. All three management representatives will sign this document and certify that the inventory of items found during the search is accurate and complete.
4. The Authority may confiscate and dispose of items found during such searches as necessary.

Procedures for Surveillance

To promote the safety of employees and Authority visitors, as well as the security of its facilities, the Authority reserves the right to conduct video surveillance of any portion of its premises at any time. Video cameras will be positioned in appropriate places within and around Authority buildings. The only exceptions to this policy include private areas of restrooms, showers and dressing rooms. Any activity on or within Authority premises besides private restrooms, showers, and dressing rooms are subject to monitoring and recording, and t**herefore, employees should have no expectation of privacy on or in Authority property.** There will be no audio recording by security surveillance equipment without proper notification and within compliance with all applicable State and Federal laws, statutes and regulations. Please see the Authority's Video Surveillance Policy for more information on this policy.

Form Located in Appendix B

ACKNOWLEDGEMENT OF RECEIPT

PROPERTY INSPECTION, SEARCH & SURVEILLANCE POLICY

The Evesham Municipal Utilities Authority (Authority) assumes no liability whatsoever for the damage, loss or theft caused by third parties to the personal property of staff members.
All storage facilities, offices and workspaces, including desks and filing cabinets, lockers, Authority vehicles and electronic devices and files are the property of the Authority and the Authority reserves the right to have access to these areas and to inspect, search and surveil (with the exception of bathrooms and showers) such property and any personal property contained therein at any time, without advance notice to any employee upon reasonable grounds. Therefore, employees should not expect that such property will be treated as private and personal to the employee. Likewise, information on Authority electronic devices or property, including but not limited to, electronic mail, voice mail, text messages, internet activity, electronic documents and files, and any metadata are considered Authority property which are subject to inspection, monitoring, search and surveillance and are to be used only for business purposes. Internet accounts are also to be used only for Authority business. The Authority reserves the right to inspect, monitor and have access to Authority property, including but not limited to computers, laptops, cellphones, electronic mail, voice mail messages and Internet communications.

To promote the safety of employees and Authority visitors, as well as the security of its facilities, the Authority reserves the right to conduct video surveillance of any portion of its premises at any time. Video cameras will be positioned in appropriate places within and around Authority buildings. The only exceptions to this policy include private areas of restrooms, showers, lactation rooms and dressing rooms.

Employee Acknowledgement
I acknowledge that I have received and read the above as well as the Authority's policy on Property Inspections, Searches and Surveillance and the Video Surveillance Policy. I have also been given the opportunity to ask questions about the policy. I understand that by signing this acknowledgement, I agree to accept the policy as a condition of my employment or continuing employment with the Authority.

Employee Name (Print): _____

Employee Signature: _____ Date: _____

The Authority strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

Procedures.

1. During working time and in working areas, employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.

2. During non-working time, such as lunches, breaks and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.

3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on Authority premises, whether during working hours or not.

4. Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate provisions of the Authority disciplinary policy which may include counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.

5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.

6. Supervisors, managers, executives or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor or the Department Head. This disclosure will enable the Authority to determine whether any conflict of interest exists because of the relative positions of the individuals involved. If the employees involved in the relationship are also in a supervisor/subordinate status,

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

7. Where problems or potential risks are identified, the Authority will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.

8. In some cases, other measures may be necessary such as transfer to other positions or departments.

9. Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.

10. Continued failure to work with the Authority to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination. The organization's disciplinary policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.

11. The provisions of this policy apply regardless of the sexual orientation of the parties involved.

12. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.

13. Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should make their feelings known to the human resources official or other designated individual.

PURPOSE: To establish a policy to ensure uniform recommendations for discipline following a motor vehicle crash involving an Authority owned vehicle being operated by an employee of the Evesham Municipal Utilities Authority.

POLICY: Motor vehicle crashes involving Authority owned vehicles are a drain on the resources of the Authority. The potential for injury to employees and members of the public, the loss of a vehicle due to damage, the cost of repairs, the man hours involved in processing insurance forms and arranging repairs, as well as the enhanced risk of civil litigation mandates a serious response to such incidents. It is very important that crashes are investigated fairly and that driver culpability is identified, when appropriate. Thereafter the uniform application of a discipline standard must be applied without exception to ensure the greatest opportunity for elimination of preventable crashes within the Authority.

PROCEDURE:

I. Composition

A. The Crash Review Panel (CRP) shall be comprised of the following employees:

1. Deputy Director of Operations/Operations Manager
2. Director of Personnel
3. Safety Coordinator
4. Shop Stewards
5. Operational Supervisors

II. Investigations

A. All motor vehicle crashes involving on-duty employees are to be reported to the appropriate law enforcement agency.

B. Thereafter the crash will be referred to the Director of Personnel, Safety and Security for review and presentation to the Crash Review Panel.

III. CRP Review

1. The CRP will meet once a month as needed to review all motor vehicle crashes involving department vehicles being operated by an employee of the Authority. A majority of the CRP members must be present in order to convene a meeting.

B. The CRP is responsible for reviewing all of the reports submitted in connection with the crash in an effort to determine whether the crash was preventable or non-preventable on the employee's part. It will be critically important to include all photographs, witness statements, employee statements and all other documents prepared in response in the packet for the CRP.

1. For the purposes of this written directive, a crash shall be deemed ***"preventable"*** if the CRP finds that the employee could have avoided the crash by following established operational procedures and employing a reasonable amount of caution in the operation of the vehicle.

2. For the purposes of this written directive, a crash shall be deemed ***"non-preventable"*** if the CRP finds that the employee was following Authority operational procedures and his or her actions were not a contributing factor in the crash.

IV. Point System

A. If an employee is involved in a crash that is determined preventable by the CRP, applicable disciplinary action will be recommended. The recommendation for disciplinary action will be based upon a point system. Points will be imposed for contributing factors to crashes and credited for such items as a good driving record and extenuating circumstances. The following represents the points that will be imposed/credited.

B. <u>Type of Incident</u>

1.	Improper backing	+5
2.	Too fast for conditions	+5
3.	Negligence	+5
4.	Poor judgment	+4
5.	Struck fixed object	+4

	6.	Traffic signal violation	+4
	7.	Following too close	+3
	8.	Improper lane change	+3
	9.	Other	+2
C.	Seatbelt		
	1.	Employee used	0
	2.	Employee did not use	+5
D.	Warning Lights AND Siren		
	1.	Used	-2
	2.	Not used	+2
	3.	N/A	0
E.	Injuries – To Any Person		
	1.	None	0
	2.	Yes – not hospitalized overnight	+2
	3.	Yes – hospitalized overnight	+3
F.	Private Property Damage		
	1.	$0	0
	2.	$1 - $500	+1
	3.	$501 - $1,000	+2
	4.	Over $1,000	+3
G.	Authority Vehicle Damage		
	1.	$0	0
	2.	$1 - $250	+1
	3.	$251 - $500	+2
	4.	$501 - $1,000	+3
	5.	$1,001 - $1,500	+4
	6.	$1,501 - $2,000	+5
	7.	$2,001 - $3,000	+6

8. $3,001 - $4,000 +8

9. $4,001 - $7,500 +10

10. $7,501 – Total Loss +12

11. Total Loss +15

H. Crashes in the Past 36 Months

1. First Crash

a. Under $5,000 damage +1

b. $5,000 or more in damage +3

2. Second Crash

a. Under $5,000 damage (total) +3

b. Over $5,000 damage (total) +6

3. Third Crash

a. Under $5,000 damage (total) +6

b. Over $5,000 damage (total) +10

4. Fourth or Subsequent Crash

a. Under $5,000 damage (total) +10

b. Over $5,000 damage (total) +15

I. Crash Free Driving Record with Authority

1. One year -1

2. Two years -2

3. Three years -3

4. Four years -4

5. Five or more years -5

J. Extenuating Circumstances

1. Substantial -3

2. Average -1

3. Poor/none 0

V. Disciplinary Standard

A. The recommendation for disciplinary action will be based upon the total points accumulated for a traffic crash and the employee's driving history for the past 36 months. The following guide shall be used in making a recommendation for disciplinary action to the chief of police.

B. **First preventable crash in past 36 months**

Points	Disciplinary Action
0 – 5	Counseling
6 – 15	Letter of Reprimand
16 – 22	8-Hour Suspension
23 or More	16-Hour Suspension

C. **Second preventable crash in past 36 months**

Points	Disciplinary Action
0 – 5	Letter of Reprimand
6 – 15	8-Hour Suspension
16 – 22	16-Hour Suspension
23 or More	24-Hour Suspension

D. **Third preventable crash in past 36 months**

Points	Disciplinary Action
0 – 5	8-Hour Suspension
6 – 15	16-Hour Suspension
16 – 22	24-Hour Suspension
23 or More	32-Hour Suspension

E. **Fourth or subsequent preventable crash in past 36 months**

1. Employees involved in four or more preventable crashes within 36 months will be subject to appropriate discipline, up

to and including termination, as determined by the Executive Director.

2. The Executive Director or his/her designee reserves the right to reassign an employee to administrative duties and revoke his or her right to operate an Authority vehicle pending the outcome of a disciplinary proceeding and/or completion of a remedial training program.

VI. Mechanics

A. The CRP will review the reports and must reach a consensus concerning classification of the crash as “preventable” or “non-preventable”.

B. If the crash is determined non-preventable, no disciplinary action will be recommended for the employee.

C. If the crash is determined preventable, CRP members will evaluate the crash and assign points as explained in section IV of this Procedure. The **CRP Worksheet** will be utilized for this purpose. Only one worksheet representing the consensus of the CRP will be submitted for each crash.

D. Completed **CRP Worksheets** including a recommendation for discipline, if warranted, will be forwarded to the Executive Director.

E. The final determination concerning disciplinary action rests with the Executive Director who may uphold or modify the recommended discipline as he/she sees fit.

The Supervisor will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year with the exception of new employees who will be evaluated at least two times per year for the first two years of employment. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. After completing the evaluation, the supervisor will review the results with the employee and return the form(s) with the signed acknowledgement to the Operations Manager. After review by the Operations Manager, the form(s) are to be included in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Executive Director.

Performance Evaluation Procedure:

A performance appraisal system has been created to give the Authority a mechanism to rate performance as it applies to all aspects of employment. Periodic appraisals create a formal record of an employee's performance over time and establishes a foundation for future personnel actions. The appraisal system is designed to assist Authority supervisors and administrators in making informed decisions regarding assignments, training, policy development, promotions and career development as well as decisions regarding probationary employees. Combined with day-to-day feedback, a performance appraisal system provides the opportunity for frank and open discussions between the employee and the supervisor regarding performance. The completed appraisal becomes part of an employee's permanent record.

An effective performance appraisal system should have the following minimum objectives:

A. Provide assistance for fair and impartial personnel decisions;

B. Provide feedback to maintain and improve performance;

C. Provide a mechanism for performance improvement counseling;

D. Establish an objective and fair means of measuring and recognizing individual performance based on job related tasks;

E. Identify training or policy development needs;

F. Employee job satisfaction;

G. Facilitate proper decisions regarding probationary employees;

Any instrument designed to measure performance must be both valid and reliable. A valid performance appraisal system is one that actually measures what it claims to measure. To have validity, there must be some objective facts that correspond to the rater's findings. If the appraisal system is not linked to objective, measurable performance then there is a high likelihood that the system is in-valid. Reliability is a much simpler concept. For an instrument to be found to be reliable it must be able to replicate the findings for different assessors. Appraisal systems can be in-valid and unreliable if the rater commits one or more of the following common evaluation errors:

- Improper preparation: Raters must establish a solid record keeping system that documents performance on a daily basis. Observations, good, bad or indifferent must be documented so that you have a record by which you can support your rating. This can be accomplished in a variety of ways the most simple of which is by keeping a simple supervisor's daily journal.
- Use of the appraisal as discipline: Performance appraisals should never be used as an instrument of discipline. Addressing inappropriate behavior should not be delayed. The appraisal process should be a time when the supervisor discusses the employee's work performance and with the employee, lays out a roadmap to build on the employee's strengths and correct deficiencies.
- Leniency: Giving employees higher ratings than warranted to curry favor with the employee or avoid confrontation. Sometime raters will give an employee a higher rating than is deserved in the misguided hope that it will motivate the employee to perform at a higher standard.
- Excessive severity: Occurs when a rater gives scores that are consistently lower than warranted.
- Halo effect: This occurs when a rater allows a particular strength of the employee to determine their score for the entire appraisal.
- Horn effect: The opposite of the Halo effect. This occurs when the rater lets one poor rating influence all other ratings resulting in an appraisal that is lower than what is deserved.
- Central Tendency: Occurs when the rater consistently gives scores in the middle of the rating scale. This error also occurs when the rater automatically expects that a certain number of employees will be poor performers and a certain number exceptional performers.
- Error of Recency: Occurs when the rater gives a score based on or influenced by recent events rather than performance over the entire evaluation period.

- Stereotyping: One of the hardest errors to overcome mainly because stereotypes/bias may be conscious or unconscious. To overcome this error it is extremely important for the supervisor to base their rating on specific, objective behavior rather than their subjective opinions.

- Length of service bias: Occurs when the rater gives bonus points to long term employees or penalizes relatively new employees. Length of service should not be a factor in evaluating performance.

Communication skills are one of the most important attributes of a person with supervisory responsibility. Performance discussions must provide employees with guidance regarding their ability to meet job standards. Extraordinary skills or abilities should be recognized in addition to areas for improvement. Supervisors and/or Assistant Executive Directors should review future training needs and career planning. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. The reviewer should prompt the employee to make suggestions about how the department can improve. The reviewer should ask employees for feedback regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates. Open communication is the key to improvement.

After completing the evaluation, the Supervisor and/or applicable Assistant Executive Director will review the results with the employee and return the form(s) with the signed acknowledgement to the Executive Director. After review by the Executive Director, the form(s) are to be forwarded to the Assistant Executive Director for Personnel for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Executive Director.

Evaluation Procedure

The Supervisor will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least annually. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. To ensure completion in a timely manner, Supervisors should begin completing the evaluations at a minimum of two weeks prior to the due date. After completing the evaluation form, the supervisor will review the form with the Personnel Manager and Assistant Director of Operations prior to meeting with the employee. Once approved, the supervisor will then meet with each employee for the purpose of reviewing the evaluation with them. New employees will be evaluated every thirty (30) days during their probationary period. For an employee to be allowed to advance from probationary status, the employee must achieve a minimum rating of Meets Job Requirements for each category.

As a part of the evaluation, employees have the right to request a conference with the Executive Director. Please see Section Five for the Employee Evaluation Procedure

Supervisors must set aside adequate time to review the evaluation with their employee. The review should take place in private and be free from any unnecessary interruptions. At the start of the review session, the supervisor is to review the Authority's anti-harassment policies and have the employee complete the harassment policy checklist. The appraisal contains ratings for a variety of different categories:

- Job knowledge
- Work quality
- Productivity
- Work habits
- Customer service
- Relationship with co-workers
- Relationship with supervisors
- Reliability and dependability
- Initiative
- Attendance
- Safety
- Decision making
- Problem solving
- Appearance

The rating standards for each category will be as follows:

- **Does Not Meet Minimum Standards**: Consistently does not meet job requirements. Performance is unacceptable and important tasks and objectives have not been met. Despite close direction, performance does not indicate an ability or willingness to produce results consistent with Authority standards. Immediate improvement is necessary. A rating of "Does Not Meet Minimum Standards" requires supporting documentation. The rating score for this category is 1.
- **Needs Improvement**: Performance fails to meet Authority standards more often than not. Tasks/assignments are not completed properly within the allotted time frame. Frequently requires supervisory assistance in completing routine tasks. The rating score for this category is 2.

- **Meets Job Requirements**: Job requirements are consistently met and tasks/assignments completed on-time and within Authority standards. Requires minimal supervision. Performance meets Authority standards in all critical areas. The rating score for this category is 3.

- **Exceeds Expectations**: Consistently exceeds established performance standards in most areas of responsibility. All assignments completed in a manner that exceeds Authority standards. Demonstrates ability to accept responsibility to complete tasks outside of normal assignments in a manner that meets or exceeds Authority standards. Demonstrates supervisory potential. A rating of "Exceeds Expectations" requires supporting documentation. The rating score for this category is 4.

- **Not Evaluated**: This rating is to be assigned to any category in which the rater does not possess sufficient observation or information to provide a fair and defensible assessment of the employee's performance. "Not Evaluated" is not to be used to avoid assigning another appropriate rating. A rating of "Not Evaluated" requires supporting documentation and does not receive a rating score.

Categories

Job Knowledge:

Pertains to awareness of Authority policies and procedures as related to employee's primary assignments. Awareness of latest processes and techniques and the ability to put knowledge to use daily in the performance of the employee's duties.

- **Does Not Meet Minimum Standards**: Extremely careless, repeated errors even in simple routine tasks. Remedial training has been ineffective. Work often has to be redone.

- **Needs Improvement**: Performance at times falls below acceptable standards. Occasional errors in completing routine assignments. At times requires more than routine supervision. Occasionally needs remedial training.

- **Meets Job Requirements**: Performs up to Authority Standards. Tasks and objectives routinely met with few or no errors. Requires little to no daily supervision.

- **Exceeds Expectations**: Consistently demonstrates an exceptional base of knowledge in all areas of responsibility, serves as a resource for new members of the organization. Work is always performed at or beyond Authority standards.

Work Quality:

Reflects the accuracy, thoroughness and reliability of the employee's work product. Reflects the ability of the employee to perform according to Authority standards.

- **Does Not Meet Minimum Standards**: Work is completed in a careless, haphazard manner. Frequent errors/inaccuracies. Work demonstrates lack of effort and/or ability. Completed tasks often have to be done over due to preventable errors. Employee cannot be relied upon to perform to even minimal standards.
- **Needs Improvement**: Tasks at times are performed inaccurately. Completed work demonstrates an occasional lack of attention to detail or adherence to Authority procedures/standards. Work occasionally must be repeated.
- **Meets Job Requirements**: Work performed to Authority standards. Completes assignments on- time and with good degree of accuracy. Work effort reflects a commitment to the Authorities mission statement and pride of accomplishment.
- **Exceeds Expectations**: All tasks completed on-time and above agency minimum standards. Often discovers and addresses issues before they become a problem. Recommends new techniques that improve overall Authority performance.

Productivity:

Reflects the amount of work performed by the employee and the employee's willingness to take on additional responsibilities and assignments.

- **Does Not Meet Minimum Standards**: Rarely completes assigned tasks and as a result does not shoulder a fair share of the workload in comparison with co-workers with similar responsibilities. Consistently behind in completing even routine assignments.
- **Needs Improvement**: Occasionally fails to complete assigned tasks resulting in the need to redistribute work to other employees. Time required to complete even routine tasks exceeds that of co-workers.
- **Meets Job Requirements**: Volume of work is consistent with Authority standards. Completes tasks/assignments within the appropriate amount of time with few, if any, errors. All work completed within the allotted time frame. Takes on additional work as requested.
- **Exceeds Expectations**: All work completed before due with complete accuracy. Once assigned tasks are complete, seeks out additional tasks/assignments from management. Never fails to meet deadlines.

Work Habits:

Measures the employee's willingness to tailor their performance towards the achievement of the Authority's organizational goals. It includes adherence to Authority policies, procedures, rules and regulations, personal motivation and acceptance of responsibility.

- **Does Not Meet Minimum Standards**: Consistently violates/ignores Authority policies and procedures. Lack of ownership of work responsibilities and Authority

resources. Constantly needs to be pushed to perform even routine tasks. Refuses to accept responsibility for his/her actions. Complete lack of self-motivation.

- **Needs Improvement**: Occasionally violates minor Authority policies and procedures. Rationalizes errors. At times unnecessarily wastes Authority resources. Sometimes needs to be pushed to provide a better work effort.
- **Meets Job Requirements**: Regularly complies with Authority policies and procedures. Although errors are few and far between, readily admits mistakes and seldom repeats them. Respects Authority resources and uses them only to the degree necessary.
- **Exceeds Expectations**: Observes all of the Authority policies and procedures and makes recommendations for amendments/additions to current work practices. Takes pride in the manner in which the employee performs his/her daily tasks. Always self-motivated-seeks out greater responsibility from Authority supervisors. Motivates co-workers to a higher level of performance.

Customer Service:

Addresses the employee's level of commitment to our rate payers.

- **Does Not Meet Minimum Standards**: Fails to address/report complaints received from our rate payers. Speaks to the public in a rude/condescending manner. Demonstrates an unapproachable/uncaring attitude towards the public. Work area is unnecessarily in disarray.
- **Needs Improvement**: On occasion can be sullen or rude when speaking with customers. Does only the bear minimum while ignoring potentially unseen problems. Arrives later than scheduled without an explanation to the customer. Sloppy work area.
- **Meets Job Requirements**: Maintains a professional demeanor at all times. Generally demonstrates tact, courtesy and a helpful attitude towards the public. Arrives on time and stays until the task is complete and the work area cleaned and restored to as close to its original condition as circumstances permit. Serves as a resource to answer questions regarding Authority services to the general public.
- **Exceeds Expectations**: Demonstrates a professional, helpful demeanor at all times. Attitude instills confidence on the part of the rate payer. Able to deal with even the most irate customer in a calm, helpful manner. Completes assigned tasks and identifies and addresses any previously unknown problems on the part of the rate payer's service. Follows up on work in a timely manner.

Relationship with Co-Workers:

Addresses the employee's ability to get along with and perform with co-workers.

- **Does Not Meet Minimum Standards**: Unfriendly and uncooperative. Rarely gets along with peers. Uncooperative. Slow to help others. Rude and discourteous.
- **Needs Improvement**: Demonstrates occasional difficulty in getting along with co-workers. Can be unfriendly and/or rude at times. Co-workers must ask for help when it is readily apparent that help is needed.
- **Meets Job Requirements**: Generally helpful and courteous with peers. Interactions between the employee and co-workers are usually positive and productive. Volunteers to assist co-workers as needed.
- **Exceeds Expectations**: Usually, helpful and courteous to all employees. Interactions with co-workers frequently become positive, productive encounters. Seeks and offers assistance to co-workers.

Relationships with Supervisors:

Addresses the employee's ability to receive and follow direction as well as provide to and receive necessary feedback from the employee's supervisor.

- **Does Not Meet Minimum Standards:** Routinely fails to follow direction. Consistently fails to engage in effective two way communication with the supervisor to the point that daily operations are impeded. Lack of willingness to accept both positive and negative feedback demonstrated by the unwillingness or inability to make recommended changes to performance to meet Authority standards.
- **Needs Improvement:** Occasionally refuses to follow directions or disregards directions given by a supervisor. Grudgingly accepts feedback and has difficulty addressing areas of personal performance that need improvement.
- **Meets Job Requirements**: Demonstrates an honest and courteous demeanor with supervisors. Addresses supervisors in a professional manner. Accepts feedback and works to make necessary changes in performance. Accepts criticism when wrong and seldom repeats the error. Supervisors are comfortable dealing with the employee.
- **Exceeds Expectations**: Open, honest and professional when interacting with supervisors. Addresses supervisors in a respectful, professional manner. Willingly accepts feedback and seeks out opportunities to engage supervisors in discussions aimed at improving performance. Is treated as a go-to employee by the supervisor. Demonstrates strong supervisory potential.

Reliability and Dependability:

Addresses the employee's performance and ability outside of direct supervision and the extent to Authority supervisors seek out the employee for assignments knowing that the work will be performed properly and on time.

- **Does Not Meet Minimum Standards**: Does not apply self to work. Requires constant supervision to ensure that employee does not avoid work. Wastes time and fails to complete tasks when due. Cannot be counted on.
- **Needs Improvement**: Requires more supervision than the usual. Quickly loses interest/focus when given routine tasks to complete. Rarely makes suggestions to improve the operation. Occasionally fails to properly manage time required for assignments.
- **Meets Job Requirements**: Ability to work independently and perform up to agency standards when completing assignments without direct supervision. Supervisors seek out the employee for additional assignments which the employee completes on time with accuracy.
- **Exceeds Expectations**: Consistently completes assignments without the need for supervision. Completely reliable. Supervisors have the ability to delegate important tasks knowing that the tasks will be carried out.

Initiative:

Addresses the employee's self-reliance and resourcefulness. Includes the employee's adaptability, and the degree to which the employee assists in developing or recommending new methods of completing assigned tasks.

- **Does Not Meet Minimum Standards**: Lacks self-drive on daily tasks. Requires close supervision. Difficulty adapting to change. Never makes suggestion to improve operation.
- **Needs Improvement**: Requires more external motivation and supervision than the norm. Rarely suggests new processes to improve the operation.
- **Meets Job Requirements**: Self-motivated and able to perform to standard without close supervision. Makes suggestions that improve operations.
- **Exceeds Expectations**: Self-motivated and often motivates others by their actions. Able to work without supervision. Frequently makes suggestions that improve the operation.

Attendance:

Addresses unexcused absences, ability to report on time and willingness to work overtime.

- **Does Not Meet Minimum Standards**: Frequently late. Unexcused absences far exceed that of the work group. Never available for overtime.
- **Needs Improvement**: Occasionally late. Unexcused absences exceed the work group average by more than 20%. Seldom available for overtime.

- **Meets Job Requirements**: Reports to work on time and has a valid excuse on the few occasions the employee is late. Unexcused absences at or below work group average. Usually available for overtime assignments.
- **Exceeds Expectations**: Usually early reporting to work and stays late to prepare for the next day. Unexcused absences are infrequent. Always available for overtime.

Safety:

Addresses the employee's ability to follow Authority safety procedures and practices.

- **Does Not Meet Minimum Standards**: Routinely fails to follow safety procedures. Safety equipment missing or in disrepair. Frequent preventable workplace accidents.
- **Needs Improvement**: Occasionally violates safety procedures. Shows up for assignments without proper safety equipment. Occasionally involved in a preventable accident.
- **Meets Job Requirements**: Adheres to established Authority safety procedures. Safety equipment maintained in good working condition and present at all times. Rarely involved in a preventable work place accident.
- **Exceeds Expectations**: In addition to following all of the Authority's safety procedures, often points out and corrects unsafe working conditions/practices to other employees. Volunteers to serve on Safety Committees. No involvement in preventable workplace accidents.

Decision Making:

Assesses the employee's ability to use all available factors to make sound decisions.

- **Does Not Meet Minimum Standards**: Frequently makes unsound decisions. Disregards obvious factors that should impact decision making including established practices and procedures.
- **Needs Improvement**: Occasionally makes unsound decisions. At times ignores obvious factors involved in the decision making process.
- **Meets Job Requirements**: Generally makes sound decisions based on a careful examination of available factors.
- **Exceeds Expectations**: Always makes sound decisions based on a thorough analysis of all available factors and options.

Problem Solving:

Assesses the employee's ability to overcome obstacles and resolve problems independently during the course of performing their duties.

- **Does Not Meet Minimum Standards:** Frequently fails to resolve even the most simple of problems. Constantly asks supervisors and co-workers for assistance in overcoming minor complications while completing assignments. Fails to gather all available information about situations that arise and allows minor problems to become major occurrences.
- **Needs Improvement:** At times fails to properly analyze a situation using all available factors at the employee's disposal. Occasionally fails to respond to developing situations in a timely manner. Relies on the advice of supervisors and co-workers to resolve complicated situations rather than working through to a solution.
- **Meets Job Requirements:** Identifies problems in a timely manner. Gathers and analyzes information skillfully and uses the information to develop alternative solutions. Problems are resolved in the early stages.
- **Exceeds Expectations:** Anticipates and prevents problems before they occur based on sound analysis of all available information. Researches current trends in the industry and recommends operational changes to prevent breakdowns in the operation. Relied on as a go to source by co-workers and supervisors to resolve problems.

Appearance:

Assesses the employee's appearance as it pertains to the assigned work uniform and personal equipment.

- **Does Not Meet Minimum Standards**: Assigned uniform usually dirty and/or damaged. Uniform incomplete. Wears unauthorized/inappropriate clothing to work. Personal hygiene is poor.
- **Needs Improvement**: Occasionally appears in a uniform that is in need of cleaning or replacement. At times, wears unapproved articles of clothing to work. Demonstrates little effort at grooming.
- **Meets Job Requirements**: Uniform is usually clean and in compliance with Authority's standards. Employee appears to work with a clean, presentable appearance.
- **Exceeds Expectations**: Uniform always clean and in compliance with Authority standards. Employee presents a professional appearance to the public and co-workers.

Scoring the Evaluation

Once a rating has been given for each evaluation category, the rater will assign an overall score. To determine the overall score the evaluator will use the following formula:

- Multiply the number of categories in which the employee was evaluated by 4. (categories receiving a rating of N/E are not counted)
    - For example 14 categories rated * 4 = 56
- Add up the actual numerical score for each category.
    - For example total of all ratings equals 55
- Determine percentage:
    - Example 55 is what percent of 56
    - 55/56=98.2%
- Refer to Overall Rating Scale
    - Exemplary: Score of 90% or above
    - Above Standard: Score of 80%-89%
    - Meets Standard: Score of 70%-79%
    - Unsatisfactory: Score below 70%
- 91.6% equals an overall rating of Exemplary

For any employee receiving a rating of Unsatisfactory, the rater must prepare and present to the Executive Director, a performance improvement plan designed to elevate the employee's overall rating to a minimum of Meets Standard at the conclusion of the next evaluation period.

After completing the evaluation, the reviewer will return the form(s) with the signed acknowledgement to the applicable Assistant Executive Director. After review by the Executive Director, the form(s) are to be forwarded to the Assistant Executive Director for Personnel for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the applicable Assistant Executive Director or Executive Director.

Recognizing that the need to provide adequate staffing levels at all times is a fundamental right reserved for management, the following procedures have been developed to ensure that employees report to work as scheduled and provide adequate notice to the department in the event of their absence. In addition, the Authority, reserves the right to expect each employee to report for work in a predictable and more importantly, a reliable manner. A system is hereby established that will be utilized to maintain accountability and will be used to monitor and control excessive, unexcused absenteeism and/or abuse of sick or injury leave.

PROCEDURE:

It is the responsibility of the Executive Director or his/her designee to monitor the attendance habits of their assigned employees. Authority employees will be responsible to document their attendance in a manner defined and approved by the Executive Director.

All Authority employees shall report for work at the date and time specified for their assignments. Employees shall be prepared to perform their designated assignments from the time their work day begins until the time their work day ends. Employees assigned to attend training, meetings, seminars or any other appointment related to the performance of their duties are required to arrive on the date and time specified. Employees who are going to be substantially late (more than 8 minutes) shall notify their immediate supervisor as soon as possible. Employees are only paid for hours worked. Management reserves the right to initiate progressive discipline against any employee with unexcused lateness, abandonment of post, absenteeism or refusal to work overtime. Supervisors shall report all such instances to the Personnel Office without exception.

No employee will be granted leave time not yet accrued without the prior approval of the Executive Director. Being absent from work without authorization for three consecutive days may be cause for dismissal. An employee using two “no-pay” days in a calendar year, without prior authorization, shall subject the employee to termination excluding any time spent collecting disability or while on unpaid leave protected under the Federal and/or State Family and Medical Leave Act, or protected by any other law, regulation or statute

DEFINITIONS:

Sick Leave: Paid sick leave is granted to each employee in an amount as defined in the employee’s applicable collective bargaining agreement or applicable section of the Authority’s handbook for employees not covered by collective bargaining. Sick leave will be classified as foreseeable or unforeseeable.

- Foreseeable Sick Leave: A foreseeable use of sick leave occurs when the employee is able to predict, plan or know in advance that he or she will need to use sick leave, such as a doctor’s visit or any other follow-up medical appointment.

Employees must give a minimum of seven (7) days advance notice of the need to use foreseeable sick leave unless waived by the Executive Director or his designee.

- Unforeseeable: An unforeseeable need for sick leave occurs when an employee requires time to care for, or obtain medical treatment for, themselves, a family member or any other person covered under the State's Paid Sick Leave Act as defined in this handbook that was not reasonably anticipated or could not be planned in advance. For example, an employee wakes up in the morning with a fever and is unable to report to work. Employees must give a minimum of four hour notice of the need to use unforeseeable sick leave unless unforeseeable or emergent circumstances prevent doing so.

Unexcused Absence: Unexcused absence shall include:

- Reporting for work more than eight (8) minutes late beyond the start of the employees scheduled shift.
- Failing to report to, arriving late to or leaving early from an assignment without the approval of a supervisor.
- Absent without leave or failing to report to work without proper notification/authorization (no call/no show).
- Failure to provide proper notice of the need to use foreseeable sick leave seven (7) days in advance unless waived by the Executive Director or designee
- Failure to timely call-out sick before the start of a shift. Employees are required to call-out at least four (4) hours in advance of their scheduled shift or as soon as reasonably practicable, unless not possible due to unforeseeable or emergent circumstances.
- Use of earned sick leave for purposes other than those permitted under the law (for acceptable purposes, please refer to the Employee Handbook Section titled "Sick Leave").

Absent Without Leave (AWOL): Any employee who fails to report to work as scheduled without prior management approval will be considered absent without leave (AWOL). Any employee who is a no call/no show on a scheduled shift shall be also considered AWOL, and as such, is subject to disciplinary action, up to and including employment termination. An AWOL employee shall not receive any wages or paid leave benefits for the period during which the employee is AWOL.

Excessive Unexcused Absenteeism: Employees may be subject to disciplinary action, up to and including termination, for excessive unexcused absenteeism as defined above and in accordance with all applicable State and Federal Law or applicable collective bargaining agreement.

Reporting Out Sick/Injured

Employees who request to be excused from work on sick leave are required to notify their immediate supervisor as soon as possible. In the event of the need for foreseeable sick leave, employees shall give a minimum of seven (7) days notice unless waived by the Executive Director or his designee. In the event an employee needs to request unforeseeable sick leave, the employee requesting sick leave is to speak (via telephone) directly to their supervisor whenever possible. If the hour of the day makes telephone contact impractical (for example: between midnight and 6:00 AM), the employee shall contact the answering service and ask that the on-call supervisor be advised of the request. Requests for unforeseeable sick leave must be made at least four (4) hours prior to the start of the requesting employee's shift, unless not possible due to unforeseeable or emergent circumstances, in which case the employee must contact their supervisor as soon as practicable. Employees requesting sick leave in this manner are required to provide a number where they can be contacted.

Requests for sick leave will be tracked as either foreseeable or unforeseeable in a records system designated by the Executive Director. Employees requesting sick leave either foreseeable or unforeseeable are required to provide the following information:

- Probable duration of the illness or injury.
- Location and telephone number where the employee can be contacted during the period of sick leave.

The Authority has designated the following periods as blackout dates:

- The period designated for hydrant flushing (usually the first two-weeks of April).
- Shut-Off Days-Typically the third Wednesday of each month.

During the designated black-out dates, no foreseeable sick leave will be approved. Employees using unforeseeable sick leave during established black-out periods shall be required to produce reasonable documentation of the need for unforeseeable sick leave.

It is normal to expect employees who are on authorized sick leave to be at home. However, in situations where the employee is at a location other than home, the employee shall provide his/her supervisor with the location and telephone number where he/she can be contacted. During the hours for which an employee is receiving compensation in the form of sick leave, employees are expected to be home or at the place they are convalescing and shall restrict their movements. Activities that an employee may legitimately engage in while on sick leave include (but are not limited to):

- Activities designed to assist in convalescing or those activities directly associated with the need for sick leave. (Example: doctor's visit, picking up medications, food or other necessities; attending a meeting or event at a dependents school)
- Complete a bona fide civic duty or responsibility. (vote)
- Attend a religious activity or service.
- Other activities believed to be reasonably appropriate for an employee on sick leave and as permitted by the Sick Leave policy.

During the hours in which an employee is receiving compensation in the form of sick leave, employees may not engage in the following activities:

- Recreational activities.
- Outside or secondary employment.
- Errands and shopping not related to the treatment of the illness or injury causing the absence.
- Travel and vacations
- Educational pursuits.
- Home remodeling and/or general maintenance.

The restrictions above shall not apply to an employee who is on long-term sick/injury leave and who has not been cleared to return to full duty status.

Management Responsibilities

Supervisors shall verify an employee's compliance with the provisions of this directive when any of the following conditions occur:

- The employee's supervisor or manager has identified a pattern for the utilization of unforeseeable sick leave or unexcused absences as described in this directive. For the purposes of this section, a pattern will be described as follows:
    - Repeated absences on the same day of the week or month.
    - Repeated absences on significant dates such as holidays, birthdays anniversaries or particular times of the year (summer, winter etc.).
    - Repeated absences at the beginning or end of a scheduled vacation.

- The employee requests unforeseeable sick leave on a day when the employee has been previously denied another type of leave or who has been ordered to work.
- There is a reasonable basis to believe that an employee is using sick leave for any purpose other than those provided for in the employee's collective bargaining agreement or the applicable section of the Authority's handbook.

When verification is required, it shall be conducted by a supervisor by either a personal visit or telephone contact to the location where the employee is reported to be convalescing. The contact shall be made at a reasonable hour and before the end of the employee's scheduled shift. In determining whether to verify compliance by telephone or personal visit, the following factors may be considered;

- Frequency of the employee's absences. Location of the absent employee. Availability of supervisory personnel.

- The verification process may be suspended or altered in the event the employee is out of work on extended sick leave.

Medical Documentation

Employees are required to produce reasonable documentation of the need for sick leave after three (3) consecutive days of unforeseeable sick leave or for any unforeseeable sick leave taken during a designated black out period.

The Authority reserves the right to require the employee to provide a doctor's note clearing the employee to return to duty or be examined by the designated occupational health care provider as a condition of the employee's return to duty. The Authority shall pay the cost of any such examination.

Family and Medical Leave Act

Nothing in this directive shall be construed as to limit the rights of the employee under both the Federal and New Jersey Family and Medical Leave Acts; Americans with Disabilities Act (ADA), State of New Jersey's Paid Sick Leave law or other applicable law.

PURPOSE

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers (herein "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees.

DEFINITIONS

The following terms are defined solely for the purpose of this policy:

Domestic Violence - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

Abuser/Perpetrator - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

Human Resources Officer (HRO) –An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

Intimate Partner - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are

dating or have dated in the past.

Temporary Restraining Order (TRO) - A civil court order issued by a judge to protect the life, health or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

Victim - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

Workplace-Related Incidents - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in or using the resources of the Authority. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

PERSONS COVERED BY THIS POLICY

All employees are covered under this policy, including full and part time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location.

RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER

The Authority hereby designates the following employees as the Primary HRO and Secondary HRO, to assist employees who are victims of domestic violence.

Primary HRO:

Director of Personnel, Safety and Security, Frank Locantore 856-983-0331 ext 218

flocantore@eveshammua.com

Secondary HRO:

Operations Manager James Higgins 856-983-0331 ext 203

jhiggins@eveshammua.com

The designated Primary and Secondary HRO shall receive training on responding to and assisting employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all employees.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

DOMESTIC VIOLENCE REPORTING PROCEDURES

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee, are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an employee from contacting 911 in emergency situations. Indeed, HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

A. Immediately respond to an employee upon request and provide a safe and

confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.

B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.

C. Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.

D. Refer the employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in this policy.

E. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team, via the Evesham Police Department

F. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy.

G. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the workplace and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.

CONFIDENTIALITY POLICY

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the

workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

CONFIDENTIALITY OF EMPLOYEE RECORDS

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an employee whose child, parent, parent-in-law, sibling, grandparent, spouse, domestic partner, civil union partner, any other individual related by blood to the employee and any individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

1) Seeking medical attention;

2) Obtaining services from a victim services organization;
3) Obtaining psychological or other counseling;
4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN

The Authority has developed the following action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

A. Designate an HRO with responsibilities pursuant to this policy.

B. Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.

C. Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the Authority.

D. Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TOI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.

E. Commit to adherence to the provisions of the NJ SAFE Act, including that the Authority will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an employee is a victim of domestic violence.

F. Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement,

the Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.

G. Employers, their designated HRO, and employees should familiarize themselves with this policy. This policy shall be provided to all employees upon execution and to all new employees upon hiring. Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

I. Purpose and Scope:

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

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

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

There are typically four common types of abuse:

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

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

- In New Jersey, abuse reports involving 80,000 children are filed each year. 50,000 of those children receive prevention and post-response services.
- 75% of the cases involve neglect, 18% of the cases involve physical abuse, and psychological abuse accounts for 7% of the cases.
- 55% of the perpetrators are female, while males account for 45%.

- Sadly, child abuse is a vicious cycle, in that 30% of abused children will later abuse their own children.

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

- ***"Peer-to-Peer"*** abuse is by far the most common, where one or more children or adolescent(s) sexually abuses or inappropriately touches another. Legally, the abuser must be at least 4 years older to trigger the statute. The *American Psychological Association* reports this type of abuse is driven by power and dominance, the same factors that drive bullying within this age group. In fact, bullying can be a precursor to sexual abuse, especially when there is a lack of supervision.

- In contrast, ***"adult-to-child"*** abuse is typically thought out and planned in advance, demanding access and privacy and control. These three factors demand a specific type of relationship and setting, meaning that 90% of juvenile sexual abuse victims know their abuser. The scope of the problem is massive: by the age of 18, 1 in 4 girls and 1 in 6 boys have experienced sexual abuse. From those figures, 88% of those molestations are attributed to individuals with pedophilia. ***Pedophilia is a psychotic disorder in which an adult or adolescent demonstrates a primary sexual attraction to prepubescent children.*** It is important, however, not to confuse pedophilia with actual child molestation, as many pedophiles never act on their attractions.

- Child sexual abusers are not always easy to spot. Though 7 out of every 8 molesters are male, they match the general population in ethnicity, religion, education, and marital status. So there is no stereotype, especially since abusers go to great lengths to blend in. However, only 10% of them abuse children that they don't know, and 68% look no further than their own families for victims.

- 40% of abusers first begin molesting children before they themselves reach the age of 15, and the vast majority before the age of 20.

- Adolescent abusers generally begin their acts of abuse on younger siblings.

- Most sexual abuse occurs within the family. However, molesters can gain access to children outside of their own families through employment or volunteer work with an organization that works primarily with children. This allows them both time alone with potential victims and the ability to build trust and credibility. In fact, child abusers are often known and respected in their communities for dedication to children.

- In terms of a victim profile, it is important to remember that, although there are characteristics that make some children more vulnerable, every child is in danger. Passive, lonely or troubled children, especially those who live with step-parents or single parents may be targeted. Children between the ages of 7 and 13 years old are most at risk, and children from low socioeconomic backgrounds or rural areas are more likely to be victimized.

- Molesters have behavioral patterns that can be identified as ***"grooming"*** their victims. Sexual abuse is rarely violent. The molester's goal is to solicit compliance by beginning to win the victim's trust. There might be pet names, gifts to foster exclusivity and encouragement to "keep secrets." The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child's life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed trustworthy. Inevitably, the favoritism is not enough to keep the victim silent any more, and the abuser resorts to threats—threats that play off of a child's guilt over the sexual contact.

- During the grooming process and abuse, victims often begin to show signs such as sexual behaviors or strong sexual language that is too adult for their age. Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm. They may begin to display cuts and scratches or other self-inflicted injuries. However, some children are naïve and unaware of the gravity of the abusive nature of their experience. Research shows that children often delay reporting sexual abuse. They should not be disbelieved just because they waited a long time to seek help.

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

- At the State level:

    - State law is enforced through the NJ Family Division of the State court system. The court has broad powers including the ability to remove children from dangerous situations

    - The Department of Children and Families, specifically the Division of Child Protection and Permanency, combines all state operations intended to safeguard children into a single, coordinated program working closely with the Courts, legal advocates and law enforcement.

- The Department of Corrections operates adult prisons and youth correctional centers to deal with perpetrators, while individual counties operate youth detention centers and special purpose schools.

- At the local level:

  - Educational professionals have the most contact with children, meaning they are often the first to detect issues.

  - Housing Authority employees may also frequently come into contact with children.

  - Municipalities and counties operate or sponsor a variety of programs that involve children including but not limited to:
    - Recreation programs
    - Before and After Care programs
    - Youth sports leagues
    - Youth centers
    - Youth in Government programs
    - Junior law enforcement training programs

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

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

All officials, employees, and volunteers are responsible for understanding and complying with this policy.

II. Definitions:

- **Authorized Adult** - Individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee and/or interact with minors in program activities, recreational, and/or residential facilities. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc.

- **Child or Minor** - A person under the age of eighteen (18).

- **Department Heads** - Appointed department heads/supervisors of the Authority, including the Executive Director, Assistant Executive Director, Deputy Executive Director, Operations Manager, Supervisor and any assistants.

- **Direct Contact** - Positions with the possibility of care, supervision, guidance or control of children or routine interaction with children.

- **Dual Reporting** – Reporting possible abuse to both the NJ Department of Children and Families and law enforcement at the same time by the individual designated by the Authority to report all possible cases of abuse.

- **Employees, Staff, or Counselors** – persons working for the Authority on a full-time or part-time basis, and compensated by the Authority.

- **Facilities** - Facilities owned by, under the control of, or rented or leased to the Authority.

- **Grooming** - is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them. Refer to Appendix B for more detailed information on grooming.

- **NJMEL JIF** - New Jersey Municipal Excess Liability Fund Joint Insurance fund.

- **Officials** – Elected officials of the Authority, appointed Board members, and Authority Commissioners.

- **One-On-One Contact** - Personal, unsupervised interaction between any Authorized Adult and a participant without at least one other Authorized Adult, parent or legal guardian being present.

- **Programs** - Programs and activities offered or sponsored by the Authority.

- **Volunteers** - Individuals volunteering their time to provide services to the Authority who are not on the payroll and receive no compensation.

III. Policy:

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

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

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

ii. Background checks that disclose any negative or questionable results must be reviewed and approved by the Authority ***prior to*** the individual being hired and/or working with minors. **Provisional hiring is not permitted**.

iii. All prospective employees and volunteers must complete the training adopted by the Authority ***PRIOR TO*** starting employment or volunteer service.

iv. The Authority shall **annually** re-check and document the Megan's Law directory for New Jersey to make certain that current employees are not listed.

v. Once employed, authorized Adults who are employed are required to notify the appropriate Human Resources representative of an arrest (charged with a misdemeanor or felony) or conviction for an offense within 72 hours of knowledge of the arrest or conviction.

V. Procedures and Responsibilities of Officials:

Under New Jersey Law, an official may be held liable for the abuse or neglect of a child if he or she fails to implement appropriate safeguards to protect the child while the minor has been entrusted to the care of the Authority. Most importantly, recent changes in the law in New Jersey extended the statute of limitations for

child abuse and neglect cases substantially, thus placing local officials and employees at a far greater risk.
A valid cause of action can be filed by an alleged victim well after the official has left office. It is, therefore, critically important for officials to establish and monitor policies and procedures designed to safeguard minors entrusted to the care of the Authority.

- Officials of the Authority are required to:

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

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

ii. Meet ***annually*** with all Department Heads to review the "Policy Addressing Sexual Abuse of Minors", and to verify that the administration is adhering to this policy which includes all of the following provisions. *If the policy is not being adhered to, it is the legal obligation of the officials of the Authority to implement whatever changes are necessary as soon as possible to make certain the policy is followed.*

VI. Program Procedures:

- During the course of providing service to rate payers, Authority employees may be required to enter a residence, educational facility, business or other type of dwelling where minors may be present. At no time shall an Authority employee be alone with a minor while performing Authority business. If during the course of performing a service for a rate payer, a minor enter the immediate area where an employee is performing work alone, the employee will immediately notify the parent and request that an adult be present or that the minor leave the area.

- Occasionally, local youth groups/clubs request tours of Authority facilities or Authority personnel actively engage in community outreach in schools or other locations where minors are present. Regarding tours of Authority facilities, only those expressly permitted by the Executive Director or his designee will be permitted. Before permitting the tour of any Authority facility, the Director or his designee will ensure that the group requesting the tour supplies adequate supervision in the form of chaperones or other responsible adults. At no time will Authority employees be alone with any minor member during a tour.
- In the event that an Authority employee is engaged in community outreach, at no time will the employee be alone with any minor(s). The content of any presentation must be approved in advance by the Executive Director and, whenever possible, two representatives of the Authority are to be present.

VII. Training Requirements:

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

a. **Officials**

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

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

b. **Department Heads**

i. Content of course shall include:

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

c. **Volunteers and Employees of the Authority**

i. Content of course shall include:

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

VIII. Reporting Suspected Child Abuse/Neglect:

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

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

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

Reassure them that this is not their fault and make sure they know that you take it seriously.

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

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

For employees or volunteers of programs conducted by the Authority:

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

a. ***Who:*** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
b. ***What:*** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
c. ***When:*** When the alleged abuse/neglect occurred and when you learned of it.
d. ***Where:*** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
e. ***How:*** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

- After documenting all of the facts surrounding the alleged abuse, the Program Director shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the supervisor's role to make a decision on whether a case should be reported. All cases shall be reported.

1. After documenting all of the facts surrounding the alleged abuse, the Volunteer shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

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

1. The Officials and Department Heads shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

    a. ***Who:*** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
    b. ***What:*** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
    c. ***When:*** When the alleged abuse/neglect occurred and when you learned of it.
    d. ***Where:*** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
    e. ***How:*** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

        - After documenting all of the facts surrounding the alleged abuse, the Officials or Department Heads shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

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

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

i. Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.

ii. However, any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.

iii. When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and Family

Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.

X. Acknowledgement of Receipt and Review of Policy:

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

Indicators of Child Abuse/Neglect

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

Indicators of Child Abuse / Neglect

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

Physical Abuse

Physical Indicators	Behavioral Indicators
Unexplained bruises and welts: • On face, lips, mouth • On torso, back, buttocks, thighs • In various stages of healing • Cluster, forming regular patterns • Reflecting shape of article used to inflict (electric cord, belt buckle) • On several different surface areas • Regularly appear after absence, weekend or vacation Unexplained burns: • Cigar, cigarette burns, especially on soles, palms, back or buttocks • Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) • Patterned like electric burner, iron, etc. • Rope burns on arms, legs, neck or torso Unexplained fractures: • To skull, nose, facial structure • In various stages of healing • Multiple or spiral fractures Unexplained laceration or abrasions: • To mouth, lips, gums, eyes	Wary of adult contacts Apprehensive when other children cry Behavioral extremes: • Aggressiveness • Withdrawal Frightened of parents Afraid to go home Reports injury by parents

• To external genitalia	

Physical Neglect

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

Sexual Abuse

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

Emotional Maltreatment

Physical Indicators	Behavioral Indicators
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructive, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: • Compliant, passive • Aggressive, demanding Overly adoptive behavior: • Inappropriately adult • Inappropriately infant

Grooming Behavior

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

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

- Molesters often refer to their intended victims by pet names and use gifts to foster exclusivity and build a relationship while starting the practice of keeping secrets.

- The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child’s life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed so good – too good to be true, in fact.

- Inevitably, the favoritism is not enough to keep the victim, and the abuser resorts to threats—threats that play off of a child’s guilt over the sexual contact.

- During the grooming process and abuse itself, victims often begin to show tell-tale signs including:

    - Sexual behaviors or strong sexual language that is too adult for their age.
    - Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm.
    - Also look for cuts and scratches or other self-inflicted injurie

Union employees are entitled to the paid holidays defined in the current collective bargaining agreement.

Non-union employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- Lincoln's Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Employee shall qualify for a paid holiday only by actually working the scheduled work day before and after the holiday. A sick day shall not be counted as actually working, unless the employee produces a doctor's certificate in which case the employee shall receive the paid holiday.

A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

Vacation leave for Union employees or for those employees with labor agreements will be governed by the provisions of the applicable contract or negotiated agreement.

Vacation eligibility for employees hired prior to April 1, 1997, is as follows:

1. After an employee has completed one year of service, he shall be entitled to one week of paid vacation.

2. After an employee has completed two years of service, he shall be entitled to two weeks of paid vacation.

3. After an employee has completed five years of service, he shall be entitled to three weeks of paid vacation.

4. After an employee has completed ten years of service, he shall be entitled to four weeks of paid vacation.

5. After an employee has completed fifteen years of service, he shall be entitled to five weeks of paid vacation.

Vacation eligibility for employees hired on or after April 1, 1997, is as follows:

1. After an employee has completed one year of service, he shall be entitled to one week of paid vacation.

2. After an employee has completed two years of service, he shall be entitled to two weeks of paid vacation.

3. After an employee has completed seven years of service, he shall be entitled to three weeks of paid vacation.

4. After an employee has completed twelve years of service, he shall be entitled to four weeks of paid vacation.

Vacation eligibility for employees hired on or after January 1, 2017, is as follows:

1. During the employees first year of service, new employees will accrue one

vacation day per month capped at a total of five vacation days. New employees shall not be permitted to schedule vacation time during the first sixty (60) days of employment. At the conclusion of sixty (60) days, new employees may use any accrued vacation time. Should the employee leave employment prior to completing a full year of service, vacation leave shall be computed on a prorated basis and the employee shall reimburse the Authority for any unearned leave time taken.

2. After an employee has completed one year of service, he shall be entitled to two weeks of paid vacation available for use on the employee's anniversary date. Should the employee leave employment prior to completing a full year of service, vacation leave shall be computed on a prorated basis and the employee shall reimburse the Authority for any unearned leave time taken.

3. After an employee has completed seven years of service, he shall be entitled to three weeks of paid vacation available for use on the employee's anniversary date. Should the employee leave employment prior to completing a full year of service, vacation leave shall be computed on a prorated basis and the employee shall reimburse the Authority for any unearned leave time taken.

4. After an employee has completed twelve years of service, he shall be entitled to four weeks of paid vacation available for use on the employee's anniversary date. Should the employee leave employment prior to completing a full year of service, vacation leave shall be computed on a prorated basis and the employee shall reimburse the Authority for any unearned leave time taken.

All vacation to which an employee is entitled shall be used by the anniversary date of hiring. There shall be no stacking or accumulation of unused vacation time. An employee who does not use all of their vacation leave by the applicable anniversary date may sell back such unused leave to the Authority at their regular rate, up to a maximum of one week per year. The balance of any vacation time that is unused by the anniversary date shall be deemed waived for that year.

All vacation to which an employee is entitled shall be used by the anniversary date of hiring, except that employees who do not take vacation leave that accrues in a given year because of business demands shall be granted that accrued leave only during the next succeeding year, with written approval of the Employer. However, vacation leave not taken in a given year because of duties directly related to a state of emergency declared by the Governor may accumulate at the discretion of the Employer until, pursuant to a plan established by the Employer, the leave is used or the employee or officer is compensated for that leave, which shall not be subject to collective negotiation or collective bargaining.

Vacations cannot be taken more than two (2) weeks at a time. If a holiday occurs during a vacation, that day shall not be counted as a vacation day and the employee shall take an extra consecutive day off.

An employee may not select a total of more than two (2) weeks of vacation during July and August. No vacation leave shall be approved unless made two (2) weeks in advance, unless waived by the Authority.

An employee who is entitled to vacation leave at the time of his retirement shall receive the earned vacation which has not been taken. In the event that an employee who is entitled to vacation leave dies, his estate shall receive the earned vacation pay.

Personal leave for Union employees or for those employees with labor agreements will be governed by the provisions of the applicable contract or negotiated agreement.

Employees hired prior to August 1, 1994 shall be entitled to five (5) personal days. Employees hired on or after August 1, 1994 shall be entitled to three (3) personal days. An employee h ired after January 1 of each year shall receive personal days on a pro-rata basis for that year. Personal days shall be pro-rated in the year of termination.

Employees requesting a personal day must submit the request in writing at least 3 days in advance whenever possible. Employees may request personal time with less than 3 days -notice in the event of an emergency or other unforeseen event however, management reserves the right to deny the request based on staffing needs.

Personal days may be taken as half-days. The Authority has the discretion to allow emergency-only personal time to be taken for less than one (1) hour. Any unused days are forfeited at the end of each calendar year.

Sick leave for Union employees or for those employees with labor agreements will be governed by the provisions of the applicable contract or negotiated agreement.

Full-time Employees as of August 1, 1994 shall be entitled to fifteen (15) days of sick leave per calendar year beginning on January 1st of each year.

Full time Employees hired after August 1, 1994 shall be entitled to twelve (12) days of sick leave per calendar year beginning on January 1st of each year.

Full-time employees hired after January 1 of each year shall receive sick leave on a pro rata basis for that year. Sick leave shall also be pro-rated in the year of termination.

Employees who are not full-time accumulate paid sick leave at a rate of one (1) hour of paid sick leave for every thirty (30) hours worked regardless up to **40 hours per year**.

New employees must wait one-hundred twenty days (120) days before starting to use their paid sick leave.

Chronic and excessive absenteeism and misuse of sick leave is grounds for discipline, up to and including employment termination.

Sick leave days which are unused during the course of a calendar year may be accumulated without limit and used in following years.

The following conditions apply to sick leave:

1. Sick leave pay shall be based upon the employee's regular straight time hourly rate.

2. Sick leave benefits shall commence on the first day of absence from work.

3. Sick leave benefits are not convertible to cash, bonuses or to extra time off with pay, except as may be allowed under the "Buy-Back" provision.

4. Sick leave benefits shall not be used for personal days, vacation or the like, but are intended to apply only to days lost because of accident or illness of the employee or of the immediate family of the employee, or as otherwise defined by the New Jersey Earned Sick Leave Law.

5. During the period of absence from work, the Authority shall receive credit for welfare payments, worker's compensation or other benefits received under

policies whose premiums are paid in whole or in part by the Authority. Under no circumstances shall the combination of sick leave benefits with any of the aforesaid exceed an employee's regular straight time daily or weekly rate of pay.

6. Sick leave benefits shall be payable only to those days lost on which the employee was regularly scheduled to work. In no event shall sick leave benefits apply to an employee's scheduled day off, holiday, vacation, leave of absence, or to any day for which an employee has received full pay from the employer.

7. As a Homeland Security designated facility which supplies drinking water, in the case of absence due to exposure to contagious disease, a medical certificate shall be required as a condition precedent to the return to work by the employee affected.

8. Subject to applicable law, the Authority may, in its discretion, require an employee who has been absent because of illness to undergo a physical examination by a physician designated by the Authority at the expense of the Authority.

9. Where an absence is due to work-related injury or illness, sick leave shall be limited to the first five (5) working days in workers compensation related cases. (An employee who does not have 5 sick days remaining shall be limited to the actual number of his or her sick days.) Thereafter, the employee's sole recourse for payment of lost wages during the period of the workers comp related absence shall be against the workers comp carrier. Upon payment of the workers comp carrier, the employee shall reimburse the Authority for the number of sick days used during the period of the workers comp related absence at the daily rate paid by the workers comp carrier and upon reimbursement, the number of sick days used shall be reinstated.

10. For Union employees, sick leave "Buy Back" will be according to the terms and conditions defined in the current collective bargaining agreement. For non-union employees, the Authority shall "Buy-Back" that portion of the employee's unused annual sick day allotment that the employee wishes to sell. The "Buy- Back" shall be at 100% of the value of the unused sick days, provided that the employee has used one-third or less of the employee's annual sick day allotment. The buy-back shall be at 50% of the value of all unused sick days being bought back, if more than one-third of the annual sick day allotment has been used by the employee. The employee shall notify the Authority during the first week of January of the following year of the amount of the sick leave to be bought back by the Authority. The Authority shall "Buy-Back" the sick leave by January 31 of each year.

    In the event of separation, the Authority shall buy back all accumulated and unused sick leave at 100%, with payment capped at $15,000, except if the

employee was terminated for cause, in which event the employee shall not be entitled to any sick leave buy back.

An employee may roll all or a portion of the accumulated and unused sick leave payment that is due to the employee at the time of retirement into the Deferred Compensation Plan of the Authority, subject to the approval of the Plan Administrator and compliance with all applicable laws, regulations and contribution limits.

11. Sick leave may be used for the following reasons:

    a. Time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury, or other adverse health condition, or during preventative medical care for the family member.

    b. Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury, or other adverse health condition, or for preventative medical care for employee;

    c. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic of sexual violence, if the leave is to allow the employee to obtain for the employee of the family member; medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal proceeding related to the domestic or sexual violence;

    d. Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others; or

    e. Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function, or other event requested or required by a school administrator, teacher or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health condition or disability.

f. During a state of emergency declared by the Governor, or upon the recommendation, direction, or order of a healthcare provider or the Commissioner of Health or other authorized public official, the employee undergoes isolation or quarantine, or cares for a family member in quarantine, as a result of suspected exposure to a communicable disease and a finding by the provider or authority that the presence in the community of the employee or family member would jeopardize the health of others;

12. For purposes of this policy, a family member includes a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

13. If an employee is absent for at least 3 or more consecutive days, the employee is required to submit a signed doctor's note or other appropriate documentation that confirms the employee used sick leave for a covered purpose.

14. Where the need to take paid sick leave is foreseeable, employees shall provide at least 7 days' written notice to the **Personnel Director** or the request may be denied. In such cases employees must make a reasonable effort to schedule the use of sick leave in a manner that does not unduly disrupt the operations of the company. As relates to the scheduling of paid sick leave which is foreseeable, the following days are designated as "blackout days" which means that foreseeable absences will not be permitted:

- During Hydrant Flushing Operations-Usually the first two weeks of April;
- Shut-Off Days-Third Wednesday of each month.

If employees are absent on any of these days, they are required to present a signed doctor's note or other appropriate documentation to substantiate that the absence was not foreseeable.

15. Paid sick leave is required to be used in 4 or 8-hour increments, however, employees are not required to use more time than they are scheduled to work. Employees are not required to find a replacement to cover for an absence, but again we ask for as much notice as possible prior to taking paid sick leave so that management can make its own arrangements to cover your shift, if necessary.

16. Abuse of paid sick leave is grounds for disciplinary action, up to and including employment separation. Examples of such abuse include but are not limited to instances where an employee is a no call/no show, an employee is absent and receives paid sick leave for a reason that is not covered by this policy, an employee submits fraudulent and/or misleading statements or documentation to

management or where an employee engages in chronic or patterned absenteeism such as repetitively misusing such leave immediately before or after the use of scheduled vacation, personal days, Fridays and/or Mondays.

17. Employees who exceed their paid sick leave entitlement during a calendar year are subject to disciplinary action, up to and including employment separation, if the reasons for those absences do not otherwise qualify for protection under the Family and Medical Leave Act, the New Jersey Family Leave Act or other applicable leave laws.

18. If an employee is separated from employment but reemployed within six (6) months thereof, all of the employee's unused accrued sick time will be reinstated.

The company prohibits retaliation against eligible employees who utilize paid sick leave. Any employee or manager who engages in retaliatory action is subject to discipline, up to and including employment separation. If any employee believes they have been retaliated against or if they have any questions or concerns, they are encouraged to report same to Jeff Rollins, Executive Director, Jeff Booth, Operations Manager or Frank Locantore, Assistant Executive Director, Director of Personnel, Safety and Security, (856) 983-0331.

Bereavement leave for Union employees or for those employees with labor agreements will be governed by the provisions of the applicable contract or negotiated agreement.

An employee who is excused by the Authority from work because of death in his/her immediate family shall be paid a maximum of eight hours per day at the regular rate of pay for all hours actually missed from work up to five (5) days for any leave for bereavement. Funeral leave is intended to be used for the purpose of making necessary arrangements and attendance at the funeral of the deceased. “Immediate family” includes spouse or significant other, civil union partner, child, parent, stepchild, sibling, daughter-in-law, or son-in-law.

A maximum of four (4) days of paid funeral leave shall be given for work actually missed as a result of the death of a grandchild or grandparent.

A maximum of three (3) days of paid funeral leave shall be given for work actually missed as a result of the death of a mother-in-law, father-in-law, step-father, step- mother, step-brother, and step-sister.

Funeral/Bereavement Leave must be taken within thirty (30) days of the date of death.

An employee who is summoned to serve jury duty on any grand or petit jury shall be paid by the Authority in an amount equal to the difference between the employee's pay based on a 40-hour week at straight-time and the amount(s) received by the employee as compensation for jury service. Upon receipt of a summons for jury duty, the employee shall immediately notify the Authority. No reimbursement of wages shall be made for jury duty served on holidays or vacations.

In order to receive compensation while on jury duty, the employee must comply with the following conditions:

1. The employee must notify the Authority immediately upon receipt of a summons for jury service.

2. Whenever jury service is completed prior to 1:00 p.m., the employee is required to telephone the Authority and to report to work if requested.

At the request of management, written proof must be presented of the time served on jury duty and the amount received for such services.

Union Employees

Union employees will be eligible for a leave of absence in accordance to the provisions of the current collective bargaining agreement.

Non-Union Employees

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

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

FAMILY AND MEDICAL LEAVE

In accordance with the federal Family and Medical Leave Act ("FMLA"), the Authority provides eligible employees with up to twelve (12) weeks of unpaid medical and family leave during any twelve (12) month period and up to twenty-six (26) workweeks to care for a Covered Service member. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position. The following outlines employees' rights and obligations under the FMLA and the Authority's policies implementing the FMLA.

Leave Available. Eligible employees may take up to a total of twelve (12) weeks of unpaid leave during any twelve (12) month period for any one or more of the following reasons:

- The birth, adoption or placement for foster care of the son or daughter of an employee, and to care for such child;

- A serious health condition of a spouse, son, daughter or parent of an employee if the employee is needed to care for such family member; or

- A serious health condition of an employee that makes an employee unable to work. Generally, the incapacity must result in the employee's inability to work for more than three (3) consecutive days (although there are certain exceptions to this rule);

- Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is a member of the Regular Armed forces, National Guard or Reserves on active duty status during the deployment to a foreign country, and or has been notified of an impending call to active duty status as such in support of a contingency operation.

In addition, eligible employees who are either spouse, son, daughter, parent or next of kin of a Covered Servicemember shall be entitled to a total of twenty-six (26) workweeks of unpaid leave during a single twelve (12) month period to care for the Covered Servicemember. During this single twelve (12) month period, an eligible employee who qualifies for leave to provide care for the Covered Servicemember shall be entitled to no more than a combined total of twenty-six (26) workweeks of leave.

Definitions.

"Covered Servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, or a recent veteran who has been discharged, other than dishonorably, within the five years preceding the family member's initial request for leave, who has a serious injury or illness who is undergoing medical treatment,

recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

“Eligible Employee” means an individual who has been employed by the Authority for at least twelve (12) months, has worked at least 1,250 hours during the preceding twelve (12) month period, and is employed at a worksite with at least fifty (50) employees within seventy-five (75) miles of that worksite.

“Next of kin” means the nearest blood relative of the individual.

“Qualifying Exigency” covers a number of broad categories of reasons and activities, including short-notice deployment to a foreign country, military events and related activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities agreed to by the Authority and the employee.

“Serious Health Condition” means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. It generally includes a period of incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term health condition, or restorative or preventive treatment.

“Serious Injury or Illness” means an injury or illness incurred by a Covered Service member in the line of duty or on active duty in the Armed Forces, National Guard of Reserves, incurred in the line of duty on active duty or whose pre-existing condition has been aggravated by his/her active duty service, that may render the service member medically unfit to perform the duties of the member’s office, grade, rank or rating.

Eligibility. Any employee who has been employed by the Authority for twelve (12) months or more and worked 1,250 hours or more in the twelve (12) month period preceding the first day of the requested leave may be eligible for an unpaid leave of absence of up to twelve (12) weeks during any twelve (12) month period.

The twelve (12) month period shall be determined by using a rolling twelve (12) month period that commences with the first day of leave taken.

Leave to care for a child after birth, adoption, or foster care must conclude within twelve (12) months of the child's birth or placement. If both spouses work for the Authority, they may only take a total of twelve (12) weeks between them during the twelve (12) month period in order to care for a child after birth, adoption, or foster care or to care for a parent with a serious health condition and a combined twenty-six (26) weeks in a single twelve (12) month period for military caregiver leave or a combination of military caregiver leave and other FMLA qualifying reasons. Each spouse may be entitled to additional leave for other qualifying reasons under the FMLA, such as the employee’s own illness or for the serious illness of the employee’s child.

Notice. When the leave is foreseeable, at least thirty (30) days' advance notice to the Authority, in writing, is required. If thirty (30) days' notice cannot be provided, as much notice as is practical should be provided. Failure to give reasonable notice may delay the availability of the leave.

Certification. Where leave is taken to care for a family member with a serious health condition or because of the employee's own serious health condition, medical certification is required and periodic recertification may be required. In addition, where the leave is taken because of the employee's own serious health condition, a certification of fitness to return to work will be required.

The Authority, at its expense, may require an examination by a second healthcare provider designated by the Authority. If the second healthcare provider's opinion conflicts with the original medical certification, the Authority, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

For military exigency leave, an employee may be required to provide certification that the covered military member is a member of the regular Armed Forces, National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation, as well as certification from the employee about the nature and details of the specific exigency, the amount of leave needed, and the employee's relationship to the military member. For military caregiver leave, the employee may be required to provide information from the health care provider and employee and/or Covered Service member to support such leave.

Absent unusual circumstances, medical certifications must be provided within fifteen (15) days. The Authority will also require periodic status reports from employees concerning their intended return date.

Failure to provide requested documentation may result in denial of leave. The Authority may attempt to clarify or authenticate the certification or may require additional certifications to support the need for leave. When leave is taken to care for a family member, the Authority may require the employee to provide documentation or a statement of family relationship (e.g., birth certificate or court document) and proof of the need to care for the family member.

Utilization of Paid Leave. Generally, FMLA leave is unpaid. However, depending upon the circumstances, employees may be entitled to receive short-term disability, workers' compensation benefits, paid family leave benefits, or other state-sponsored wage replacement benefits which pay a portion of normal compensation. These benefits will run concurrently with the employee's unpaid leave. An employee who is eligible for these benefits may also choose to use accumulated paid leave during their approved unpaid leave. Employees may not receive more than 100% of salary at any time.

Coordination with other Leave Policies. The period of time attributable to the employee's absence due to any workers' compensation, disability, or sick leave, will be counted against available leave under this policy to the extent permitted by law. In the event that additional family, medical or sick leave is available pursuant to state laws, this leave will also run concurrently with FMLA leave to the extent permitted by law.

Intermittent Leave. When medically necessary, leave taken because of a serious health condition of an employee or family member or to care for a Covered Service member may be taken on an intermittent or reduced work schedule basis. The employee and Authority shall attempt to work out a schedule for such leave that meets the employee's needs without unduly disrupting the Authority's operations, subject to the approval of the employee's health care provider. The Authority may require an employee taking intermittent or reduced work schedule leave to transfer temporarily to an alternative position with equivalent pay and benefits that is better suited to the leave schedule.

Employment and Benefits Protection. During the leave, health benefits will continue for up to twelve (12) weeks in each rolling twelve (12) month period under the same conditions as if the employee continued to work. Employees must, however, pay the same amount for any benefits continued as they do prior to the leave. Other benefits, if any, will continue during the leave under the same conditions as if the employee continued to work.

If paid leave is substituted for unpaid FMLA leave, the Authority will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's FMLA leave is unpaid, the employee must pay his/her portion of the premium in accordance with a payment method that is devised and mutually agreed upon between the employee and the Authority.

Employees should consult with their Department Head and human resources official prior to taking an approved leave. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums. With regard to the employee's contribution portion of his/her health benefits pursuant to Chapter 78, P.L 2011 and any voluntary supplemental benefits that the employee may have, the employee is solely responsible for making payment arrangements with the Authority or for any voluntary benefits, to the respective insurance company. Your healthcare coverage may cease if your premium payment is more than thirty (30) days late. With regard to any pension contribution that you may have, you must contact the human resources official to make payment arrangements concerning contributions or credits paid toward your pension benefits. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums.

Before returning to work following a medical leave (except for intermittent or reduced schedule leave) due to the employee's own serious health condition, the employee will be required to present a fitness for duty certification from his/her health care provider that

he/she is medically able to resume work. If the date on which the employee is scheduled to return to work from FMLA leave changes, the employee is required to give notice of the change, if foreseeable, to the Authority within two (2) business days of the change.

Subject to some exceptions, most employees will be returned to the position they left or to a position equivalent in pay, benefits and other terms of employment. Individuals identified as “key employees” (the highest paid 10% of salaried employees at the work site or within a seventy-five (75) mile radius of that work site) at the beginning of their leave may not be returned to their former or equivalent position if restoration will cause substantial economic injury to the Authority. Employees will be informed of their key employee status at the beginning of the leave period.

A failure to return from FMLA leave for reasons other than the employee’s own serious health condition may result in termination of employment. In the event that an employee cannot return to work at the end of FMLA leave due to a continuation of his/her own serious health condition, they must contact the Authority before the expiration of the leave to discuss their options under state and federal law. State leave laws may provide additional leave similar to that provided under the FMLA. The Authority will comply with these state law provisions to the extent they provide for more generous benefits. State leave law benefits will run concurrently with FMLA benefits to the extent permitted by law.

Family Temporary Disability. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up to twelve (12) weeks, effective July 2020 of Family Leave Insurance (“FLI”) payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement, and will thus run concurrently with FMLA and/or NJFLA leaves.

NEW JERSEY FAMILY LEAVE

The Authority provides eligible employees with up to twelve (12) weeks of unpaid, job-protected leave for specified family reasons under the New Jersey Family Leave Act (NJFLA).

Eligible Employees. To be eligible for NJFLA leave, an employee must have worked at least twelve (12) months for the Authority and have worked at least 1,000 hours for the Authority over the previous twelve (12) months.

Qualifying Reasons for Leave.

An eligible employee may take NJFLA leave to provide care made necessary by reason of:

(1) the birth of a child of the employee, including a child born pursuant to a valid written agreement between the employee

and a gestational carrier;

(2) the placement of a child into foster care with the employee or in connection with adoption of such child by the employee;

(3) the serious health condition of a family member of the employee; or

(4) in the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:

> (a) requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
>
> (b) prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or
>
> (c) results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

Family member means a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, or one partner in a civil union couple, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship. Parent means a person who is the biological parent, adoptive parent, foster parent, resource family parent, step-parent, parent-in-law or legal guardian, having a parent-child relationship with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child, or who became the parent of the child pursuant to a valid written agreement between the parent and a gestational carrier.

The New Jersey Family Leave Act **does not** provide leave for the employee's own health condition. Employees may be eligible for additional leave and/or leave due to an

employee's own serious health condition under the federal Family and Medical Leave Act."

Leave taken to care for a newly born or adopted child or a child place into foster case with the employee may be consecutive or intermittent and must begin by the end of the twelve (12) month period after the birth or placement for adoption or foster care.

Leave Benefits. An employee may take up to a maximum of twelve (12) weeks of NJFLA leave in a twenty-four (24) month period, which is measured as a rolling twenty-four (24) month period that commences with the first day of NJFLA leave taken.

You may take NJFLA leave to care for a seriously ill family member:

- As a single block of time.

- By reducing your normal weekly, [but not daily,] work schedule for no more than twenty-four (24) consecutive weeks in a twenty-four (24) month period.

- Intermittently in increments lasting at least one week, but less than twelve (12) weeks in a consecutive twelve (12) month period, when medically necessary.

Employees permitted to take intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Authority's operations. The total time within which an intermittent leave is taken may not exceed a twelve (12) month period, if such leave is taken in connection with a single serious health condition.

Intermittent leaves taken in connection with more than one serious health condition episode must be taken within a consecutive twenty-four (24) month period, or until such time as the employee's twelve (12) week family leave entitlement is exhausted, whichever is shorter. An employee taking a family leave on a reduced leave schedule shall not be entitled to such leave for more than a consecutive twenty-four (24) week period. An eligible employee shall be entitled to only one leave on a reduced leave schedule during any consecutive twenty-four (24) month period. Any remaining family leave to which the employee is entitled subsequent to the expiration of a leave taken on a reduced leave schedule may be taken on a consecutive or intermittent basis.

Depending on the purpose of the employee's leave, the employee may choose to use accrued paid leave, concurrently with some or all of his/her NJFLA leave. The employee will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of NJFLA leave. The Authority will notify employees of their options to continue to participate in our group health plans during NJFLA leave.

Required Notice and Certifications.

Except when emergent circumstances require shorter notice, the employee must give the employer the following notice before taking Family Leave:

- For intermittent leave, at least 15 days' notice;

- For consecutive leave to care for a newborn or a child placed for foster care or adoption, at least 30 days' notice; and
- For consecutive leave to care for a family member with a serious health condition, notice "in a reasonable and practicable manner."
- In emergent circumstances, the employee should give the employer as much notice as possible."

The employee also must give the Authority a medical certification supporting the need for leave. The Authority reserves the right to require second or third medical opinions and periodic re-certifications. The employee must also provide periodic reports during the leave regarding the employee's status and intent to return to work as deemed appropriate by the Authority. If an employee fails to provide the required documentation, the Authority may delay the start of the employee's NJFLA leave, withdraw any designation of NJFLA leave or deny the leave, in which case the absences will be treated in accordance with the Authority's standard leave of absence and attendance policies and the employee may be subject to discipline up to and including termination of employment.

If an employee provides false or misleading information or omits material information about an NJFLA leave, the employee will be subject to discipline up to and including immediate termination of employment.

Benefits Protection. During a family leave of absence, the employee's health benefits will be maintained under the same conditions as if the employee continued to work. If the employee decides to return to work when his/her family leave of absence ends, the employee may be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If the employee decides not to return to work when the family leave of absence ends, the employee may be required to reimburse the Authority for the health insurance premiums paid on his/her behalf during the leave of absence (except if the failure to return to work was caused by the continuation, recurrence, or onset of serious health condition which would entitle the employee to a leave of absence under the law or other circumstances beyond the employee's control).

With regard to any pension contributions, the employee must contact the human resources official to make payment arrangements concerning contributions or credits paid toward his/her pension benefits. Employees should consult with the Authority prior to taking an approved leave.

Returning to Work after NJFLA Leave. On returning to work after NJFLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. Any employee who fails to return to work as scheduled after NJFLA leave or exceeds the twelve (12) week NJFLA entitlement will be subject to the Authority's standard leave of absence and attendance policies. This may result in termination if the employee's continued absence

is unauthorized (for example, if the employee has no other Authority-provided leave available to him/her).

Retaliation Prohibited. The Authority and the NJFLA prohibit the interference with, restraint of or denial of any right provided under the NJFLA and/or discharge or discrimination against any person for opposing any practice made unlawful by the NJFLA or for involvement in any proceeding under or relating to the NJFLA. The Authority encourages employees to bring any concerns or complaints about retaliation or compliance with the NJFLA to the attention of the human resources official.

New Jersey paid family leave insurance ("FLI"), provides partial wage replacement for a period of up to twelve (12) weeks within any twelve (12) month period to employees who leave work for the following reasons:

(a) To care for a family member who is suffering from a serious health condition;

(b) To bond with his or her child during the first 12 months following the child's birth, post-adoption placement, or foster care placement.

(c) To engage in activities protected under the New Jersey SAFE Act (N.J.S.A. 34:11C-3) on the employees own behalf or that of a family member, if the employee or family member is a victim of domestic violence or a sexually violent offence.

(d) To provide in-home care or treatment to a family member when, during a state of emergency declared by the Governor or an epidemic of a communicable disease, a healthcare provider or public health authority has recommended or ordered the family member to be isolated or quarantined as a result of suspected exposure to communicable disease.

“Family member” is defined as an individual’s child (of any age), spouse, domestic partner, civil union partner, parent, parent-in-law, sibling, grandparent, grandchild, and any individual related to the employee by blood or that the individual can show has a close association with the employee equivalent to a family relationship.

“Child” is defined as a biological, adopted, foster child, or resource family child, stepchild, legal ward, or child of a parent, including a child who becomes the child of a parent pursuant to a valid written agreement between the parent and a gestational carrier.

“Parent” is defined as a biological parent, adoptive parent, foster parent, resource family parent, step-parent, parent-in-law or legal guardian, having a “parent-child relationship” with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child, or who became the parent of the child pursuant to a valid written agreement between the parent and a gestational carrier.

The wage replacement benefits to employees are paid from a State fund into which all New Jersey employees are required to pay into. FLI can be paid on a consecutive or intermittent basis for up to twelve (12) weeks within a twelve (12) month period (the 365 consecutive days that begin with the first day an employee establishes a valid first claim for FLI). If taken intermittently, leave may be for up to 56 days in a 12-month period.

Employees intending to take continuous, non-intermittent leave to bond with a newborn, newly adopted child, or newly placed foster child must provide the employer with a minimum of thirty (30) days' notice prior to commencement of the family leave. Failure by the employee to provide this notice will result in a two week (14 day) reduction in the claimant's maximum Family Leave Insurance benefits entitlement for the twelve (12) month period unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons. Employees intending to take this leave on an intermittent basis must provide the employer with a minimum of fifteen (15) days' notice prior to the commencement of the intermittent leave unless an emergency or other unforeseen circumstance precludes prior notice.

Employees intending to take leave to care for a seriously ill family member on a continuous, non-intermittent basis must provide the employer with prior notice of the family leave in a reasonable and practicable manner, unless an emergency or other unforeseen circumstance precludes prior notice. Employees intending to take this leave on an intermittent basis must provide the employer with a minimum of fifteen (15) days' notice prior to the commencement of the intermittent family leave unless an emergency or other unforeseen circumstance precludes prior notice.

The Family Leave Insurance benefits program provides covered individuals Family Leave Insurance benefits, a monetary benefit, not a leave entitlement. The Family Leave Insurance benefits program does not establish the right of a covered individual to be restored to employment following a period of leave from work to participate in providing care for a family member who has a serious health condition or to bond with a newborn or newly adopted child.

Forms are available for applying for Family Leave Insurance on the New Jersey Department of Labor website."

When the Authority's policy on military leave conflicts with any law, statute, rule or regulation promulgated by the Federal, State or local government, the applicable law, statute, rule or regulation shall be followed. Benefits addressing military leave for Union employees will be in accordance with the terms negotiated in the applicable collective bargaining agreement when applicable.

When a full-time employee (either permanent or temporary) who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. Military leave will be compensated as detailed in the charts below. The paid leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

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

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

NJ National Guard (Includes NJ Air and Army National Guard, Naval Militia, and State Guard)			
Type of Service	**Days Paid under Previous Law**	**Days Paid under P.L. 2001, c. 351**	**Change/ Mandate Impact**
Permanent Employee & Full-Time Temporary employed >1 year or more	90 days per year for active duty, active duty for training or other duty ordered by the Governor then leave w/o pay & w/o loss of time Unlimited paid ML for SAD	90 days per year for Federal AD (pursuant to Titles 10 and 32 U.S.C.), then leave w/o pay & w/o loss of time. Unlimited paid ML for SAD	No change/No impact
Full Time Temporary employed < 1yr	90 days per year, then leave w/o pay & w/o loss of time	Leave w/o pay & w/o loss of time	Minus 90 days/No impact

U.S. Reserves (Includes Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, Coast Guard Reserve and National Guard members from other states)			
Type of Service	**Days Paid under Previous Law**	**Days Paid under P.L. 2001, c. 351**	**Change/Impact**
Permanent Employees	All days for "field training" = AT and ADT	30 days total per year for AT, ADT or AD	AT - capped at 30 days/No impact ADT - capped at 30 days/No impact AD - plus 30 days/Mandate
Full Time Temporary employed 1 year or more	30 days total per year for "field training" for AT or ADT	30 days total per year for AT, ADT or AD	AT - no change/No impact ADT - no change/No impact AD plus 30 days/Mandate
Full Time Temporary employed <1 year	Leave w/o pay and with loss of time	Leave w/o pay w/o loss of time	No additional pay, but employees now do not lose time/No impact

KEY:

AD = Active Duty ADT = Active Duty Training AT = Annual Training ML = Military Leave SAD = State Active Duty

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

Union employee benefits governing breaks during the work day will be in accordance with the terms and conditions found in the current collective bargaining agreement.

Administrative personnel are entitled to a half-hour lunch that is to be arranged by the supervisor so that offices continue to function. All employees are entitled to two 15 minute breaks, one in the morning and one in the afternoon. Administrative personnel must arrange breaks so that offices continue to function. Breaks for other employees will be scheduled by the supervisor.

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

Salary ranges are established by the Authority. All employees and probationary employees shall be paid in full on each pay day for hours worked during the preceding week. No more than one week's pay shall be held on any employee or probationary employee. The regular pay day shall be each Thursday. The Authority shall attempt, in good faith, to have pay checks available for distribution by 4:00 p.m. No employee or probationary employee shall be permitted, however, to transact any banking business on Authority time. When the regularly scheduled pay day falls on a holiday, the Authority shall pay the employees and probationary employees on the regular work day immediately preceding the holiday. Each employee and probationary employee shall be provided with a statement of gross earnings and an itemized statement of all deductions made for any purpose. All employees shall be paid by using direct deposit into the banking account of the employee's choice. There shall be no advanced pay for vacation.

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

Union employees will receive overtime compensation in accordance with the applicable provisions of the current collective bargaining agreement.

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

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Executive Director. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of forty in a weekly period. Non-Exempt employees assigned to the Business Office will receive one and one-half hours of overtime compensation for each hour worked in excess of thirty-seven and a half (37.5) in a weekly period. All other non-exempt employees will receive overtime compensation for hours worked in excess of forty (40) in a weekly period. For purposes of overtime compensation, hours worked are computed to the nearest one-half hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

Exempt and non-exempt employees are required to accurately record their work time on the designated time record, sign it and return into his/her supervisor. The current system in use is the weekly time-card. Non-exempt employees and exempt employees are required to report their sick time, vacation time and holiday time on the designated time record. Non-exempt and exempt employees should turn the time record into his/her supervisor.

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

Payment for accrued absences for Union employees will be as negotiated in the current collective bargaining agreement.

To the extent that a local ordinance, collective bargaining agreement, or an employment agreement provides for the payment of compensation for pay while absent from work, the Authority shall only make such payment if the chief financial officer or Executive Director certifies that such amount is due and that proper documentation establishing that the amount of the accumulated absence has been provided and funds are available to pay. Proper Documentation includes:

- A copy of the agreement, ordinance and/or resolution;
- Documentation of the amount of accumulated absence time; and
- The total value of the compensation due.

Nothing in this section grants employee's compensation for absences from work.

Health benefits (including dental and prescription coverage) for union employees are provided consistent with the applicable provisions of the collective bargaining agreement.

Non-union employees and their immediate family members, including civil union partner, are provided health insurance coverage (including dental and prescription coverage) administered by the New Jersey State Health Benefits Plan (or current health insurance provider). The Authority reserves the right to change provider networks, claims agents, and insurance mechanisms (fully insured versus health insurance fund, e.g.). The complete benefit plan is on file in the Executive Director for Personnel's office and a Summary Plan Description will be provided to all employees. Benefit levels for non-unionized employees are subject to change at the discretion of the Authority.

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

Retiree health benefits shall be made available to employees and their eligible dependents who elect them and who retire in good standing at age 62 or older provided the employees have served a minimum of 20 years of service with the Authority and the employee is not otherwise eligible for Medicare and makes the necessary premium contributions as required by law.

Retiree health benefits shall be discontinued for any retiree and his/her dependents where the retiree has attained the age of Medicare eligibility or who has failed to timely remit the premium contributions required by law. It is understood that health benefits are to be construed to include medical, hospitalization and prescription benefits. It is further understood that retiree health benefits shall be maintained at the same level, in the aggregate, as the level the retiree was offered at the time of his/her retirement.

The Authority has established an eligible deferred compensation plan under section 457(b) of the Internal Revenue Code of 1986, as amended. The purpose of this Plan is to provide an optional benefit to employees whereby a designated amount of the Participant's Compensation is withheld each month by the Authority and invested at the discretion of and in a manner approved by the Authority until one of the specified events occur which permits all or part of the monies withheld, together with earnings, if any, to be payable to the Participant or Beneficiary. Nothing contained in this Plan shall be deemed to constitute an employment agreement between any Participant and the Authority and nothing contained herein shall be deemed to give any Participant any right to be retained in the employ of the Authority. A copy of the Plan Summary is available from the Assistant Executive Director of Business.

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

Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Authority covers workers compensation benefits (through its membership in a joint insurance fund) (with a self-insurance plan). **Any occupational injury or illness must be immediately reported to the supervisor.** All required medical treatment must be performed by a Workers Compensation Physician appointed by (the joint insurance fund) the Authority and payment for unauthorized medical treatment may not be covered pursuant to the Act. No temporary Workers' Compensation benefits other than the payment of medical bills shall be paid until the employee has been disabled for a period of seven (7) calendar days from the work-related injury, unless otherwise required by law.

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

While receiving workers' compensation benefits, the pension portion of an employee's benefits will still be paid by the Authority. If, however, an employee is receiving workers' compensation with pay, (which is defined as one hundred (100%) percent compensation of salary) the employee is responsible for all deductions, including pension.

The Authority will not tolerate retaliation or discrimination against an individual because the individual has filed a claim for workers' compensation benefits. This prohibition includes denying or limiting any request for leave because an individual asserted a claim for workers' compensation benefits.

Workers' Compensation Light Duty Policy. The Authority will endeavor to bring employees with temporary work-related injuries or illnesses back on the job as soon as possible. The Authority may recognize a special obligation arising out of the employment relationship and create a temporary light duty position for an employee when s/he has been injured while performing work for the Authority and, as a consequence, is unable to perform his/her regular job duties.

The Authority will not treat an employee with a disability less favorably than an individual without a disability or screen out an individual on the basis of disability in granting such requests for light duty. The Authority will grant such request, at its sole discretion, and on a case-by case basis in consideration of the medical report submitted by the workers' compensation physician, the recommendation of the insuring entity, and staffing needs and requirements. The Authority reserves the right to grant, refuse or terminate a light

duty assignment at any time without cause unless it is in conflict with the mandates of the ADA, FMLA, or NJFLA or other state or federal leave laws, where applicable.

The employee and/or the Third Party Administrator ("TPA") are obligated to inform the Authority of the employee's medical progress and the Authority shall have the right to review same periodically. Light duty assignments may be in any department and not just the employee's normal department. Employees on light duty will receive their regular salaries. If light duty is approved, the employee or TPA must keep the Chief Administrative Officer and/or designated human resources official informed of the medical progress. If, at the end of light duty period the employee is not able to return to work without restrictions, the employee should contact the Chief Administrative Officer and/or designated human resources official to discuss his or her options under state or federal law.

This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy, or other Federal or State law.

Employees of the Authority often perform their duties in an environment that exposes them to the risk of injury or illness. The Authority has established a reporting process to be used whenever an employee suffers an injury or becomes ill as a result of the performance of their assigned duties. All employees must adhere to the reporting procedures outlined in this section so that the Authority's insurance carrier receives timely notices of the event and so that prompt and effective treatment is received by the effected employee. The delivery of effective treatment in a timely manner is likely to result in a reduced recovery period and facilitate a prompt return to work. Prompt and accurate documentation of any work-related injury or illness is important to the effected employee in terms of proper medical care, insurance coverage and temporary or permanent disability determinations.

Applicability:

This section refers to any injury or illness that an employee may suffer as a direct result of their assigned duties and any illness or injury occurring off-duty that may impact their ability to carry out their assigned duties.

Non-Work Related Injuries/Illness:

It is an absolute requirement that every employee provide timely notification to their immediate supervisor upon reporting for duty if such employee has suffered an injury off-duty that the employee believes or is informed that may hinder, impair, alter or diminish that employees ability to carry out their assigned duties or if the injury is of such a nature that the performance of the employees assigned duties would likely aggravate the injury.

Medication

Employees who operate Authority vehicles, power tools or heavy equipment and who are taking prescription or over the counter medication that the employee believes or is informed that may impair their ability to perform their duties safely and effectively are to provide written notice to their supervisor from their physician, pharmacist or licensed medical provider with respect to the effects of the medication in conformance with all applicable laws and regulations.

The Authority reserves the right to request written certification from the employee's treating physician to assist in determining whether the employee will be permitted to return to or remain on duty.

Employees who are required to take medication that render them incapable of performing their duties safely may request modified duty consistent with the provisions of the modified duty policy.

Reporting Procedures for On-Duty Injury/Illness

When an employee knowingly suffers an injury or illness of ANY type while on duty, the employee's supervisor must be notified immediately. If the affected employee's immediate supervisor is not available, contact shall be made to any other available member of the Authority's administration.

- The use of the word injury as used in this section is intended to include the potential for illness as a result of a known exposure by the employee to any person, substance or object known or suspected of being infected with a communicable disease.
- In the event that an employee is knowingly exposed to an individual, substance or object suspected of being infected or contaminated with a communicable disease the employee and supervisor will follow the provisions of the policy on blood borne pathogens.

A supervisor receiving notification of an injury shall be required to conduct a preliminary investigation of circumstances surrounding the accident including a visual inspection of the immediate area where the accident occurred whenever possible. The information developed during the investigation is to be thoroughly documented on the appropriate investigation report. Accidents resulting in serious injuries or extensive property damage shall require a detailed narrative and may require photographs and witness statements when applicable.

Any employee who reports to a supervisor an injury or illness sustained during the performance of their duties will be directed to promptly complete and sign an Employee Accident Form as well as the First Report of Injury Report.

- In the event that the employee is incapacitated or incapable of completing the report, the supervisor will complete the injured employee's section of the report to the best of their ability with the information obtained during the accident investigation. The fact that this portion of the report was completed by the supervisor and not the employee is to be noted in the narrative.
- The investigating supervisor shall complete and sign the appropriate section of the report regardless of the injured employee's condition.
- Completed reports shall be forwarded to the Personnel Manager who will be responsible for forwarding the completed documents to the appropriate office.

In the event that an employee sustains an injury as a result of a motor vehicle accident, the employee shall be required to complete the applicable areas of both sides of the Worker's Compensation Accident Investigation Report along with an Automobile Loss Notice.

The supervisor must complete the applicable areas on both sides of the Worker's Compensation Accident Investigation Report and the Automobile Loss Notice.

Whenever possible, the above referenced reports shall be completed prior to the end of the injured employee's work day. In the event that this is not possible, the reports must be filed within twenty-four (24) hours of the event that caused the injury.
Any dispute concerning the status of an injury as it relates to whether or not it occurred during the performance of the employees duties shall be decided by the Authority's worker's compensation insurance carrier or in contested matters, by the Worker's Compensation Court.

Treatment Facilities:
Whenever an employee suffers a work related injury that requires medical attention the following procedures shall be followed:

- In the event of an emergency, the injured employee shall be transported to the nearest available hospital emergency room. For the purposes of this directive, the term emergency refers to injuries that are life threatening or that would normally require transportation, by ambulance, to an emergency room.
- Non-emergency-report to The Authority's contracted occupational health provider, currently Virtua At Work located at 315 NJ Rt 79 Suite B Cherry Hill NJ 08034.
    - If necessary, transportation will be provided by the Authority in the event the employee is incapable of operating a motor vehicle due to their injuries.

In the event of both emergent and non-emergent injuries during the regularly scheduled work day, the responding supervisor will notify the Personnel Manager. It will be the responsibility of the Personnel Manager to coordinate the employee's medical treatment.

An employee who, after the completion of their work day, becomes ill or begins to suffer from an injury caused by a work related activity shall notify their supervisor as soon as is practical but not later than the next regular work day.

- Employees who require emergency medical treatment should call 911.
- Employees who require medical treatment for a work related illness or injury outside of normal business hours should contact QualCare at 1-800-425-3222. QualCare will direct the affected employee as to how to obtain medical treatment.

Family Notification
In the event of an employee injury, timely notification to a member of the Authority's management team and the employee's family will be a priority.
To facilitate family notification, the Authority will maintain a list of emergency contacts for each Authority employee. Employees are to provide timely notification of any changes to their designated emergency contact. On or about, January 1st of each year, the Authority will provide notice to each employee to review and update as necessary, their emergency contact information. In the event that an employee sustains injuries that are relatively minor in nature, it will be the employee's decision as to whether or not their emergency contact person is notified. Employees who wish to notify their family in the event of a minor injury will be provided access to a telephone by a supervisor.

In the event the employee sustains a serious injury, it will be the responsibility of the employee's supervisor to notify the employee's family.

- Notification should be made in person whenever practical unless time is of the essence in which case the notification may be made by telephone.
- The assistance of the appropriate law enforcement agency may be employed to facilitate contact with an employee's emergency contact.
- When needed, a member of the agency will provide transportation for the emergency contact to the facility where the injured employee is being treated.

Transitional Duty

Any employee who suffers an injury or illness that prevents them from working in their normal capacity may be eligible for a temporary transitional duty status.

- Medical clearance from the Authority's Occupational Health provider must be obtained prior to any employee beginning a transitional duty assignment.
- Transitional duty assignments are temporary in nature. The Authority reserves the right to extend transitional duty as circumstances dictate.

Disability Benefits

Employees who sustain a work related injury may be eligible for certain disability benefits. The extent of benefits is generally commensurate with the degree of injury and resulting disability. The Authority's duty to supplement worker's compensation benefits is defined in the applicable collective bargaining agreements and, in the case of non-union employees, the Authority Code. The Authority reserves the right to request that the Authority run an employee's FMLA eligibility period concurrent with any period of lost time where the employee is collecting worker's compensation benefits or other disability benefits. Any employee who has been out of work for a substantial period of time due to an injury or illness may be required to undergo a functional capacity/fitness for duty examination prior to returning to work. For further information, please refer to the section of the employee manual titled Fitness for Duty Evaluation.

OSHA/PEOSHA Requirements

Work related accidental fatalities must be reported to the United States Occupational Safety and Health Administration.

- OSHA contact information: 856-596-5200

The New Jersey Department of Labor-Office of Public Employee Safety requires telephonic notification as soon as possible following any employee fatalities or in-patient hospitalizations resulting from a work-related accidental injury or illness.

- New Jersey Office of Public Employee Safety (PEOSHA) contact information: 1-800-624-1644.

It is the responsibility of the Superintendent or his designee for ensuring that the above notifications are made in a timely manner.

Confidentiality

The Authority will take reasonable precautions to protect medical information related to employee illness or injury from inappropriate disclosure. Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information. Information may be disclosed to the Department of Health or any other governmental regulatory agency as required by State or Federal law.

Collective Bargaining

Nothing in this policy is meant to diminish or deprive any employee of a right or privilege granted by the employee's collective bargaining agreement. In the event any provision of the policy expressly contradicts the provisions of the employee's collective bargaining agreement, the collective bargaining agreement shall prevail unless otherwise prohibited by law.

The Authority is committed to upholding both the letter and the spirit of the Health Insurance Portability and Accountability Act ("HIPAA") regarding the use, maintenance, transfer, and disposition of personal health care information. To the extent that the Authority maintains such information about its employees and others, its appointed officials and employees are committed to protecting the privacy and confidentiality of that information.

Drug and alcohol abuse and psychological problems, family/life crisis and other challenges take their toll on the workplace. Valued employees are often left to fend for themselves, sometimes with the worst of consequences. Sometimes employees and family members just need a helping hand to balance work and family, provide eldercare or day care, or to access financial or legal services. The Authority Employee Assistance Program is designed to assist employees in locating and selecting the appropriate tools and resources to help restore them to productivity and well-being. Employees in need of resources involving substance abuse, psychological problems, family/life crisis issues or other challenges may contact the Director of Personnel, (or established Employee assistance Provider where applicable) who will assist in providing the affected employee with a list of available resources to chose from.

Reimbursements for training and educational assistance for Union employees and/or employees with separate employment agreements with the Authority will be made in accordance with the applicable agreement.

The Authority is committed to the continuing education and professional development of its employees. An employee who obtains prior approval from the Authority to take courses which are related to employment requirements and who completes and passes the course, shall be reimbursed conditionally for tuition, books, course materials and registration fees. No employee shall be eligible for reimbursement unless the employee has first obtained the prior approval of the Authority to attend the class. The Authority reserves the right to require any non-union employee seeking educational assistance to enter into an agreement with the Authority that establishes the following conditions: "It is a condition of reimbursement that an employee must remain in the employ of the Authority for two (2) years from the date of the completion of the course, or any reimbursement payment, whichever is later. If an employee leaves for any reason other than death, disability, layoff or retirement at the age of 65 within the two (2) year period, then any reimbursement payment received by the employee for the course shall be repaid in full to the Authority by the employee. Union employees may seek education assistance consistent with the terms and conditions established in their collective bargaining agreement.

Courses shall be taken, whenever practicable, in-house and in the evening hours or on weekends so as not to conflict with regular working schedules. In the event that a certain course can only be taken during the regular Authority working day, and the Authority agrees that the employee should take the course, then the employee and the Authority shall attempt to rearrange the working schedule of the employee so that he may still work a 40-hour week. Employees receiving approval to attend a seminar conducted during the workday shall receive their normal compensation, up to 8 hours a day.

An employee shall not be compensated for any time spent in taking courses or in study or preparation for course work. The Authority, however, shall compensate the employee for any time spent in taking examinations for licenses, if those examinations are offered only during the regular Authority workday and in addition, only if the employee passes the examination. An employee may, however, take a vacation or personal day in order to be compensated for a day in which an examination is taken, but not passed. If the employee prefers to take an examination during the workday which is offered at night or fails an examination taken during the workday, the employee shall not be compensated for that time.

If the holders of C, S, T, W, CDL or HazMat licenses are required to take a continuing education course in order to maintain the existing license (i.e., not upgrade the license), the Authority shall pay for the cost of the course. Courses shall be scheduled in-house and in the evenings or on weekends, whenever possible. The Authority shall also pay for the cost of fingerprinting imposed by the Division of Motor Vehicles for the HazMat CDL endorsement.

The Authority shall reimburse the employee for all New Jersey water and sewer license fees and renewals thereof.

Each employee shall be required to provide to the Authority, or sign appropriate releases of information for the Authority to obtain, a transcript of approved continuing education credits or training contact hours which the employee has earned, as may be requested by the Authority.

Requests to attend a conference or seminar must be approved by the applicable Assistant Executive Director, Operations Manager, Executive Director or Director of Finance. Requests shall be made sufficiently in advance to take advantage of discounts for early registration and must be submitted to the appropriate supervisor at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. The Executive Director is responsible to detail all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

Travel Expense Reimbursement Policy:

Automobile

Authority vehicles:

- Tolls and parking, as per submitted receipts.

Non-Authority vehicles:

- Tolls and parking, as per submitted receipts; and
- IRS approved mileage rate, from and to Marlton, NJ.

Air Travel

Group flight booked by Authority:

- Round-trip coach class ticket for member only from and to Philadelphia International Airport via most direct route; and
- Incidental automobile and ground transportation charges

Individual flight booked by or on behalf of member:

- Airfare allowance not to exceed the cost permitted in the above section and incidental automobile and ground transportation charges as listed below.

Ground Transportation

Buses and trains:

- Round-trip coach class ticket for member only from and to Marlton, NJ, nearest station, via most direct route; and
- Incidental automobile and ground transportation charges as listed below.

Taxi-cabs and airport limos:

- For expenses incurred from and to Marlton, NJ and airport or station, or from and to airport or station and seminar/conference site, or between seminar/conference sites if directly related to attendance at seminar/conference and not for personal use.
- Amount of fare, as per submitted receipt, plus reasonable gratuity, or
- Cab or airport limo expenses submitted without receipt shall be limited to
  - $16.00 per round trip.
- Rental car expenses at seminar/conference site, if necessary and cost-effective.

Accommodations:

Hotel

Group accommodations, as booked by Authority:

- Group room rate at hotel where seminar/conference is being held, or
- If seminar/conference is not being held at hotel, average group room rate at hotels available for seminar/conference booking.

Individual accommodations booked by or on behalf of a member:

- Hotel allowance not to exceed the cost permitted or
- Whichever applies.

Allowable accommodation expenses include room rate, room taxes, reasonable gratuities, telephone expenses to home and Authority only and room service charges not to exceed allowance as set forth below.

Meals:

Reimbursement

- Reimbursement for meals shall not exceed $75.00 per day, which includes tax and gratuities.
- Meal reimbursement is for the Authority member only. No meal reimbursement is provided for a spouse or guest.
- There shall be no meal reimbursement for a meal that is provided as part of the seminar/conference; and if the seminar/conference and related travel is less than a full day and does not include the hours during which a meal is customarily taken.

Individual meal reimbursement limits are:

- Breakfast $15.00 per day
- Lunch - $20.00 per day.
- Dinner - $40.00 per day

Registration Fees:

Seminar/Conference Program

- **Registration fee for member and spouse or guest.**

Seminar/Conference Activities

- There shall be no reimbursement of expenses for activities provided at the seminar/conference which are not directly a part of the educational program. These expenses include, but are not limited to, side-trips, recreational or athletic activities, entertainment, and personal expenses.

General Requirements

- There shall be no cash advances. The Authority may directly prepay airfare, hotel registration and seminar/conference registration expenses.
- All reimbursement requests shall be on an Authority voucher with all required receipts attached.

- All reimbursement requests shall be submitted to the Authority within 60 days of return from the seminar/conference. Reimbursement requests submitted after that date shall not be honored, except under extreme mitigating circumstances.
- A member who has registered for a seminar/conference and on whose behalf the Authority has prepaid airfare, hotel or seminar/conference registration expenses, and who thereafter fails to attend the seminar/conference without cancelling in sufficient time for the Authority to obtain a refund of the prepaid expense, shall reimburse the Authority for the amount of expenses prepaid on behalf of the member. This provision may be waived by motion of the Authority in the event of a bona fide emergency which occurs after the cancellation deadline and which prevents the attendance of the member at the seminar/conference.

A verbal or written report shall be required from any member who attends a seminar/conference at Authority expense. The written report may consist of seminar/conference handout materials and the oral report may consist of participation in a discussion of the seminar/conference at the next regularly scheduled Authority meeting.

Requests to attend a conference or seminar must be approved by the Supervisor and the Executive Director. Requests shall be made sufficiently in advance to take advantage of discounts for early registration and must be submitted to the Supervisor at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. The Supervisor is responsible to detail all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

Policy Statement
To establish eligibility criteria and operational guidelines for Remote Work arrangements, required documentation, and protocols for ensuring the stability, continuity, and security of Authority operations.

Reason For Policy
The Mission of the Evesham Municipal Utilities Authority (Authority) is to serve the people that live, work and visit our community, by providing the highest quality drinking water and efficient wastewater disposal services through the use of sound management principles, modern scientific practices and effective planning to maintain our infrastructure and safeguard public health while imposing minimal impact on the environment. To achieve this mission, the Authority is committed to developing and implementing progressive workplace initiatives. Offering a Remote Work option to our staff will support the Authority in advancing its' ability to recruit, retain and develop dedicated and talented employees who are the backbone of a successful organization while enhancing productivity and performance. This policy specifies the standards and guidelines for Remote Work for Authority employees. This policy is subject to revision based on operational demands, and applicable federal and state laws.

Stakeholders Affected by Policy
• Exempt, salaried employees

Definitions
Alternate Workplace - a predetermined location, such as a home office, other than an employee's Authority workplace, from which an employee will work remotely. Such a work location should provide the employee with an appropriate working environment, including sufficient working space, access to reliable internet and telephone service, limited distractions, and be located within a commutable distance to Authority facilities.
Commutable Distance - a location that supports an employee's ability to travel to a designated Authority facility when required, including on days that might otherwise be Remote Workdays.
In-Person Work – the work that an employee performs in-person at a designated Authority facility or workspace.
Remote Work – the work that an employee performs at an Alternate Workplace, which is subject to supervisor approval.
Remote Work Agreement – a document that memorializes the terms of Remote Work as agreed to by the employee, supervisor, and the Executive Director.
Remote Work Request – a form submitted via email by an employee to request a Remote Work arrangement subject to approval by the employee's supervisor.
Remote Workday – a day that an employee is regularly scheduled to conduct Remote Work from an Alternate Workplace.

Policy
1. Overview
- The Evesham Municipal Utilities Authority (Authority) institutional commitment to providing quality drinking water and effective wastewater collection and treatment services is centered

on fostering a workplace where employees are empowered to thrive personally and professionally. The Authority is committed to developing and implementing progressive workplace initiatives like this Remote Work Policy.

- Offering a Remote Work option to our employees will support the Authority in advancing operational objectives, including supporting the recruitment, retention, and professional development of dedicated and talented employees, enhancing employee productivity and performance, and promoting environmental sustainability. This policy specifies the standards and guidelines for Remote Work for staff employees.
- This policy does not apply to requests for accommodations under the Americans with Disabilities Act (ADA), FMLA, workers' compensation, or any other applicable federal or state regulations, nor shall this policy be applied in such a way that circumvents the need for medical leave or accommodations otherwise provided for by law. Employees seeking such leave and/or accommodations should submit a request in accordance with Authority leave policies.
- This policy is subject to revision based on operational demands, and applicable federal and state laws.

2. Eligibility
    - Eligibility for Remote Work is up to the discretion of the supervisor. Supervisors will determine a position's eligibility for remote work based upon the department's operational and service delivery needs, the individual employee, and the employee's position. Remote work shall be limited to exempt salaried employees whose normal job duties are compatible with working at an alternate location.
    - Evaluating a position's eligibility for remote work should be guided by equity and impartiality. Supervisors should consider requests for remote work on a case-by-case basis considering the objectives and operational needs of the Authority and the specific department/assignment when determining eligibility for a position.
    - Eligible employees can request two days of Remote Work per week approval is contingent on departmental needs.

3. Request and Approval
    - Employees must submit a Remote Work Request Form to their supervisor to be considered for remote work. Employees unsure if their position is eligible for remote work should consult with the Director of Personnel, Safety and Security.
    - Supervisors will review Remote Work Requests considering the objectives and operational needs of the Authority and the specific department and/or assignment. Approved Remote Work Requests must be documented by a Remote Work Agreement signed by the employee, supervisor, and the Executive Director (or their designee).
    - If a supervisor denies a Remote Work Request, the employee may appeal the decision with the Executive Director. The Executive Director's decision to approve or deny the request will be final.
    - Remote Work Agreements will be limited to two days per week for a period not to exceed one (1) year. At the conclusion of one year, the Authority may re-apply to extend their period of remote work however, the Authority has no obligation to extend a remote work assignment other than as required by law.

- Remote Agreements may be modified or terminated by either the Authority or the requesting employee with 14 days' calendar notice.

4. Alternate Workplace
   - The Alternate Workplace is a predetermined location, such as a home office, other than an employee's Authority Workplace, from which an employee will work remotely. The Remote Working Agreement must specify the location of the Alternate Workplace, which will be in compliance with the New Jersey First Act, as applicable, but at no time exceed a Commutable Distance from campus in the event the employee is required to report to work on the scheduled remote day due to departmental need.
   - The Alternate Workplace should be a fixed work area that will provide the employee with access to the tools necessary for Remote Work, such as a telephone with a good signal, computer, reliable internet connection, scanner and/or fax machine.
   - The Alternate Workplace must be within an environment free of disruptions and provide the appropriate level of privacy when discussing confidential or sensitive matters.
   - The Authority does not assume responsibility for costs incurred by an employee for Remote Work occurring in the Alternate Workplace, including but not limited to operating expenses, maintenance, equipment, materials, Internet or telecommunications connections, renovation of space, or any other costs incurred by the employee. Employees will only utilize Authority approved computers and/or IT equipment to access Authority networks through the Authority's Virtual Private Network.
   - Employees approved for remote work shall not hold business visits or in person meetings at the Alternate Workplace.
   - A Remote Work Agreement does not convert the Alternate Workplace into an official Authority place of business.
   - The employee is responsible for ensuring their Alternate Workplace provides sufficient working space without distractions and privacy to ensure confidentiality of Authority records, reliable internet, telephone service access, and any other conditions required to support the Remote Work Arrangement.
   - All documents created by an employee during a period of remote work are Authority property and subject to all of the requirements of the State's Open Public Records Act.

5. Job Expectations and Managerial Supervision
   - Supervisors will provide clear expectations for job performance using established policies and procedures. The supervisor and employee must collaborate on strategies to address workflow or coverage issues arising from the Remote Work Arrangement. The employee is responsible for completing the job duties specified in their job description, including other duties as assigned by a supervisor, with any necessary modifications.
   - Frequent, open communication between the supervisor and the employee is integral to the success of all working arrangements. Supervisors should clearly communicate performance and availability expectations while working under Remote working arrangements. Employees should keep their supervisors informed of progress on assignments, including any challenges or opportunities they may experience. The success of a Remote Work Arrangement will be contingent on effective communication, accountability, and trust, for which both the supervisor and the employee are responsible.

6. Availability
   - Employees must be accessible (by phone, email, and any other medium/platform designated by their supervisor) and communicate how to contact them (providing contact information and phone number on voicemails or in email signature blocks) when at the Alternate Workplace. Employees must use call/voicemail forwarding and/or voicemail messages on their Authority office phone to facilitate accessibility.
   - The employee must participate in meetings via video conference platforms, telephone conference calls, or any other electronic group-meeting platforms with the camera on if their supervisor requires it. Employees must dress professionally and observe other Authority dress code policies while working remotely and participating in video conference meetings.
   - Supervisors may require that an employee report on a regular Remote Workday to the Authority workspace or elsewhere as deemed necessary. In that event, the supervisor should give the employee as much notice as is practicable. When an employee must work at the Authority workspace on a day that would otherwise be a Remote Workday, substitute Remote Workdays are not guaranteed. They are at the discretion of the supervisor.
   - The employee must be available and able to work their regularly designated work hours while working remotely and may not change their work schedule on Remote Workdays without prior approval.
   - Remote Workdays are not a replacement for the use of sick, vacation, or other paid leave time. Employees who cannot work their regular scheduled hours on a Remote Workday must contact their supervisor and charge their hours as they would on a non-remote workday.
   - Established break schedules and other workday procedures remain in effect on Remote Workdays.

7. Equipment
   - Employees are required to utilize Authority issued and approved computer/IT equipment to access the Authority network through the VPN while at the Alternate Workplace. To ensure the security and confidentiality of Authority records, any computer equipment supplied by the Authority shall be used only by the authorized employee. The Authority does not assume responsibility for employee-provided equipment or its repair or service costs.
   - Employees are expected to provide their own telephone, telephone service, reliable internet connection, and any other equipment necessary to facilitate the Remote Work arrangement. Where use of personal devices is permitted, employees are expected to install software or other technology that the Authority may require to ensure security, accountability, and effective delivery of work consistent with Authority policies.
   - Employees engaging in Remote Work may use office supplies purchased by the Authority. Any equipment or office supplies provided by the Authority to support Remote Work must be returned upon the termination of the Remote Work Arrangement.

8. Information and Technology Security
   - Remote employees must adhere to the established standards and protocol relating to information protection, security, and technology, whether working at their Authority Workplace or an Alternate Workplace. Adherence to IT, data security, and financial control policies is essential while working at an Alternate Workplace. Employees shall not duplicate any Authority-owned software or sensitive data on personal devices except as explicitly allowed by Authority policy. Consistent with existing Authority policy, employees shall not use Authority

resources for the conduct of personal business, including while working at an Alternate Workplace.

- Failure to adhere to the standards and protocol may result in revocation of the Remote Work Agreement and appropriate disciplinary action.
- Sensitive information may only be accessed using Authority-issued computing devices (securely configured for such data access). Employees using personal computing devices may engage in the limited entry of or access to sensitive data only if they have ensured through the Asset Management/IT Department that their personal computing device meets the Authority's security policies and confidential records are not accessed by anyone other than the employee.

9. Liability / Risk Management
    - An Alternate Workplace used by an employee under a Remote Work Agreement is an extension of the Authority's Workplace. The Authority will determine whether: 1) the Authority's liability for job-related accidents will continue to exist during the approved Remote Work Schedule and in the employee's Alternate Workplace, and 2) whether the employee is covered under the State of New Jersey's Workers' Compensation Law for injuries occurring during the actual performance of official duties at the Alternate Workplace. However, the Authority assumes no liability for damages to an employee's real or personal property resulting from participating in Remote Work.
    - If an injury occurs during work hours, the employee will immediately report it to their supervisor. The employee and supervisor should follow the Authority's policies regarding reporting injuries for employees injured while at work. The Authority is not responsible for any injuries to family members, visitors, and others in the employee's Alternate Workplace. The employee may not have professional colleagues, vendors, customers, or the public at the Alternate Workplace.
    - To the extent permitted by law, the employee will not attempt to hold the Authority responsible or liable for any loss or liability in any way connected to the employee's non-work-related use of their Alternate Workplace or home. The employee is responsible for contacting their insurance agent, tax consultant, or other advisors and consulting local ordinances for information regarding Alternate Workplaces.

10. Time Keeping
    - The approved Remote Work Agreement will document the days/hours the employee will be working. All Authority policies and procedures, including time and attendance reporting and leave time, continue to apply during Remote Work Arrangements. Supervisors are responsible for ensuring employees are fulfilling the job duties documented in the Remote Work Agreement and the accurate and timely submission of time and attendance data.

11. Review, Modification, and Termination of Agreements
    - A Remote Work Agreement may be modified or terminated by either the employee or the department upon notice. Departments should give 14 calendar days' notice of termination unless extenuating circumstances make such notice impracticable. The employee should provide as much notice as possible to facilitate resumed reporting to the work location.
    - All Remote Work arrangements must be reviewed formally every six months. The supervisor and employee should have continuing discussions to evaluate whether established job duty objectives and deliverables are clear and understood by both parties; project standards are delineated, and performance is measured against defined standards; the employee's

performance and overall contribution to unit objectives can be and is evaluated, and adjustments to enhance overall productivity need to be identified and implemented.

Procedures
1. Employee submits Remote Work Request Form to Supervising Manager.
2. Supervisor reviews and approves/denies employee Remote Work Request.
3. Employee and supervisor complete and sign the Remote Work Agreement Form.
4. Remote Work Agreement Form is sent to the Executive Director for final approval and signature.

Violations
An Authority Remote Work Agreement may be modified or terminated by either the employee or the department upon notice. Departments should give 14 calendar days' notice of termination unless extenuating circumstances make such notice impracticable.
Responsibility
• Department Supervisor – Initial Approval of Remote Work Request and Remote Work Agreement
• Executive Director – Final Approval of Remote Work Agreement

Employment Procedure:

- **Recruitment:** The Director of Personnel will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Supervisor to notify the Director of Personnel who will distribute notification of the vacancy to all departments. The Director of Personnel will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Authority is an equal opportunity employer.

- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.

- **Interviews:** The Director of Personnel will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Authority will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of his or her job and also provided the accommodation does not impose an unreasonable hardship on the Authority.

- **Physical Examinations**: Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Director of Personnel may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Assistant Executive Director for Personnel may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Authority at the expense of the Authority. All medical records of employees and prospective employees are confidential and are to be maintained by the Director of Personnel

separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.

- **Criminal Background Checks**: Criminal background checks are required of all candidates, whether paid or volunteer, in accordance with the procedures outlined in the Section of this **document** entitled "Background Checks and Procedures for Candidates, Employees and Volunteers". Background checks will include, but are not limited to a check of an applicants criminal history by way of fingerprinting or a search through the appropriate records database.

- **Job Offers:** The final decision will be made by the Executive Director after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Authority. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.

- **Acceptances and Rejections:** If the first offer is rejected, the Executive Director will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.

- **Employability Proof:** After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.

- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Director of Personnel. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations must be maintained in a separate file. All records and documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

Background Checks and Procedures for Candidates, Employees and Volunteers:

- **Background checks required**: Background checks are required of all employees.
- **Background check procedure:** Once an applicant has been given a conditional offer of employment, Assistant Executive Director for Personnel will perform or initiate background checks and be the recipient of reports from outside agencies or contractors. The background check will include a check of the applicant's criminal history by way of fingerprints and/or a check of personal identifying information through established records database. The Executive Director will discuss disqualifying information received with the Deputy Executive Director and Executive Director will seek legal advice when necessary. Written information received as a result of a "Request for Criminal History Record - Information For A Noncriminal Justice Purpose", finger print submission or information received from any other confidential database, will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

When a disqualification decision has been made as a result of an applicant's background check, the Director of Personnel will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from employment with the Authority. If the Authority contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from employment with the Authority. In addition, the individual shall be advised that he/she has the opportunity to explain the criminal record and to demonstrate why the exclusion based on the Authority's targeted screening process should not apply to him/her under the circumstances. This information may include, but is not limited to, evidence of an error in the criminal record; nature of the position; facts surrounding the conviction; nature and gravity of the crime; age at the time of the conviction and/or release from prison; number of convictions; evidence of a clean criminal and employment record since release; rehabilitation efforts; positive references; and evidence that he/she is bondable. Thereafter, the Authority shall give the individual further consideration. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the Executive Director.

- **Conditions Under Which An Employee May Be Disqualified From Employment**

with the Authority: A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:

- Homicide (N.J.S.A. 2C:11)
- Official Misconduct (N.J.S.A. 2C:30-2)
- Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
- Kidnapping (N.J.S.A. 2C:13)
- Sexual Offenses (N.J.S.A. 2C:14)
- Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
- Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
- Robbery (N.J.S.A. 2C:15)
- Theft (N.J.S.A. 2C:20)
- Any other offense directly related to the performance of the employee's duties with the Authority.

A disqualification from any position **may** be based only on a conviction for one or more of the above disqualifying crimes and offenses. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction.

- **Appeal Process:** The Appeals Committee will be comprised of the Executive Director, Deputy Executive Director, or other designated superior officer, and one other management representative.

Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the employee has 14 calendar days to file a Notice of Appeal with the Authority. Such Notice of Appeal must be sent in writing to the Executive Director. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to NJAC 13:59-1.6.

During the 14-day period listed above, and until the issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

In making a determination on the appeal, the following information will be considered:

1. The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.

2. The nature and seriousness of the crime or offense.

3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.

5. The age of the individual when the crime or offense was committed.

6. Whether the crime or offense was an isolated or a repeated incident.

7. Any social conditions which may have contributed to the commission of the crime or offense.

8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.

9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.

The Authority will issue a written determination on the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

The hiring, promoting, transferring, demoting or reassigning of relatives is prohibited if the employment of such an individual would result in the creation of a prohibited employment relationship.

A prohibited relationship is created when:

1. One relative would have the authority to supervise either directly or from one level above, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.

2. The relative would be responsible for auditing the work of the other.

3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the Authority's interest and their own.

Employees who marry or become related by marriage may continue in their employment if the marriage does not result in the creation of a prohibited relationship. Where the marriage results in the creation of a prohibited relationship, the Authority will explore potential accommodations including the reassignment of one or both employees to available positions for which the employees are qualified. Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and first cousins.

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

EVESHAM MUNICIPAL UTILITIES AUTHORITY

Applicant Relative Disclosure Form

Name of Applicant: _____

The Authority prohibits the hiring of relatives if the employment of such an individual would result in the creation of a prohibited employment relationship. A prohibited relationship is created when:

1. One relative would have the authority to directly supervise, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.

2. The relative would be responsible for auditing the work of the other.

3. Other circumstances exist which would place the relatives in a situation of actual or reasonably
foreseeable conflict between the Authority's interest and their own.

Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in- law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and cousins.

Do any of your relatives currently work for the Authority or are any of your relatives an elected or appointed official?

❑ Yes ☐ No

If you answered "yes" to the previous question, please disclose the name(s) of your relative (s) who work(s) for the Authority, his or her title, and his or her relationship to you.

Relative #1

Name: _____

Title: _____

Relationship: _____

Applicant Relative Disclosure Form (cont'd)

Relative #2

Name: _____

Title: _____

Relationship: _____

Relative #3

Name: _

Title: _____

Relationship: _____

Relative #4

Name: _____

Title: _____

Relationship: _____

Note: An applicant's failure to fully disclose his or her relationship to an individual employed by the Authority or elected or appointed official may result in the rejection of the employment application or, if employed, the termination of employment.

I acknowledge that I have read and understand the above Disclosure Form and that I have disclosed all relatives who work for the Authority or serve as elected or appointed officials.

Signature of Applicant:_____
Date: _____

Discussions by the Board of Commissioners or anybody of the Authority concerning employment, appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee may be in closed session. Ultimately, the guidance as to notification of employees and the right to have the discussion in executive or the open session should be discussed with and be based on the guidance and advice of the Authority's legal counsel and recent court decisions.

Additionally, whenever the governing body or any public body of the Authority intends to act on a matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employees employed or appointed by the governing body or any public body of the Authority, then that governing body or that public body of the Authority must provide notice of said intended action to said prospective public officer or employee or current public officer or employees. Prior to the matter being acted on, the Clerk shall notify the affected person(s) of the meeting date, time, place, and the matters to be discussed.

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

- A tour of the appropriate facilities to acquaint the new employee with overall operations as they relate to the specific position;
- The completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Employee Handbook and acknowledgement of receipt;
- A review of the Personnel Policies and Procedures Manual if the employee is a manager or supervisor and acknowledgement of receipt;
- The Employee Complaint Policy letter and acknowledgement;
- A safety orientation and acknowledgement; and
- Arrangements for the new employee to complete required PEOSH safety training.

Initial Employment Period Procedure:

Initial employment period (probation) for Union employees will be in accordance with the terms and conditions set forth in the current collective bargaining agreement.

Probationary Period Policy

NOTHING HEREIN WILL BE DEEMED TO AFFECT THE AUTHORITY'S EMPLOYMENT AT-WILL POLICY. EMPLOYMENT WITH THE AUTHORITY IS AT-WILL AND MAY BE TERMINATED AT ANY TIME WITH OR WITHOUT CAUSE OR NOTICE BY THE EMPLOYEE OR THE AUTHORITY SUBJECT TO THE PROVISIONS OF ANY APPLICABLE COLLECTIVE BARGAINING AGREEMENT .

Each new employee will serve a probationary period of 180 days. Employees transferring to a new position or who are promoted will serve a probationary period of 60 days during which time the employee shall retain his/her permanent employee status. During this probationary period, the probationary employee will be provided with training and guidance from his/her supervisor. Transferred or promoted employees will be provided with appropriate training and/or guidance from a supervisor regarding his/her new job responsibilities. The probationary period is to allow the supervisor an opportunity to evaluate an employee's work performance, attitude and interaction with co-workers. The requirements of the new position must be satisfactorily met to retain the position.

A new probationary employee may be discharged without recourse at any time during this period if it is determined that the employee is not progressing or performing satisfactorily.

A new probationary employee is eligible for enrollment in the Authority's health benefits program after 30 days of employment. Enrollment will commence on the first day of the month following completion of the first 30-days.

A new probationary employee is not eligible for payment of paid time off except holidays until the successful completion of his/her initial probationary employment period.

If a new probationary employee is discharged immediately after successfully completing the probationary period, he/she is entitled to a meeting on the matter with the Executive Director. The decision of the Executive Director may be appealed to the Authority

Commissioners. Union employees will be governed by the terms and conditions outlined in their collective bargaining agreement.

A transferee or promoted employee may be reassigned to his/her original department if it is determined that the employee is not progressing or performing satisfactorily in the new position.

Probationary Period Procedure

At the end of the probationary employment period, the Supervisor will conduct an employee evaluation to determine if the probationary employee, transferee or promoted employee is progressing and performing satisfactorily.

The Executive Director with the assistance of the Assistant Executive Director of Personnel shall draft an Employee Handbook for the approval of the Commissioners. Once approved, copies will be distributed and employees will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. In lieu of providing a paper copy of the handbook, the Authority may comply with the provisions of this chapter by posting a digital copy of the handbook on the employee portal on the Authority's website and having the employee submit written acknowledgement of notice of same. The Handbook will be revised and re-distributed whenever there is a significant change in personnel practice or every two years as needed.

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

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

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

The Official file shall include at least the following:

- The original application signed by the employee;
- Notes from any pre-employment interview and reference check;
- The original letter detailing an offer of employment and any additional correspondence concerning the employee’s hiring;
- A signed acknowledgement that the employee received a copy of the Employee Complaint Policy letter;
- A signed acknowledgement that the employee has received the Employee Handbook;

- A signed acknowledgement that the employee received the safety orientation;
- Annual written performance evaluations including documentation that the evaluation was reviewed with the employee;
- Counseling Action Plans;
- Records relating to on-the-job accidents;
- Disciplinary actions including an acknowledgement that the employee was notified of the proposed disciplinary action and was given an opportunity to respond;
- Records relating to any other employment actions including promotions, demotions, transfers, resignations, leaves, etc.;
- Educational transcripts; and
- Any other pertinent information.

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

In response to a request for information, the Assistant Executive Director for Personnel will only verify an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1) the Authority is required to release the information by law or (2) the employee or former employee authorizes the Authority in writing to furnish this information and releases the Authority from liability.

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

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

APPENDIX A

EVESHAM MUNICIPAL UTILITY AUTHORITY POLICIES ON ALCOHOL AND DRUG USE AND TESTING

Evesham Municipal Utilities Authority

USDOT/NON-DOT Alcohol and Controlled Substance Use and Testing Policies

The following policies are consistent with standards established

U.S. Department of Transportation (USDOT)

Federal Motor Carrier Safety Administration (FMCSA)

49 CFR PART 382

DRUG AND ALCOHOL-FREE WORKPLACE &
NEW JERSEY NON-DOT TESTING POLICY

100 Sharp Road

Marlton, New Jersey, 08053

Phone: 856-983-1878

Fax: 856-983-4145

Designated Employer Representative (DER):

Frank Locantore, EMUA Director of Personnel, Safety and Security

Alternate Designated Employer Representative:

Jeffrey Booth, EMUA Operations Manager

Medical Review Officer (MRO):

Dr. Brian Heinen

151 Leon Ave, Eunice, LA, 70535

Effective: September 2025

Last Revised: **September 2025**

EVESHAM MUNICIPAL UTILITIES AUTHORITY

DRUG AND ALCOHOL- FREE WORKPLACE AND

NEW JERSEY NON-DOT TESTING POLICY

I. PURPOSE

A. The Evesham Municipal Utilities Authority (the Authority or EMUA) recognizes the prime importance of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The EMUA is committed to maintaining a safe, pleasant, and productive working environment. Employees have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This Drug and Alcohol-Free Workplace and New Jersey Non-DOT Testing Policy (the "Policy") establishes the EMUA's intent to maintain a workplace free from alcohol and unlawful drugs as classified under federal, State, or local laws. Marijuana, even if prescribed under New Jersey's medical and recreational cannabis laws, remains an illegal drug under federal law and its use on Authority premises or while conducting Authority business of any kind is strictly prohibited.

B. All EMUA employees are required to report to work unimpaired able to perform the duties of their job safely and effectively. Employees that work while under the influence of drugs or alcohol pose a safety risk to themselves, members of the public, and others with whom they work. Accordingly, this Policy is considered a Health & Safety Policy of the Authority. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up or work harder because of someone's substance abuse. This Policy is therefore intended to align with the relevant sections of the Authority's Personnel Policies and Procedures Manual and Employee Handbook ("Employee Handbook"), including but not limited to Chapter One: "Drug and Alcohol-Free Workplace" as set forth within Section Two: Personnel Rules and Regulations of the Employee Handbook.

C. This Policy is intended to comply with all applicable laws and existing collective bargaining agreements regarding drug and alcohol testing and current and prospective employee privacy rights. This Policy does not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement to which the EMUA is a party. Wherever employment terms in this Policy differ from the terms expressed in the EMUA's collective bargaining agreement(s), employees should refer to the specific terms of the agreement, which will control.

D. For questions about this Policy, please contact the Authority's Designated Employer Representative (DER): Director of Personnel, Safety and Security Frank Locantor (flocantore@eveshammua.com). The Alternative DER is: Operations Manager Jeffrey Booth (jbooth@eveshammua.com). The DER and Alternative DER may also be reached by dialing the main EMUA number 856-983-0331 and following the company directory.

II. APPLICABILITY

A. This Policy covers all employees, contractors, volunteers, and officials of the EMUA.

B. Some Authority employees may be subject to additional drug and alcohol rules and testing requirements beyond this Policy, including CDL-holders and employees performing safety-sensitive functions.

1. CDL Holders – the Department of Transportation (DOT) and Federal Motor Carrier Safety Administration (FMCSA) have adopted regulations ("FMCSA/USDOT Rule") at 49 C.F.R. Part 382 et and 49 C.F.R. Part 40 mandating drug and alcohol testing of employees who must have a commercial driver's license (CDL) for their job.

2. Safety-sensitive employees – safety-sensitive employees are those employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Using the above criteria, the following positions have been classified by the Authority as safety-sensitive: all employees engaged in direct operations of the Authority's drinking water and wastewater production, treatment collection and distribution systems including, but not limited to:

Water/Wastewater Treatment Plant Laborer

Water/Wastewater Treatment Plant Operator

Electrician

Maintenance Mechanic

Electrical Technician

Maintenance Technician

Laboratory Manager

Laboratory Technician

Operations Manager

Water Distribution Supervisor

Water Production Supervisor

Collections Department Supervisor

Maintenance Supervisor

Wastewater Plan Supervisor

Asset Management Supervisor

Fleet Supervisor

Safety Coordinator

GIS Technician

Director of Personnel, Safety and Security

C. The EMUA will test the foregoing employees and all other qualifying employees in strict accordance with FMCSA/USDOT Rule and the Authority's "Drug and Alcohol-Free Workplace and FMCSA/USDOT Testing Policy (the "FMCSA/USDOT Testing Policy"). Employees subject to the FMCSA/USDOT Testing Policy should refer to and review same in conjunction with FMCSA/USDOT Rule.

D. All EMUA employees are required to understand and comply with this Policy and all local, state, and federal policies, rules, and laws relating to the use of alcohol, controlled substances, and illegal drugs while in the workplace, including the FMCSA/USDOT Rule. Employees may contact the DER or Alternative DER with any questions. More information regarding the FMCSA/USDOT Rule may be found at: https://www.fmcsa.dot.gov.

III. PROHIBITED CONDUCT

A. To facilitate a safe, healthy, and productive work environment for all employees, the EMUA strictly prohibits the following activities at any time that persons subject to this Policy are: (1) on duty and/or on EMUA property; (2) conducting Authority business (either on or away from EMUA property); or (3) while using EMUA vehicles (whether or not the employee is working). Engaging in any of the prohibited conduct in this Section is considered a violation of this Policy and will result in disciplinary action against the employee up to and including termination.

B. Use of Drugs & Controlled Substances – employees and applicants violate this Policy by engaging in the following conduct, whether or not during work time or on Authority premises or property and are subject to discipline up to and including discharge, or rejection of the application for employment, or cancellation of contractual agreements:

1. Testing positive in a confirmed drug or alcohol test, or refusing to be tested.

2. Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs or drug paraphernalia on Authority premises or property, including Authority-owned or leased vehicles, or vehicles used for Authority purposes.

3. Having possession of, being under the influence of, testing positive for, or being in close proximity to persons using illegal drugs, or otherwise having in one's system illegal drugs.

4. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing illegal drugs. In addition, the Authority will refer such matters to the appropriate police authority.

5. A conviction or plea of guilty relative to any criminal drug offense occurring in the workplace. All employees must notify the Authority in writing of any criminal drug conviction no later than five (5) calendar days after such conviction. Drug off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardize the health or safety of other employees, the public or the Authority's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the job drug offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Authority and other factors related to the impact of the employee's conviction on the Authority.

6. Abuse of prescription drugs which includes exceeding the recommended prescribed dosage or using others' prescribed medications. Such prescriptions brought to work should remain in the original labeled container and show both the prescribing doctor's name and the prescription's expiration date.

7. Switching, tampering with, diluting, or adulterating any specimen or sample collected under this Policy, or attempting to do so.

8. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, drug testing, medical or physical tests or examinations, when requested or conducted by Authority or its designee, is a violation of Authority Policy and may result in disciplinary action up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

9. Failure to advise pre-duty the Authority of the use of a prescription or over-the-counter drug which may alter the employee's ability to safely perform the essential functions of his or her job.

10. Failure of an employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of drugs.

11. We strictly prohibit employees from using hemp products, which some within the medical community have indicated may cause a positive marijuana test result. We will not generally consider use of hemp products a valid medical explanation for a positive marijuana test result.

C. Use of Alcohol – employees violate this Policy by engaging in the following conduct during work time or on Authority premises or property:

1. Bringing and/or storing (including in a desk, locker, automobile, or other repository) alcohol on Authority premises or property, including Authority owned or leased vehicles, or vehicles used for Authority purposes.

2. Having possession of, being under the influence of, testing positive for or having in one's system, alcohol. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing alcohol. Exceptions concerning alcohol consumption or possession may be made only upon the prior explicit approval of senior management for specifically identified circumstances.

3. A conviction or plea of guilty relative to any criminal alcohol offense occurring in the workplace. All employees must notify the Authority in writing of any criminal alcohol conviction not later than five calendar days after such conviction. Alcohol use off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardize the health or safety of other employees, the public or Authority's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the job alcohol offence. In deciding what action will be taken, the incident will be

evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Authority and other factors related to the impact of the employee's conviction on the Authority.

4. Switching, tampering with, or adulterating any specimen or sample collected under this Policy, or attempting to do so.

5. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, alcohol testing, medical or physical tests or examinations, when requested or conducted by Authority or its designee, is a violation of Authority Policy and may result in disciplinary action, up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

6. Failure of employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of alcohol.

D. Off-Duty/Off-Premises Use of Cannabis & Marijuana – the EMUA does not discriminate against employees on the basis of their off-duty use of medical or recreational cannabis in compliance with the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 and "Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (CREAMMA) P.L. 2016, c.16. However, these acts do not require employers to accommodate the possession or use, including medical use, of marijuana in the workplace. N.J.S.A. 24:6I-52(b)(1)(a). Employees are further reminded that the CREAMMA permits lawful cannabis use when off-duty/off-premises only when regulated cannabis products are purchased and used in compliance with the CREAMMA's parameters. Unregulated marijuana continues to be a controlled dangerous substance, N.J.S.A. 24:2I-2, and the CREAMMA in no way insulates Authority employees from adverse employment consequences for the possession or consumption of unregulated marijuana. Employees subject to drug and alcohol testing pursuant to FMCSA/USDOT Rule are finally reminded that marijuana is still a drug listed in Schedule I of the Controlled Substances Act. It is unacceptable and a violation of federal law for any employee subject to drug testing under FMCSA/USDOT Rule to use marijuana.

E. Consequences for Policy Violations – the EMUA has established this Policy to protect our employees, residents, and the public from the negative effects of drug and alcohol use.

1. A violation of this Policy, even a first offense, will serve as the basis for discipline, up to and including termination. The degree of the discipline administered will depend on the circumstances of each case. However, employees must be aware that certain offenses, including but not limited to possession, sale, or use of controlled substances or illegally used drugs on Authority premises, will normally result in immediate termination.

2. In addition to any disciplinary action for a violation of the Policy, or while such actions are held in abeyance, the EMUA may, in its sole discretion, refer the employee for assessment, counseling, and/or a treatment program, as applicable. However, the EMUA reserves the right to make the final decision relative to discipline. The EMUA strictly prohibits the use, possession, transport or sale of regulated cannabis and/or unregulated marijuana on EMUA property or while conducting EMUA business, even if the employee has a valid prescription for medical cannabis or lawfully purchases recreational cannabis.

3. All disciplinary action imposed by the EMUA for violations of this Policy shall conform with the requirements of the applicable local, State, or federal rule, and/or collective bargaining requirement. Where disciplinary action is not mandated by these authorities, any disciplinary action taken shall be at the discretion of the EMUA.

F. Lawful Use of Prescribed Medication – nothing in this Policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or safety or the safety of others. Employees subject to FMCSA/USDOT Rule who take over-the counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability must inform their supervisors if they believe the medication will impair their job performance, safety, or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication.

1. Once disclosure is made, the Authority reserves the right to send the employee for a Fitness-for-Duty evaluation to evaluate the medication or substance and its effects on the performance of safety-sensitive duties. In advance of testing, employees are encouraged to have their own doctor make an individualized assessment of any safety related risks of the medications or substances which they are taking or using, providing the doctor a copy of their job description and having the doctor to render an opinion on the safety related risks. All information provided will be kept separate from personnel files and in a confidential manner.

2. The employee need not disclose to the Authority the medication or medical condition involved to fulfill the disclosure obligation of this Policy. The MRO, or another Medical Professional selected by the Authority, will make the final determination on the safety related risks of any particular medication or substance.

G. Employer-Sponsored Events – from time to time, the EMUA may sponsor social or business-related events at which alcohol is served. This Policy does not prohibit the use or consumption of alcohol at such events. However, if employees choose to consume alcohol at such events, they must do so responsibly and maintain their obligation to conduct themselves properly and professionally at all times.

IV. DRUG & ALCOHOL TESTING PROCEDURES

A. Compliance with Outside Authorities and Bargaining Agreements – all drug and alcohol testing performed in accordance with this Policy shall conform with applicable bargaining requirements, as well as local, state, and federal laws and rules, including the "Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (CREAMMA) P.L. 2016, c.16. As permitted by CREAMMA, employees are reminded that the EMUA does not permit the possession or use, including medical use, of marijuana in the workplace. N.J.S.A. 24:6I-52(b)(1)(a).

B. Purpose of Testing – the purpose of testing is to definitively determine whether an EMUA employee has used drugs or alcohol in violation of this Policy. Testing for drugs and/or alcohol under certain circumstances is a critical part of the Authority's alcohol and drug-free workplace objectives. All alcohol and drug testing reports shall be treated as confidential.

C. Pre–Employment Testing – the EMUA will conduct pre-employment testing on job applicants and current employees transferring to a new safety-sensitive position where required by FMCSA/USDOT Rule or other outside authority. Candidates for EMUA positions that are not subject to FMCSA/USDOT Rule for drug and alcohol testing may be subject to pre-employment testing at the discretion of the EMUA and as permitted by law.

1. When subject to pre-employment testing, all offers of employment with the Authority are conditioned on the applicant submitting to and successfully completing and passing a drug and alcohol test in accordance with the testing procedures described in this Policy.

2. The failure to submit to a pre-employment test or not having the test conducted within twelve (12) hours of the offer or other time designated by the prospective department head may disqualify an applicant from further consideration and employment with the Authority.

3. The EMUA may take adverse employment action against job applicants who fail to successfully pass a drug and alcohol test where required and/or permitted by the FMCSA/USDOT Rule or other applicable law.

4. The EMUA will not refuse to hire or employ any person solely due to their off-duty use of medical or recreational cannabis in compliance with New Jersey law, N.J.S.A. 24:6I-52(a)(1), unless adverse employment action is mandated by the FMCSA/USDOT Rule.

D. Testing Based on Reasonable Suspicion – employees may be required to submit to a drug and alcohol test if an employee's supervisor or other person authorized by law has a reasonable suspicion that employee is impaired due to intoxication, drug or controlled substance use.

1. The determination that a reasonable suspicion exists shall be based on 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.

2. The EMUA may also utilize a cognitive impairment test, a scientifically valid, objective, consistently repeatable, standardized automated test of an employee's impairment, and/or an ocular scan, as physical signs or evidence to establish reasonable suspicion of cannabis use or impairment at work.

3. An employee reasonably believed to be under the influence of alcohol, cannabis or illegal drugs shall be immediately prevented from engaging in further work by his/her supervisor and department head and shall be prohibited from returning to work until negative test results are received. Any employee removed from a job for suspected drug or alcohol use will suffer no loss in pay provided the test result is negative. Supervisors or department heads shall not have the option of sending the employee home as an alternative.

4. The supervisor or department head shall immediately document any employee behavior that provides reasonable suspicion supporting a test for controlled substances or alcohol use by completing the EMUA's "Reasonable Suspicion Observed Behavior Report" (RSOB Report). The RSOB Report shall report any reasonable suspicions and be immediately transmitted to the DER and/or the designated representative for reasonable suspicion ("DRRS") at the EMUA.

5. The DER and/or DRRS shall then conduct a physical evaluation in order to determine an employee's state of impairment. N.J.S.A. 24:6I-52(a)(1). If the DER determines to test an employee, the employee will be given a direct order to submit to the test. Unionized employees shall be given the opportunity to have a union representative present if requested. However, the test shall not be unreasonably delayed waiting for the attendance of a union representative. Refusal on the part of the employee to submit to a test shall be considered as having tested positive and may be subject to disciplinary action up to and including termination.

6. The employee must be transported in a reasonable amount of time to the testing facility where a drug and/or alcohol screening will be administered. The employee will be required to sign a consent form prior to the test. Refusal to sign a consent form or interference with the effective operation of the test(s) shall be considered misconduct and grounds for disciplinary action up to and including termination.

7. The EMUA will afford the employee subject to testing the opportunity to list all prescription and non-prescription drugs they have used or recently used and the circumstances surrounding the use of such drugs and controlled substances. Employees who take over-the-counter medication or other lawful medication that can be legally prescribed under both federal and State law to treat a disability should inform their supervisors if they believe the medication will impair their job performance, safety, or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication.

8. Employees who are referred for a reasonable suspicion drug or alcohol test will be placed on leave from work without pay until the EMUA receives the confirmed test results. An employee who has a negative test result on a reasonable-suspicion drug or alcohol test will be

compensated for any regularly scheduled hours he or she would have worked during that leave period. An employee who has a positive test result on a reasonable suspicion drug or alcohol test will not be compensated for any regularly scheduled hours he or she would have worked during that leave period.

1. Reasonable suspicion drug and alcohol testing shall conform with all applicable requirements of local, state, and federal law, which may include a physical evaluation performed by a Workplace Impairment Recognition Expert (WIRE) pursuant to CREAMMA.

E. Periodic/Random Testing – certain EMUA employees are subject to random drug and alcohol testing as required by FMCSA/USDOT Rule. Those subject to testing are randomly selected, using scientifically valid methods, from a "pool" of covered employees.

1. Upon notification of selection for a random drug test, the employee shall report to the designated collection site as soon as practical within a reasonable time period, but no later than the end of the workday. Failure to report will be viewed as an attempt to elude the drug or alcohol test or alter its results and treated as a failure to submit to testing. Once the employee has provided the sample and/or completed an alcohol breath test, they will return to duty to complete their shift.

2. All random drug and alcohol testing shall be performed consistent with FMCSA/USDOT Rule or other applicable outside authority.

F. Post-Accident/Incident Testing – all employees involved in any work-related accident or incident involving the violation of any safety or security procedures may be required to submit to drug and alcohol testing. This applies even if the incident did not result in injury to any person or any property damage. Managers and Supervisors are responsible for coordinating post-accident drug and alcohol tests and ensuring that an employee subject to testing is available for a post-accident test.

1. For EMUA employees subject to FMCSA/USDOT Rule, post-accident drug and alcohol testing will be performed when required by FMCSA/USDOT Rule.

2. For all employees or accidents not subject to FMCSA/USDOT Rule, post-accident testing is required in any of the following circumstances:

   a. the employee involved in the incident/accident was actively engaged in the activity which objectively could have caused or contributed to the injury or damage;

   b. the employee was operating, controlling, or repairing any machinery, tool, device, equipment or vehicle that was involved in the incident/accident;

c. the employee's action or in-action was likely a contributing factor to the incident/accident or cannot be completely discounted as a contributing factor based on current info;

d. testing is being conducted as part of the Authority's Post Incident/Accident Investigation related to possible Workers' Compensation Disqualification;

e. testing is being conducted for other non-injured employees whose actions, or in-action, could have contributed to the incident/accident as part of a root cause investigation; or

f. post-accident drug testing is required by the Workers' Compensation Carrier or Fund.

3. Unless medical attention is needed, an individual must remain available for testing. An individual who does not make himself or herself readily available for testing may be deemed to have refused to be tested. If the individual must leave the scene of the accident, he or she must make every effort to be tested or to contact his or her supervisor, personnel or an appropriate Authority representative and to inform the supervisor of his or her whereabouts.

4. Employees who are referred for a post-accident drug or alcohol test will be returned to work at the discretion of the EMUA. If an employee is placed on leave and has a negative test result on a post-accident drug or alcohol test, he/she will be compensated for any regularly scheduled ours he/she would have worked during the leave period. An employee who has a positive result on a post-accident drug or alcohol test will not be compensated for any regularly scheduled hours he or she would have worked during a leave period.

G. Follow-Up Drug and/or Alcohol Testing – an employee who has voluntarily requested rehabilitation prior to a positive drug test may be subject to unannounced drug and/or alcohol testing under a work continuation agreement, to determine whether he or she is under the influence of alcohol or drugs after successful completion of the rehabilitation program. The testing will be without notice in conjunction with a referral for treatment.

H. Return to Duty Testing – any employee who is absent from work due to a positive test result, and subsequently referred for evaluation and treatment by the EAP/SAP, will be required to return a negative drug and/or alcohol test and be cleared to return to duty by the SAP, before being allowed to return to work.

I. Routine Fitness-for-Duty – certain EMUA employees including safety-sensitive employees may be required to submit to a drug test as part of a routine Fitness-for-Duty examination as required by FMCSA/USDOT Rule.

J. Testing Procedures – the EMUA's drug and alcohol testing is done through scientifically reliable, objective testing methods and procedures including chemical analysis which definitively determines without question if a person has drugs or alcohol in his or her system. Specimens subject to testing include urine, breath, hair, oral fluids, or blood. The EMUA will pay for the full cost of the test. All drug and alcohol testing will be conducted by an independent testing facility licensed by the State, which will obtain the individual's written consent prior to testing. To ensure accuracy, urine lab test procedures shall include a preliminary drug screening, two highly

sophisticated scientific tests including adulterant detection, and are reported to an independent certified Medical Review Officer (MRO) prior to being released to the Authority.

K. Positive Test Results – positive tests include a Blood Alcohol Content (BAC) of 0.04 or higher; and the presence at qualifying levels of one or any combination of the following: (1) amphetamines; (2) cannabinoids; (3) cocaine; (4) phencyclidine (PCP); and/or (5) opioids. A test may also be returned as positive due to the presence of miscellaneous designer drugs, a metabolite of any of the above substances, mind altering synthetic narcotics or designer drugs, and/or impairing effect medications/substances. All positive initial tests are confirmed by GC/MS at established DOT levels.

1. When an employee tests positive, the MRO will contact the employee confidentially to give them an opportunity to discuss the results before reporting them to the Authority as a verified positive. An employee may discuss the result with the MRO up to seventy-two (72) hours of a positive result and ask questions of the MRO about prescription and non-prescription medications, rebut or explain the test results to the MRO, and provide supporting documentation. During this 72-hour period, any applicant or employee may request that their split specimen be tested at a second laboratory and if positive, they will be responsible for that expense and that cost may be deducted from their paycheck, depending upon the result and, if negative, the employee will be reimbursed by the Authority for the cost of the test and any lost time.

2. The MRO has the discretionary authority to notify the EMUA that an employee is temporarily medically disqualified from the performance of safety-sensitive work during this evaluation period and also has the duty to notify the Authority if the employee is taking an impairing effect medication.

3. A positive drug or alcohol test is classified as willful misconduct and a violation of this Policy. Any employee who tests positive may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, for gross misconduct connected with work, and violation of a safety rule for those employees working in a safety-sensitive position and/or forfeit eligibility for Worker's Compensation benefits, N.J.S.A. 34:15-7 if post-accident and may adversely affect an employee's eligibility to receive Unemployment Compensation benefits. Any applicant made a conditional offer that tests positive will be denied employment or have their offer withdrawn.

4. The EMUA will not take adverse employment actions against employees solely because they test positive for cannabis. N.J.S.A. 24:6I-52. Employees may be subject to discipline up to and including termination where an employee tests positive for cannabis and the EMUA has knowledge and/or a good-faith belief that the employee used, possessed, sold, or transported marijuana while in the workplace or during the employee's regular work hours, or while conducting Authority business, including while operating an EMUA vehicle or equipment.

L. Refusal to Submit to Testing – a refusal to provide a specimen for testing, unless the MRO agrees a medically valid reason exists for your inability, will be considered willful misconduct connected with work. Employees who refuse to submit to testing as required by the EMUA or who fail to complete the test will be subject to discipline, up to and including immediate termination of employment. Job applicants who refuse to submit to drug and alcohol testing will be deemed to have withdrawn themselves from the application process and will no longer be considered for employment.

1. Adulterated/Substituted Specimen – the use of an adulterant (something added to a specimen to attempt to hide drug use) is considered a refusal to test, a violation of this Policy, and a criminal offense under New Jersey law. Employees who attempt to frustrate the testing process by switching, substituting, adulterating, or diluting a urine sample collected for drug testing or committing any other prohibited conduct aimed at undermining the integrity of the EMUA's drug testing program represent a serious threat to the safety of our workplace. The EMUA detects such misconduct by requiring specimen validity testing on all urine samples collected with tests including but not limited to those for nitrite concentration, creatinine concentrate specific gravity, and PH. At the time a specimen is provided, the collection site personnel will immediately check the specimen for signs of contamination, tampering, or adulteration. If there are any signs of such activity, the collection site person will require the employee to provide a second specimen under observation. Observed urine collections will only be conducted with the consent of the donor and, when possible, the observation will be by a person whose gender matches the donor's gender as identified by the donor at the beginning of the observed collection. Observed collections will be conducted in a professional manner that minimizes discomfort to the donor and a medical professional may serve as the monitor regardless of gender. The MRO may declare a urine specimen to be adulterated or substituted based on the laboratory report.

2. Diluted Specimen – if the EMUA receives a test result indicating that an employee provided a specimen that was negative but diluted, the Authority will take action to obtain an undiluted specimen for testing. An EMUA representative directed by the supervisor or department head will immediately escort the employee to the collection site to provide a new urine sample. Failures and/or refusals to cooperate with this requirement will normally result in termination. For test results indicating a positive diluted specimen, see policy provisions on consequences for a positive drug test, above.

3. Inadequate Specimen Volume (Shy Bladder) – if an employee cannot produce sufficient specimen volume for testing (30 ml), the specimen will be thrown out and the employee will be given up to 40 ounces of fluid over a three-hour period until the employee can produce a specimen of 30 ml. The employee is not permitted to leave the collection site during the three-hour period or until the employee can produce the specimen, whichever occurs first. Refusing to remain at the collection site, drink fluids, or provide a new specimen constitutes a refusal to submit to testing and may result in termination. The MRO may recommend the collection of an alternate specimen (e.g., oral fluid) when a donor is unable to provide a sufficient amount of urine specimen at the

collection site. The MRO will verify that chain of custody procedures were adhered to, use of a certified laboratory, and that the test results were valid.

M. Record Keeping and Confidentiality – all records and information relating to an employee or applicant's drug and alcohol test results, including but not limited to interviews, reports, statements, memoranda, and drug or alcohol test results, written or otherwise will be kept confidential and maintained separately from the individual's personnel file. The Authority, the laboratory, its Medical Review Officer, employee assistance programs, treatment providers, and their agents who receive or have access to information concerning test results shall keep all information confidential and may not release any of the information without the written consent of the employee unless the release is required by law, is in accordance with this policy, or is relevant to a legal claim asserted by the employee.

V. EMPLOYEE ASSISTANCE PROGRAM (EAP)

A. The Authority will provide support for employees who need support and help with alcohol or drugs dependency via confidential Employee Assistance Program (EAP), Substance Abuse Professional (SAP) or Medical/Occupational Health support services. The EMUA encourages any employee with a drug or alcohol problem to voluntarily and confidentially seek help through our EAP/SAP program. Coming forward after an employee has been notified to report for testing is not considered a voluntary report. For confidential help with a substance abuse problem, contact the DER or the EAP/SAP.

B. Employees who proactively seek treatment will be treated sympathetically and in a confidential manner. In certain cases where required by FMCSA/USDOT Rule or other outside authorities, this may require a transfer to other duties while the individual is receiving treatment. However, the fact that an employee is seeking or undergoing treatment will not be a defence to a charge of wilful misconduct if the employee report for work under the influence of alcohol or drugs.

C. Counselling and rehabilitation for alcohol or substance abuse is available through the EAP and may also be available under the health and welfare benefit program for employees, only to the extent of the current benefits package. The Authority will assume no direct financial responsibility for counseling or rehabilitation costs of an employee not covered by the EAP. Any costs in addition to or in excess of any available health benefits are the employee's responsibility. A list of state and national Substance Abuse Resources is a part of this Policy.

VI. MISCELLANEOUS

A. Off-Duty/Off-Premises Use of Cannabis & Marijuana – the EMUA does not discriminate against employees on the basis of their off-duty use of medical or recreational cannabis in compliance with the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 and "Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (CREAMMA) P.L. 2016, c.16. However, these acts do not require employers to accommodate the possession or use,

including medical use, of marijuana in the workplace. N.J.S.A. 24:6I-52(b)(1)(a). Employees are hereby advised that the EMUA strictly prohibits the use, possession, transport or sale of regulated cannabis (i.e., recreational or medical marijuana legally obtained in accordance with New Jersey law) and/or unregulated marijuana (i.e., all other forms of marijuana obtained from unlicensed and unregulated sources) on EMUA Property or while conducting EMUA business, even if the employee has a valid prescription for medical cannabis or lawfully purchases recreational cannabis. N.J.S.A. 24:6I-52(b). Employees are further reminded that the CREAMMA permits lawful cannabis use when off-duty/off-premises only when regulated cannabis products are purchased and used in compliance with the CREAMMA's parameters. Unregulated marijuana continues to be a controlled dangerous substance, N.J.S.A. 24:2I-2, and the CREAMMA in no way insulates Authority employees from adverse employment consequences for the possession or consumption of unregulated marijuana. Employees subject to drug and alcohol testing pursuant to FMCSA/USDOT Rule are further reminded that marijuana is still a drug listed in Schedule I of the Controlled Substances Act. It remains unacceptable for any safety-sensitive employee or other employee subject to drug testing under FMCSA/USDOT Rule to use marijuana.

B. Reasonable Accommodations – the Authority provides reasonable accommodations to employees and/or applicants in the alcohol and drug testing program whose physical condition prevents them from producing a urine specimen suitable for testing. You may contact the DER if you wish to make an accommodation request. In accordance with Authority policy, a test result reported by the laboratory as a negative dilute urine test is not considered a negative test but subjects the donor to immediate retesting; and a second negative dilute urine test will render an applicant ineligible for hire and current employees, where a negative test is required, not currently fit for duty. FDA approved on-site screening devices may be utilized with all initial positive results confirmed by laboratory testing.

C. Workplace Searches and Inspections – in order to achieve the goals of this Policy and maintain a safe, healthy, and productive work environment, the Authority reserves the right at all times to inspect employees, as well as their surroundings and possessions, for substances or materials in violation of this Policy. This right extends to the search or inspection of clothing, desks, lockers, bags, briefcases, containers, packages, boxes, tools and toolboxes, lunch boxes, and employer-owned or leased vehicles and any vehicles on Authority property where prohibited items may be concealed. Employees should have no expectation of privacy while on Authority premises, except in restrooms/locker rooms.

D. CDL Clearinghouse – the EMUA is required to comply with FMCSA/USDOT Rule regarding utilization of the FMCSA Clearinghouse, 49 C.F.R. Part 382.701 et seq. EMUA employees who are also CDL holders are subject to the following:

1. The Clearinghouse will be queried for prospective employee's drug and alcohol program violations.

2. The EMUA is required to annually query the Clearinghouse for possible violations of each driver currently employed.

3. The following information is required to be reported to the Clearinghouse by the MRO or EMUA: a verified positive, adulterated, or substituted drug test result; an alcohol confirmation test with a concentration of 0.04 or higher; a refusal to submit to a drug or alcohol test; Pre or on-duty alcohol use pursuant to 49 C.F.R. Part 382.205/207; post- accident results pursuant to 49 C.F.R. Part 382.209; drug use pursuant to 49 C.F.R. Part 382.213 a substance abuse professional's report of the successful completion of the return to duty process; a negative return to duty test; the employer's report of completion of follow-up testing.

4. An applicant's refusal to grant consent to query or access information in the Clearinghouse per 49 C.F.R. 382.703, shall be viewed as non-compliance with the pre- employment testing process.

5. An employee's refusal to grant consent to query or access information in the Clearinghouse per 49 C.F.R. 382.703 shall be viewed as a refusal to comply with the testing process and result in immediate cessation of the employee's performance of "safety-sensitive" functions and/or discipline up to and possibly including termination, as determined in the sole discretion of the County.

E. Employees Covered Under a Collective Bargaining Agreement – the employment terms set out in this Policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with the EMUA. Wherever employment terms in this Policy differ from the terms expressed in the applicable collective bargaining agreement with the EMUA, employees should refer to the specific terms of the collective bargaining agreement, which will control.

F. Drug Educational Information – attached to this Policy you will find drug educational information to assist you in recognizing the impairing effects of drug use. The Authority will conduct employee education of substance abuse education and awareness and supervisor training on how to recognize signs of abuse, how to document and collaborate signs of employee substance abuse, and how to refer substance abusing employees to the EAP.

G. Reservation of Rights & Policy Administration – the EMUA expressly reserves the right to change, modify, or delete the provisions of Policy without notice. In addition, changes to applicable federal or state laws or regulations may require the Authority to modify or supplement the policy. This Policy does not create a binding employment contract.

Drug Educational Information

Alcohol (Depressant)

Common Forms:	Beer, wine, hard liquor
How Used:	Oral ingestion, patterns of use vary.
Desired Effect:	People drink to relax, to socialize, as a part of a religious ceremony, for the control of physical and emotional pain, or for a variety of other reasons. Its depression of the central nervous system is progressive and continuous. It is a mood-modifying drug that usually provides a temporary feeling of mild euphoria and stimulation. This is a result of the initial depression of the higher centers of the brain which control inhibition. The more you drink, the more sedated you then become.
Time in body:	Depends on many factors, such as body size, amount of alcohol consumed within an hour, and other individual factors. Performance is effected in relation to the amount consumed. Generally, a medium-sized person eliminates the equivalent of one drink per hour. However, "hangover" effects of alcohol have been documented for as long as 14 hours after consuming an intoxicating dose, well after the blood alcohol levels have returned to zero.
Observable effects:	Staggering gait Slurred speech Odor of alcoholic beverage Shaky hands Poor eye-hand coordination Slowed reaction time Eyes react slowly to light - wears sun glasses
Work behavior:	Arrive late, leave early, mis-outs Neglect of physical appearance Restlessness Tremors (hands, face, fingers, lips tongue) Slurred speech Uninhibited - makes inappropriate remarks
Material Indicators:	Empty liquor bottles, cans, often in paper bags Flasks, sometimes disguised as other things
Slang Terms	Booze, juice, hooch, grape, eye-opener, hair-of-the-dog, brew, suds, etc

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Amphetamines (Amphetamine and Methamphetamine) Stimulant

Common forms:	Amphetamine - usually capsules or white, flat, double-scored pills. Methamphetamine - white or granular powder, often packaged in aluminum foil or plastic bags.
How used:	Orally, sniffed up the nose, or injected.
Desired effects:	Most commonly sought after effects include euphoria, postponement of fatigue, increased energy, alertness and feelings of personal power. Repeated or chronic use often causes a strong dependence reaction and a schizophrenic loss contact with reality. Users coming off the drug experience extreme fatigue-induced sleep ("crash"), often followed by continued fatigue and depression.

Time in body:	Injection or sniffed up the nose; "rush" felt within 1 minute. Orally, effects felt within about ½ hour. Single doses detectable for about 48 hours.
Observable effects:	Dilated pupils. Flushed face, rapid respiration, profuse sweating. Hyper-excitability, talkativeness, restlessness. "Stereotypic" behavior often seen: person engages in repetitive tasks or mannerisms for extended periods of time. In large doses, inability to concentrate, confusion, panic.
Work behavior:	Try to do job beyond competence level. Impaired ability to operate equipment. Takes chances, risks.
Material Indicators:	Pills, capsules, white powder, granular crystals Foil wrapped tubes, baggies. Hypodermics and paraphernalia for injections
Slang terms:	Defies, bennies, speed, crank, ice, crystal, white crosses, black beauties

Cocaine - A Stimulant

Common forms:	Cocaine - White crystalline powder. Free-base cocaine (crack) - white granular "rocks"
How used:	Cocaine--usually snorted up the nose through a straw or from a "coke spoon" after being chopped to a fine powder with a razor blade. "Crack" -- freebase cocaine--is a processed version which is vaporized in a pipe and inhaled. Either form may also be injected.
Desired effect:	Most commonly sought after effects are euphoria, stimulation, postponement of fatigue and feelings of personal power. The "high" lasts approximately one hour, with a "down" follow-on period. Psychological and physical dependence to "crack" after one to two uses; dependency to snorted coke takes longer to develop.
Time in Body:	Single doses detectable for 12-24 hours
Observable effects:	Dilated pupils. Talkativeness, restlessness. Sniffing, runny nose, irritated or bloody nose. Dramatic mood swings, from "down" to "up" in minutes. Sense of power sometimes manifested in aggressiveness
Work issues:	Frequent trips "to the restroom"—secluded place. Frequent sick-outs and unexplained absences. Hyper-excitability and over-reaction to stimulus. Isolation/withdrawal from friends and activities. Financial problems--borrows, steals and/or sells to support habit. Insomnia, restlessness, lack of sleep
Material Indicators:	Small folded paper envelopes (bindles), plastic bags, small vials used to store drug. Razor blades, mirrors, cut off straws, coke spoons. Small glass pipes, and heat sources used to volatilize crack.
Slang terms:	Coke, snow, toot, crack, blow, happy dust, "C"

Marijuana

Common forms:	Dried green-brown flowers and leaves of the hemp (cannabis) plant--also as compressed tar like lumps (hashish) and sometimes as an oil to be spread on cigarettes (hash oil).
How used:	Generally smoked in hand-rolled cigarettes (joints) or a small pipe, sometimes eaten in baked goods or steeped to make a tea.
Desired effects:	Effects are somewhat dependent on the user and potency of the plant. Low doses tend to produce a dreamy state of relaxation and euphoria with changes in sensory perceptions (usually intensified) and alteration in thought formation and expression. Higher doses intensify these reactions with fragmentation of thought, memory impairment, shortened attention span, and illusions of insight. Marijuana currently sold on the street is 10 times more potent today than in past years.
Time in body:	Marijuana dissolves in body fat cells and is detectable for extended periods of time--up to seven (7) days for occasional users and four (4) weeks or longer for chronic users
Observable effects:	Red bloodshot glassy eyes (users often wear dark glasses and use eye drops to combat). Poor muscular control. Rambling, disconnected speech patterns. Euphoria--as laughing out of context. Getting "hung up" - i.e. going into the bathroom to comb your hair and coming out two hours later. Distinctive odor in air and/or on clothing.
Work issues:	Lack of attention, vision and auditory changes, and poor muscular control. Inability to respond to emergencies and sudden situational changes. Frequent sick-outs and mis-outs. Lackadaisical "I don't care" attitude about person and work. Chronic health problems for frequent users--persistent cough, fatigue, frequent sickness.
Material indicators:	Baggies of green-brown vegetable matter; rolling papers; small pipes (for marijuana) and very small pipes (for hashish); "roach clips" to hold the burned end of the marijuana cigarette; "roaches" discarded on the floor or in ash trays; distinctive odor of marijuana in the air.
Slang terms:	Dope, grass, reefer, weed, ganja, pot, etc.

Opioids (Morphine and Codeine)--Narcotic Depressants

Common forms:	Street forms are pills, liquids and powders. Morphine is derived from opium. Opium dissolved in alcohol, containing 10% morphine, is legally available in many states as "paregoric." Morphine and codeine are widely used medicinally. Morphine is a naturally occurring alkaloid, and is also found in products containing poppy seeds. Heroin is a semi-synthetic derivative of morphine.
How used:	Opium is usually smoked. Codeine is most commonly taken orally. Heroin and morphine are injected; powders can be snorted; cigarettes can be dipped in paregoric and smoked.
Desired effects:	Most commonly effects include euphoria, relief from pain, and a feeling of dissociated well-being. Low maintenance doses allow the addict to function on a daily basis. The heroin user experiences a "rush" described as a very pleasurable whole body reaction lasting 5-10 minutes, followed by several hours of mental and physical relaxation.
Time in body:	Single doses are usually detectable for 48-72 hours.
Observable effects:	Pinpoint pupils. Sweating, nausea, vomiting in novice users. "Nodding off"--the head drooping toward the chest, then bobbing up. Overly calm, detached facial expression. Confusion, mental dullness and slurred speech. Needle marks over veins.

Work issues:	Increased sick-outs, mis-outs. Lack of interest in work, no attention to detail. Sharing of needles brings a high risk of contracting hepatitis and/or AIDS. High cost of the addiction may lead to borrowing money, stealing and selling (on or off the premises).
Material indicators:	Foil or paper "bindles" for holding the drug. Charred spoons or bottle caps, used to cook the drug. Multiple burned matches used to cook the drug. Needles, syringes, eye droppers used for injection. Balloons or prophylactics used to hold drug. Bloody tissue papers, blood on shirt sleeves.
Slang terms:	Heroin, dope, smack, shit, hard stuff, "H", china, monkey dust, china white, etc.

Phencyclidine (PCP)

Common forms:	Pills, liquid, powder, and PCP cigarettes
How used:	Usually smoked with tobacco or marijuana, but may be injected, swallowed, eaten or snorted.
Desired effects:	Users report desirable feelings of immobility, numbness, and detachment. Other sought-after effects include feelings of strength, power, and invulnerability, a dream-like detachment from reality (often coupled with lack of coordination).
Time in body:	Usually detectable 1- 8 days, but chronic users may test positive for several weeks following the last dose.
Observable effects:	Low doses: Sedated, euphoric, uncoordinated behavior. Wide mood swings. Sparse and purposeless speech. Muscle rigidity and jerky eye movements (nystagmus).
High doses:	Coma-like states with muscle rigidity and staring, half-closed eyes. Sudden stimuli may send the user into a psychotic state, with extreme agitation, violent behavior, abnormal strength, and inability to speak or comprehend.
Work issues:	Wide mood swings, unpredictable behavior, aggressive. Tremendous liability in the work force.
Material indicators:	Cigarettes that look as if they have been wet. Crystals, liquids or powders in small vials. Folded aluminum foil or paper packets.
Slang terms:	PCP, angel dust, hog, dust, DOA, shermans, sherms, peace pills, dummy, etc.

Substance Abuse Professionals

NATIONAL RESOURCES

A2Z Alcohol & Drug Abuse-Addiction 1-800-274-2042

Al-Anon/Alateen Family Group Headquarters 1-800-356-9996

Alcoholics Anonymous World Service 1-212-870-3400

American Council on Alcoholism Helpline 1-800-527-5344

800 Cocaine--An Information and Referral Hotline 1-800-262-2463

Nar-Anon Family Group Headquarters 1-310-547-5800

Narcotics Anonymous..... 1-818-773-9999

National Association of Alcoholism (NAADAC) 1-800-548-0497

www.naadac.org Fax: 1-800-377-1136

National Association of Addiction Treatment Professionals 1-717-581-1901

www.naatp.org

National Council on Alcoholism and Drug Dependence, Inc 1-212-269-7797

www.ncadd.org

Hope Line (24-hour affiliate referral)..... 1-800-NCA-CALL

Center for Substance Abuse Prevention's Workplace Hotline 1-800-WORKPLACE

National Clearinghouse for Alcohol & Drug Information..... 1-800-729-6686

Center for Substance Abuse Prevention's Drug Information,

Treatment & referral Hotline..... 1-800-662-HELP

(Spanish-Espanol)..... 1-800-66-AYUDA

EMPLOYEE ASSISTANCE PROGRAM

PENDING

EVESHAM MUNICIPAL UTILITIES AUTHORITY

DRUG AND ALCOHOL TESTING POLICY

NEW JERSEY NON-DOT

NOTICE TO ALL EMPLOYEES AND APPLICANTS

DRUG-FREE WORKPLACE

Evesham Municipal Utilities Authority (the Authority) is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This Policy highlights the Authority's New Jersey Drug-Free Workplace Policy. The Authority's Designated Employer Representative (DER) is Director of Personnel, Safety and Security Frank Locantore. The Alternative DER is Operations Manager Jeffrey Booth.

The Authority recognizes the prime importance to the Authority of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the effects of substance abuse. While the Authority has no intention of intruding into the private lives of its employees, or preventing them from taking the medicine that they may need to stay safe and healthy, the Authority does expect employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's alcohol or drug use. Ultimately an employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Authority has a duty to safeguard its employees and the public from the risk of harm from employees who work under the influence of alcohol and drugs. Similarly, employees who know that a fellow employee is working under the influence, owe a similar duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable.

Notice of the Authority's New Jersey Non-DOT Drug and Alcohol testing will be provided on vacancy announcement and is posted in conspicuous locations on Authority premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Authority safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of

your hire or continued employment. The Authority has developed its drug-free workplace policy in compliance with

New Jersey Laws*, and the Fourth Amendment to the United States Constitution as it covers employees of governmental entities*. Applicant testing will begin immediately. All employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

EVESHAM MUNICIPAL UTILITIES AUTHORITY

Effective: April 2023

Last revised/updated: September 2025

EVESHAM MUNICIPAL UTILITIES AUTHORITY

DRUG AND ALCOHOL- FREE WORKPLACE AND
FMCSA/USDOT TESTING POLICY

Introductory Note:

The Evesham Municipal Utilities Authority (the "EMUA" or the "Authority") is subject to the regulations for controlled substance use and alcohol misuse established by the Federal Motor Carrier Safety Administration (FMCSA) located at 49 CFR Part 382 and the United States Department of Transportation's (USDOT) rules for conducting workplace drug and alcohol testing located at 49 CFR Part 40 (collectively, "FMCSA/USDOT Rule"). This Drug and Alcohol- Free Workplace & USDOT Testing Policy ("Policy") incorporates by reference all mandatory requirements and standards established by FMCSA/USDOT Rule.

The EMUA also maintains the independent authority to require additional provisions with regard to maintaining a drug and alcohol-free workplace and drug and alcohol testing procedures. These requirements are generally intended to align with the laws of the State of New Jersey ("State Law") and/or a collective bargaining agreement ("CBA"). The areas of this Policy that appear in italic print reflect State Law and/or CBA requirements that must be followed in addition to the FMCSA/USDOT Rule. Where FMCSA/USDOT Rule preempts or conflicts with State Law, CBA requirements, or any other applicable authority, the FMCSA/USDOT Rule shall control.

2023 Update: *the EMUA strictly prohibits the use, possession, transport or sale of regulated cannabis and/or unregulated marijuana by any person while on Authority property or while conducting Authority business, including recreational cannabis lawfully purchased pursuant to the "Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (CREAMMA)," P.L. 2016, c.16 and medicinal cannabis lawfully prescribed in accordance with the "Jake Honig Compassionate Use Medical Cannabis Act (CUMCA)," P.L.2009, c.307. All EMUA employees and other persons subject to this Policy are reminded that marijuana remains a drug listed in Schedule I of the Controlled Substances Act; that New Jersey law, including CREAMMA and CUMCA, have no bearing on FMCSA/USDOT Rule drug and alcohol testing; and that* ***federal law prohibits any safety-sensitive employee or other person subject to this Policy and FMCSA/USDOT Rule to use marijuana and/or cannabis at any time for any reason.***

I. PURPOSE

A. The Evesham Municipal Utilities Authority (the Authority or EMUA) recognizes the prime importance of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The EMUA is committed to maintaining a safe, pleasant, and productive working environment. Employees have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. All EMUA employees are required to report to work unimpaired able to perform the duties of their job safely and effectively. Employees that work while under the influence of drugs or alcohol pose a safety risk to themselves, members of the public, and others with whom they work.

B. This Drug and Alcohol-Free Workplace & USDOT Testing Policy (the "Policy") establishes the Evesham Municipal Utilities Authority' intent to maintain a workplace free from alcohol and unlawful drugs as classified under federal, State, or local laws. This Policy incorporates by reference and is intended to fully comply with federal regulations for controlled substance use and alcohol misuse established by the Federal Motor Carrier Safety Administration (FMCSA) located at 49 CFR Part 382 and the United States Department of Transportation's (USDOT) rules for conducting workplace drug and alcohol testing located at 49 CFR Part 40 (collectively, "FMCSA/USDOT Rule").

C. This Policy is considered a "Health & Safety Policy of the Authority and is intended to align with relevant sections of the Authority's Personnel Policies and Procedures Manual and Employee Handbook ("Employee Handbook"), including but not limited to Chapter One: "Drug and Alcohol-Free Workplace" as set forth within Section Two: Personnel Rules and Regulations of the Employee Handbook. Where permitted by federal law, this Policy is also intended to supplement and align with the Authority's "Drug and Alcohol-Free Workplace and New Jersey Non-DOT Testing Policy" ("Non-DOT Testing Policy").

D. This Policy is intended to comply with all applicable laws and existing collective bargaining agreements regarding drug and alcohol testing and current and prospective employee privacy rights. This Policy does not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement to which the EMUA is a party. Wherever employment terms in this Policy differ from the terms expressed in the EMUA's collective bargaining agreement(s), employees should refer to the specific terms of the agreement, which will control.

II. CONTACT PERSON/DESIGNATED EMPLOYER REPRESENTATIVE (DER)

A. For questions about this Policy, please contact the Authority's Designated Employer Representative (DER) or Alternative Designated Employer Representative (ADER) using the below contact information:

DER

Frank Locantore, Director of Personnel, Safety and Security
Evesham Municipal Utilities Authority 100 Sharp Road, Box 467
Marlton,
New Jersey 08053
(t): 856-983-0331 x218; (c): 856-524-8062
(e): flocantore@eveshammua.com

ADER

John Ellis, Safety Coordinator Evesham Municipal Utilities Authority 100 Sharp Road, Box 467 Marlton, New Jersey 08053
(t): 856-983-0331
(e): jellis@eveshammua.com

B. Copies of the FMCSA/USDOT Rule are available to covered employees for review. Employees may contact their DER/ADER using the contact information above to request a copy of FMCSA/USDOT Rule or to ask any questions about this Policy. The EMUA also encourages employees to visit the below websites to obtain electronic copies of the FMCSA/USDOT Rule and to review official drug and alcohol guidance materials, including frequently asked questions and other helpful resources.

USDOT Rule:
https://www.transportation.gov/regulations

USDOT Guidance:
https://www.transportation.gov/guidanc

e FMCSA Rule:
https://www.fmcsa.dot.gov/regulations

FMCSA Guidance:
https://www.fmcsa.dot.gov/guidance

III. DEFINITIONS

A. Words or phrases used in this section are defined as set forth by FMCSA/Dot Rule at 49 CFR 382.107.

Actual knowledge means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use, except as provided in §

382.121. Direct observation as used in this definition means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under §

382.307. As used in this section, “traffic citation” means a ticket, complaint, or other document charging driving a CMV while under the influence of alcohol or controlled substances.

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

Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

Alcohol use means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

Commerce means:

(1) Any trade, traffic or transportation within the jurisdiction of the United States between a place in a State and a place outside of such State, including a place outside of the United States; or

(2) Trade, traffic, and transportation in the United States which affects any trade, traffic, and transportation described in paragraph (1) of this definition.

Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) means the FMCSA database *where* employers and service agents to report information to and to query regarding drivers who are subject to the DOT controlled substance and alcohol testing regulations.

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

(1) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater,

inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or

(2) Has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 or more pounds), whichever is greater; or

(3) Is designed to transport 16 or more passengers, including the driver; or

(4) 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 (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

Confirmation (or confirmatory) drug test means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

Confirmation (or confirmatory) validity test means a second test performed on a urine specimen to further support a validity test result.

Confirmed drug test means a confirmation test result received by an MRO from a laboratory.

Consortium/Third party administrator (C/TPA) means a service agent that provides or coordinates one or more drug and/or alcohol testing services to DOT-regulated employers. C/TPAs typically provide or coordinate the

provision of a number of such services and perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members (e.g., having a combined random testing pool). C/TPAs are not "employers" for purposes of this part, except as provided in § 382.705(c).

Controlled substances mean those substances identified in 49 CFR 40.85.

Designated employer representative (DER) is an individual identified by the employer as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the company. Service agents cannot serve as DERs.

Disabling damage means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

(1) Inclusions. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

(2) Exclusions.

- Damage which can be remedied temporarily at the scene of the accident without special tools or parts.

- Tire disablement without other damage even if no spare tire is available.

(ii) Headlight or taillight damage.

- Damage to turn signals, horn, or windshield wipers which make them inoperative.

DOT Agency means an agency (or "operating administration") of the United States Department of Transportation administering regulations requiring alcohol and/or drug testing (14 CFR parts 61, 63, 65, 121, and 135; 49 CFR

parts 199, 219, 382, and 655), in accordance with 49 CFR Part 40.

Driver means any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner- operator contractors.

Employer *the EMUA. The EMUA is responsible for overall implementation of DOT drug and alcohol program requirements, including individuals employed by the entity who take personnel actions resulting from violations of this part and any applicable DOT agency regulations. Service agents are not employers for the purposes of this part.*

Licensed medical practitioner means a person who is licensed,

certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

Negative return-to-duty test result means a return-to-duty test with a negative drug result and/or an alcohol test with an alcohol concentration of less than 0.02, as described in § 40.305 of this title.

Performing (a safety-sensitive function) means a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

P**ositive rate for random drug testing** means the number of verified positive results for random drug tests conducted under this part plus the number of refusals of random drug tests required by this part, divided by the total number of random drug tests results (i.e., positives, negatives, and refusals) under this part.

Refuse to submit (to an alcohol or controlled substances test) means that a driver:

(1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA (see § 40.61(a) of this title);

(2) Fail to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences (see § 40.63(c) of this title) a pre-employment test is not deemed to have refused to test;

(3) Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see § 40.63(c) of this title) for a pre-employment test is not deemed to have refused to test;

(4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of a specimen (see §§ 40.67(l) and 40.69(g) of this title);

(5) Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see § 40.193(d)(2) of this title);

(6) Fail or declines to take a second test the employer or collector has directed the driver to take;

(7) Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under § 40.193(d) of this title. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;

(8) Fail to cooperate with any part of the testing process (e.g., refuse to empty

pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or

(9) Is reported by the MRO as having a verified adulterated or substituted test result.

Safety-sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

(1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;

(2) All time inspecting equipment as required by §§ 392.7 and 392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;

(3) All time spent at the driving controls of a commercial motor vehicle in operation;

(4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of § 393.76 of this subchapter);

(5) All time loading or unloading a 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; and

(6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Screening test (or initial test) means

(1) In drug testing, a test to eliminate "negative" urine specimens from further analysis or to identify a specimen that requires additional testing for the presence of drugs.

(2) In alcohol testing, an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Stand-down means the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test results.

Violation rate for random alcohol testing means the number of 0.04 and above random alcohol confirmation test results conducted under this part plus the number of refusals of random alcohol tests required by this part, divided by the total number of random alcohol screening tests (including refusals) conducted under this part.

IV. APPLICABILITY

A. Categories of Persons Subject to Testing – the following persons are subject to FMCSA/USDOT Rule drug and alcohol testing as set forth within this Policy:

1. CDL Holders – EMUA personnel subject to the commercial driver's license requirements of 49 CFR Part 383 must be tested in accordance with this Policy pursuant to FMCSA/USDOT Rule.

2. Safety-sensitive employees – safety-sensitive employees are those employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Using the above criteria, the following positions have been classified by the Authority as safety-sensitive: all employees engaged in direct operations of the Authority's drinking water and wastewater production, treatment collection and distribution systems including, but not limited to:

    - Water/Wastewater Treatment Plant Laborer
    - Water/Wastewater Treatment Plant Operator
    - Electrician
    - Maintenance Mechanic
    - Electrical Technician
    - Maintenance Technician
    - Laboratory Manager
    - Laboratory Technician
    - Operations Manager
    - Water Distribution Supervisor
    - Water Production Supervisor
    - Collections Department Supervisor
    - Maintenance Supervisor
    - Wastewater Plan Supervisor
    - Asset Management Supervisor
    - Fleet Supervisor
    - Safety Coordinator
    - GIS Technician
    - Director of Personnel, Safety and Security
    - Any other related title(s) which performs safety sensitive duties under FMCSA/USDOT Rule.

3. The EMUA will test the foregoing employees and all other qualifying employees in strict accordance with FMCSA/USDOT Rule. All EMUA employees are required to understand and comply with this Policy and all local, state, and federal policies, rules, and laws relating to the use of alcohol, controlled substances, and illegal drugs while in the workplace, including the FMCSA/USDOT Rule. Employees may contact the DER or Alternative DER with any questions. More information regarding the FMCSA/USDOT Rule may be found at: https://www.fmcsa.dot.gov.

B. Prohibited Drugs – the FMCSA/USDOT Rule provides authorization for testing only five drugs: (1) amphetamines; (2) cannabinoids; (3) cocaine; (4) phencyclidine (PCP); and/or (5) opioids. Employees performing safety sensitive functions are subject to testing for these five prohibited drugs at any time while on duty. All drug testing will be conducted in accordance with FMCSA/USDOT Rule.

C. Participation as a Condition of Employment – all EMUA employees subject to this Policy must participate in FMCSA/USDOT Rule Testing as a condition of employment by the EMUA.

1. *Acknowledgment Receipt Form – the "Acknowledgement/Receipt Form," **(Attachment A),** applies to all drug and/or alcohol tests, or related foregoing or subsequent FMCSA/USDOT Rule procedures, for drivers of commercial motor vehicles conducting Authority business. The signed form will be maintained by the Authority. For any test, the Authority expects the driver to "follow all instructions" in order to accomplish the test.*

D. *History Check Requirement – prior to the first time that the Authority uses a driver (i.e., a new hire or an employee transferring into the safety-sensitive position) the Authority will require a "history check" of the driver. The history check will look back into the driver's past three years of USDOT employment for USDOT violations. History checks are conducted only after obtaining the driver's written authorization to do so. Any driver refusing to provide written consent will not be permitted to perform safety-sensitive functions. The Authority will not allow the driver to perform their functions after 30 days from the date on which the driver first performed safety-sensitive functions, unless the Authority has obtained or made and documented a good faith effort to obtain drug testing information from previous DOT- regulated employers.*

1. *The Authority will request the following information about the driver: alcohol tests with a result of 0.04 or higher alcohol concentration; verified positive drug tests; refusals to be tested (including verified adulterated or*

substituted drug test results);other violations of USDOT/sub-agency drug and alcohol regulations; and with respect to any driver who violated a USDOT drug and alcohol regulation, documentation of the driver's successful completion of return-to-duty & follow-up testing requirements.

2. *The Authority will make at least one attempt by telephone, e-mail or fax, and maintain documentation associated with the attempt to obtain history- check information (e.g., date and time of the attempt, person contacted). If the Authority finds evidence of past DOT violations, those violations may be used as the sole reason for not hiring the individual or for termination.*

3. *Violation consequences: the Authority will not use any driver who has committed past FMCSA/USDOT Rule violations and has not complied with federal eligibility standards for returning to safety-sensitive work. The Authority will also ask the driver if they had any pre-employment test that was positive for which the previous employer did not hire them. The driver's answer to this question will be maintained as part of the driver's history check information.*

E. *<u>Disclosure of Off-Duty DUI and Drug Offense Arrest and/or Conviction</u> – the EMUA has established this Policy to protect our employees, residents, and Township from the negative effects of drug and alcohol use. A violation of this Policy, even a first offense, will serve as the basis for discipline, up to and including termination. The degree of the discipline administered will depend on the circumstances of each case. However, employees must be aware that certain offenses, including but not limited to possession, sale, or use of controlled substances or illegally used drugs on Authority premises, will normally result in immediate termination. In addition to any disciplinary action for a violation of the Policy, or while such actions are held in abeyance, the Authority may, in its sole discretion, refer the employee to the EAP for assessment, counseling, and/or a treatment program, as applicable. The EMUA reserves the right to make the final decision relative to discipline as to all matters except where discipline is mandated by FMCSA/USDOT Rule, a collective bargaining agreement, or other external authority. Where disciplinary action is not preempted by these authorities, any disciplinary action taken shall be at the discretion of the EMUA.*

V. PROHIBITED CONDUCT

A. *EMUA's Drug and Alcohol-Free Workplace Policy – to facilitate a safe, healthy, and productive work environment for all employees, the EMUA strictly prohibits the activities identified in Part D & Part E of this Section at any time persons subject to this Policy are: (1) on duty and/or on EMUA property; (2) conducting Authority business (either on or away from EMUA property); or (3) while using EMUA vehicles (whether or not the employee is working). Engaging in any of the prohibited conduct in this Section is considered a violation of this Policy and will result in disciplinary action against the employee up to and including termination.*

B. Required Hours of Compliance – an employee must not consume alcohol or have an alcohol concentration of 0.04 or greater while performing a safety-sensitive function; must not consume alcohol up to four (4) hours prior to performing a safety-sensitive function; and up to eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever occurs first. An employee shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses any controlled substance, exception when the use is at the instruction of a physician who has advised the driver that the substance does not adversely affect the ability to safely operate a CMV or perform other safety- sensitive function.

1. All employees who perform safety-sensitive functions for the Authority either in a part-time or full-time capacity, will be subject to the provisions of this policy for the entirety of their shift.

C. *Use of Drugs & Controlled Substances – employees and applicants violate this Policy by engaging in the following conduct, whether or not during work time or on Authority premises or property and are subject to discipline up to and including discharge, or rejection of the application for employment, or cancellation of contractual agreements:*

1. *Testing positive in a confirmed drug or alcohol test, or refusing to be tested.*

2. *Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs or drug paraphernalia on Authority premises or property, including Authority-owned or leased vehicles, or vehicles used for Authority purposes.*

3. *Having possession of, being under the influence of, testing positive for, or being in close proximity to persons using illegal drugs, or otherwise having in one's system illegal drugs.*

4. *Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing illegal drugs. In addition, the Authority will refer such matters to the appropriate police authority.*

5. *A conviction or plea of guilty relative to any criminal drug offense occurring in the workplace. All employees must notify Authority in writing of any criminal drug conviction no later than five (5) calendar days after such conviction. Drug off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardize the health or safety of other employees, the public or the Authority's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the job drug offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Authority and other factors related to the impact of the employee's conviction on the Authority.*

6. *Abuse of prescription drugs which includes exceeding the recommended prescribed dosage or using others' prescribed medications. Such prescriptions brought to work should remain in the original labeled container and show both the prescribing doctor's name and the prescription's expiration date.*

7. *Switching, tampering with, diluting, or adulterating any specimen or sample collected under this Policy, or attempting to do so.*

8. *Refusing to cooperate with the terms of this Policy which includes submitting to questioning, drug testing, medical or physical tests or examinations, when requested or conducted by Authority or its designee, is a violation of Authority Policy and may result in disciplinary action up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.*

9. *Failure to advise pre-duty the Authority of the use of a prescription or over-the-counter drug which may alter the employee's ability to safely perform the essential functions of his or her job.*

10. *Failure of an employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of drugs.*

11. *We strictly prohibit employees from using hemp products, which some within the medical community have indicated may cause a positive*

marijuana test result. We will not generally consider use of hemp products a valid medical explanation for a positive marijuana test result.

12. *Obtaining a prescription drug from a foreign country without a prescription when it can only be obtained by prescription in the U.S. unless there is a verifiable, legitimate medical explanation.*

D. *Use of Alcohol – employees violate this Policy by engaging in the following conduct during work time or on Authority premises or property:*

1. *The use or possession of alcoholic beverages while on the Authority's Property, or in any of the Authority's vehicle, or on the Authority's time, including breaks or lunch, paid or unpaid, on any shift, is strictly prohibited.*

2. *Bringing and/or storing (including in a desk, locker, automobile, or other repository) alcohol on Authority premises or property, including Authority owned or leased vehicles, or vehicles used for Authority purposes.*

3. *Having possession of, being under the influence of, testing positive for or having in one's system, alcohol. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing alcohol. Exceptions concerning alcohol consumption or possession may be made only upon the prior explicit approval of senior management for specifically identified circumstances.*

4. *A conviction or plea of guilty relative to any criminal alcohol offense occurring in the workplace. All employees must notify Authority in writing of any criminal alcohol conviction not later than five calendar days after such conviction. Alcohol use off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardise the health or safety of other employees, the public or Authority's equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the job alcohol offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Authority and other factors related to the impact of the employee's conviction on the Authority.*

5. *Switching, tampering with, or adulterating any specimen or sample collected under this Policy, or attempting to do so.*

6. *Refusing to cooperate with the terms of this Policy which includes submitting to questioning, alcohol testing, medical or physical tests or examinations, when requested or conducted by Authority or its designee, is a violation of Authority Policy and may result in disciplinary action, up to*

and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

7. *Failure of employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of alcohol.*

E. *Off-Duty/Off-Premises Use of Cannabis & Marijuana – where permitted by federal law, the EMUA will not discriminate against employees on the basis of their off-duty use of medical or recreational cannabis in compliance with the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 and "Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (CREAMMA) P.L. 2016, c.16. However, these acts do not require employers to accommodate the possession or use, including medical use, of marijuana in the workplace. N.J.S.A. 24:6I-52(b)(1)(a). Employees are reminded that the CREAMMA permits lawful cannabis use when off-duty/off-premises only when regulated cannabis products are purchased and used in compliance with the CREAMMA's parameters. Unregulated marijuana continues to be a controlled dangerous substance, N.J.S.A. 24:2I-2, and the CREAMMA in no way insulates Authority employees from adverse employment consequences for the possession or consumption of unregulated marijuana.*

F. *Prohibition on the Use of Marijuana for Persons Subject to This Policy – the USDOT has released guidance confirming that state initiatives, including the CREAMMA, have no bearing on FMCSA/USDOT Rule drug and alcohol testing. Marijuana may not be used by persons subject to this Policy for any reason. The EMUA's Medical Review Officers (MROs) will not verify a drug test as negative based upon learning that the employee used "recreational marijuana" even if lawfully purchased from a recreational cannabis dispensary. The EMUA's MROs will also not verify a drug test negative based upon information that a physician recommended that the employee use "medical marijuana" in accordance CUMCA. Employees are reminded that marijuana remains a drug listed in Schedule I of the Controlled Substances Act. It remains unacceptable for any safety-sensitive employee subject to drug testing under the Department of Transportation's drug testing regulations to use marijuana.*

G. *Consequences for Policy Violations – the EMUA has established this Policy to protect our employees, residents, and the public from the negative effects of drug and alcohol use.*

1. *A violation of this Policy, even a first offense, will serve as the basis for discipline, up to and including termination. The degree of the discipline administered will depend on the circumstances of each case. However, employees must be aware that certain offenses, including but not limited to possession, sale, or use of controlled substances or illegally used drugs on Authority premises, will normally result in immediate termination.*

2. *In addition to any disciplinary action for a violation of the Policy, or while such actions are held in abeyance, the EMUA may, in its sole discretion, refer the employee for assessment, counseling, and/or a treatment program,*

as applicable. However, the EMUA reserves the right to make the final decision relative to discipline. The EMUA strictly prohibits the use, possession, transport or sale of regulated cannabis and/or unregulated marijuana on EMUA property or while conducting EMUA business, even if the employee has a valid prescription for medical cannabis or lawfully purchases recreational cannabis.

3. *All disciplinary action imposed by the EMUA for violations of this Policy shall conform with the requirements of the applicable local, State, or federal rule, and/or collective bargaining requirement. Where disciplinary action is not mandated by these authorities, any disciplinary action taken shall be at the discretion of the EMUA.*

H. *<u>Lawful Use of Prescribed Medication</u> – nothing in this Policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or safety or the safety of others. Employees subject to FMCSA/USDOT Rule who take over-the counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability <u>must</u> inform their supervisors if they believe the medication will impair their job performance, safety, or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication.*

1. *Once disclosure is made, the Authority reserves the right to send the employee for a Fitness-for-Duty evaluation to evaluate the medication or substance and its effects on the performance of safety-sensitive duties. In advance of testing, employees are encouraged to have their own doctor make an individualized assessment of any safety related risks of the medications or substances which they are taking or using, providing the doctor a copy of their job description and having the doctor to render an opinion on the safety related risks. All information provided will be kept separate from personnel files and in a confidential manner.*

2. *The employee need not disclose to the Authority the medication or medical condition involved to fulfill the disclosure obligation of this Policy. The MRO, or another Medical Professional selected by the Authority, will make the final determination on the safety related risks of any particular medication or substance.*

I. *<u>Employer-Sponsored Events</u> – from time to time, the EMUA may sponsor social or business-related events at which alcohol is served. This Policy does not prohibit the use or consumption of alcohol at such events. However, if employees choose to consume alcohol at such events, they must do so responsibly and maintain their obligation to conduct themselves properly and professionally at all times.*

J. FMCSA/DOT Rule Prohibitions

1. Alcohol concentration.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No employer having knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety-sensitive functions.

2. On-duty use.

No driver shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.

3. Pre-duty use.

No driver shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.

4. Use following an accident.

No driver required to take a post-accident alcohol test under § 382.303 shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

5. Refusal to submit to a required alcohol or controlled substances test.

No driver shall refuse to submit to a pre-employment controlled substance test required under § 382.301, a post-accident alcohol or controlled substance test required under § 382.303, a random alcohol or controlled substances test required under § 382.305, a reasonable suspicion alcohol or controlled substance test required under § 382.307, a return-to-duty alcohol or controlled substances test required under § 382.309, or a follow-up alcohol or controlled substance test required under § 382.311. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

6. Controlled substance use.

a. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any drug or substance identified in 21 CFR 1308.11 Schedule I.

b. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308 except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in § 382.107, who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

c. No employer having actual knowledge that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety-sensitive function.

d. An employer may require a driver to inform the employer of any therapeutic drug use.

7. Controlled substances testing.

No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive or has adulterated or substituted a test specimen for controlled substances. No employer having knowledge that a driver has tested positive or has adulterated

or substituted a test specimen for controlled substances shall permit the driver to perform or continue to perform safety- sensitive functions.

VI. CIRCUMSTANCES FOR TESTING

A. Notification of Tests – the EMUA will notify persons subject to drug and alcohol testing under this Policy in accordance with the FMCSA/USDOT Rule. Drivers will generally be notified directly when a test must be conducted. While the circumstances for a test will differ by its reason-for-test, the Authority will endeavor to conduct all tests with only a limited number of Authority personnel having knowledge of the reason for the test.

1. *All testing will be unannounced until the last possible moment. The timing will vary in conjunction with the reason-for-test. For example, a pre-employment test will be announced during the job application; a random test is announced within the test period, but just prior to the test, to maintain the element of surprise; and, announcements of post-accident or reasonable suspicion tests are controlled by the circumstances that come to light around the time of the event (e.g., accident). All alcohol test will be conducted just prior to, during, or just after the performance of safety-sensitive duties.*

2. *Drug tests may be conducted anytime the driver is at work. The DER and Authority supervisors will be responsible for notifications and to help maintain the element of confidentiality. When a driver is notified for a test, the driver must proceed to the collection site immediately. Immediately means that after notification, all the driver's actions must lead to an immediate specimen collection (or test). The Authority considers "travel time to the collection site, plus 30 minutes" as the maximum acceptable interval of time between notification and testing.*

3. *In test situations such as post-accident and reasonable suspicion/cause, where the driver's job performance is called into question, supervisors will use their discretion and training to minimize further confrontation. A reasonable attempt will be made by the supervisor to isolate and inform the driver of the decision to test, the steps that must be taken to accomplish the test, and the consequences of refusing the test. If possible, for post-accident and reasonable suspicion tests, the Authority will have the DER or a supervisor accompany the driver to the collection site. In post-accident test situations occurring where the supervisor is not present, the Authority will provide the driver with necessary post- accident information and instructions so that the driver will be able to comply with post-accident testing.*

B. The EMUA's required testing includes pre-employment (controlled substances required, alcohol at option of the Authority), post-accident, random and reasonable suspicion. Return-to-duty and follow-up-testing is also required if the Authority allows a "positive" test employee to return to a safety-sensitive function after the required

evaluation by a Substance Abuse Professional and the required rehabilitation.

C. Pre-employment testing – prior to the first time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances as a condition prior to being used, unless the employer uses the exception in paragraph of this section. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.

1. Where the EMUA has determined to conduct pre-employment testing for alcohol, the EMUA shall comply with the following requirements:

a. conduct a pre-employment alcohol test before the first performance of safety-sensitive functions by every covered employee (whether a new employee or someone who has transferred to a position involving the performance of safety-sensitive functions).

b. treat all safety-sensitive employees performing safety-sensitive functions the same for the purpose of pre-employment alcohol testing (i.e., it must not test some covered employees and not others).

c. conduct the pre-employment tests after making a contingent offer of employment or transfer, subject to the employee passing the pre- employment alcohol test.

d. conduct all pre-employment alcohol tests using the alcohol testing procedures of FMCSA/USDOT Rule.

e. not allow a covered employee to begin performing safety-sensitive functions unless the result of the employee's test indicates an alcohol concentration of less than 0.04.

D. Post-accident testing – shall occur as soon as practicable following an occurrence:

1. involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol for each of its surviving drivers: who was performing

safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle; and/or

2. involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers: Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved: Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

3. Alcohol tests. If a test required by this section is not administered within two hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required by this section is not administered within eight hours following the accident, the employer shall cease attempts to administer an alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

4. Controlled substance tests. If a test required by this section is not administered within 32 hours following the accident, the employer shall cease attempts to administer a controlled substances test, and prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMCSA upon request.

5. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

6. *Employees who are referred for a post-accident drug or alcohol test will be returned to work at the discretion of the EMUA. If an employee is placed*

on leave and has a negative test result on a post-accident drug or alcohol test, he/she will be compensated for any regularly scheduled ours he/she would have worked during the leave period. An employee who has a positive result on a post-accident drug or alcohol test will not be compensated for any regularly scheduled hours he or she would have worked during a leave period.

7. The results of a breath or blood test for the use of alcohol, conducted by Federal, State, or local law enforcement or public safety officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local alcohol testing requirements, and that the results of the tests are obtained by the employer.

8. The results of a urine test for the use of controlled substances, conducted by Federal, State, or local law enforcement or public safety officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local controlled substances testing requirements, and that the results of the tests are obtained by the employer.

E. Random testing – the EMUA shall conduct random, unannounced alcohol and drug testing in accordance with FMCSA/USDOT Rule. Specifically, the EMUA will randomly test a minimum of 10 percent the average number of driver positions for alcohol and a minimum of 50 percent the average number of driver positions for controlled substances.

1. The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers.

2. Each driver selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made.

3. Each driver selected for testing shall be tested during the selection period.

4. Random drug and alcohol testing shall be unannounced and spread reasonably throughout the calendar year.

5. Employees who are notified of selection for random alcohol and/or controlled substances testing proceeds to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function, other than driving a commercial motor vehicle, at the time of notification, the employer shall instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site as soon as possible.

6. A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-

sensitive functions, or just after the driver has ceased performing such functions.

F. Reasonable suspicion testing –

1. the EMUA shall require a driver to submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of this Policy concerning alcohol. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

2. An employer shall require a driver to submit to a controlled substances test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of subpart B of this part concerning controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

3. The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or company official who is trained in accordance with FMCSA/USDOT Rule. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the driver.

4. *The EMUA may also utilize a cognitive impairment test, a scientifically valid, objective, consistently repeatable, standardized automated test of an employee's impairment, and/or an ocular scan, as physical signs or evidence to establish reasonable suspicion of cannabis use or impairment at work.*

5. *The supervisor or department head shall immediately document any employee behavior that provides reasonable suspicion supporting a test for controlled substances or alcohol use by completing the EMUA's "Reasonable Suspicion Observed Behavior Report" (RSOB Report). The RSOB Report shall report any reasonable suspicions and be immediately transmitted to the DERand/or the designated representative for reasonable suspicion ("DRRS") at the EMUA.*

6. Alcohol testing is authorized by this section only if the observations

required by paragraph (a) of this section are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part. A driver may be directed by the employer to only undergo reasonable suspicion testing while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

a. If an alcohol test required by this section is not administered within two hours following the determination under paragraph (a) of this section, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight hours following the determination under paragraph (a) of this section, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

b. Notwithstanding the absence of a reasonable suspicion alcohol test under this section, no driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until:

    a. An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or

    b. Twenty-four hours have elapsed following the determination under paragraph (a) of this section that there is reasonable suspicion to believe that the driver has violated the prohibitions in this part concerning the use of alcohol.

G. Return-to-duty testing – the EMUA will perform return-to-duty testing in accordance with the requirements of the FMCSA/USDOT Rule located at 49 CFR Part 40, Subpart O, incorporated by reference herein, including that such tests will be collected under direct observation.

H. Follow-up testing – the EMUA will perform return-to-duty testing in accordance with the requirements of the FMCSA/USDOT Rule located at 49 CFR Part 40, Subpart O, incorporated by reference herein, including that such tests will be collected under direct observation

I. Refusal to Submit to Testing – no driver shall refuse to submit (as defined in Section III) to the mandatory alcohol and controlled substance use testing as required by this Policy and FMCSA/USDOT Rule.

VII. CONSEQUENCES CONTROLLED SUBSTANCE USE & MISUSE OF ALCOHOL

A. FMCSA/USDOT Rule – any driver who refuses to submit to a test, has a verified positive controlled substances test result, or has an alcohol concentration of 0.04 or greater will be immediately removed from his or her safety sensitive function and referred for evaluation by a substance abuse professional.

1. No driver who has engaged in conduct prohibited by FMCSA/USDOT Rule shall perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of 49 CFR Part 40, Subpart O. The Authority shall not permit a driver who has engaged in conduct prohibited by FMCSA/USDOT Rule to perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of 49 CFR part 40, Subpart O.

2. No driver tested under the provisions of this Policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions for the Authority, including driving a commercial motor vehicle, nor shall the Authority permit the driver to perform or continue to perform safety-sensitive functions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

B. *Additional Consequences Imposed by the EMUA – the Authority classifies a positive drug or alcohol test as willful misconduct and a violation of this Policy. Any employee who tests positive may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, for gross misconduct connected with work, and violation of a safety rule for those employees working in a safety-sensitive position and/or forfeit eligibility for Worker's Compensation benefits, N.J.S.A. 34:15-7 if post-accident and may adversely affect an employee's eligibility to receive Unemployment Compensation benefits. Any applicant made a conditional offer that tests positive will be denied employment or have their offer withdrawn.*

C. Life Consequences and Dangers of Alcohol or Controlled Substance Abuse – the chronic consumption of alcohol (average of three servings per day of beer, whiskey, or wine) or misuse of controlled substances over time may result in the following

life consequences:

1. Health: Decreased sexual functioning, dependency on alcohol, fatal liver disease, increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma, kidney disease, pancreatitis, spontaneous abortion and neonatal mortality, ulcers, and birth defects Work: impairment in coordination and judgment, and increased likelihood of having an accident than that of a sober person.

2. Personal life: increased exposure to committing homicides, vehicle accidents, family problems including separation and divorce, increased likelihood of committing suicide, and greater exposure to other forms of accidents.

3. Signs and symptoms: Dulled mental processes, lack of coordination, odor of alcohol on breath, possible constricted pupils, sleepy or stuporous condition, slowed reaction rate and slurred speech.

4. When an alcohol or drug problem is suspected, the available methods of intervention include the availability of a crisis response/employee assistance service offered by Substance Abuse Professionals that address family problems as well as substance abuse.

VIII. DRUG AND ALCOHOL TESTING PROCEDURES

A. Compliance With FMCSA/DOT Rule – the EMUA will perform all drug and alcohol testing in strict conformance with FMCSA/DOT Rule, specifically the procedures established by 49 CFR Part 40 apply. These procedures apply to all safety-sensitive employees of the EMUA. Copies of the FMCSA/USDOT Rule are available to covered employees for review. Employees should contact their DER – Frank Locantore, Director of Personnel, Safety and Security, 856-983-0331 ext 218; Cell-856-524-8062; flocantore@eveshammua.com to request copies of FMCSA/USDOT Rule and with any questions regarding this Policy. For additional contact information of key personnel, please see Appendix B.

B. *Employees suspected of working while under the influence of illegal drugs or alcohol will be suspended until the EMUA receives the results of a drug and alcohol test from the testing facility and any other information the EMUA may require to make an appropriate determination. Any employee removed from a job for suspected drug or alcohol use will suffer no loss in pay or adverse employment action provided the test result is negative. The EMUA will pay for any drug and/or alcohol test that it requests or requires. Should an employee request a retest, the cost is to be assumed by the employee unless otherwise stated.*

IX. ADMINISTRATIVE REQUIREMENTS

A. Employee Education Materials – all safety-sensitive employees of the Authority will receive a copy of this Policy and shall be required to sign and date an acknowledgment confirming their receipt. Copies of the FMCSA/USDOT Rule are available to covered employees for review. Employees should contact their DER – Frank Locantore, Director of Personnel, Safety and Security, 856-983-0331 ext 218; Cell-856-524-8062; flocantore@eveshammua.com to request copies of FMCSA/USDOT Rule and with any questions regarding this Policy. For additional contact information of key personnel, please see Appendix B.

B. Training for Supervisors – The Authority shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under § 382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

C. Recordkeeping and Confidentiality – the EMUA will maintain all drug and alcohol testing records in accordance with FMCSA/USDOT Rule, specifically 49 CFR Part 40, Subpart P. All records and information relating to an employee or applicant's drug and alcohol test results, including but not limited to interviews, reports, statements, memoranda, and drug or alcohol test results, written or otherwise will be kept confidential and maintained separately from the individual's personnel file.

1. These records will be stored at the EMUA's principal place of business located 100 Sharp Road Marlton, New Jersey, 08053. The physical files will be securely locked in a drawer or cabinet, nearby workspaces will be cleared of FMCSA/USDOT safety-sensitive data when not in use, and computers where confidential data can be accesses will be password protected. All written communications concerning the records will be marked "CONFIDENTIAL."

2. The EMUA, the laboratory, its Medical Review Officer, employee assistance programs, treatment providers, and their agents who receive or have access to information concerning test results shall keep all information confidential and may not release any of the information without the written consent of the employee unless the release is required by law, is

in accordance with this Policy, or is relevant to a legal claim asserted by the employee.

X. MISCELLANEOUS

A. *Use of Service Agents – the Authority will contract with service agents to accomplish many of the requirements of Parts 40 and 382. Appendix B (Designated Personnel and Service Agents) provides the names and addresses of service agents that are under contract. Contracts will contain a provision that the service agent will comply with Parts 40 and 382 in the services provided. The work of any service agent providing services to the Authority will be open to inspection by the Authority. The service agent must allow access to property and records by the Authority, the Administrator, and if the Authority is subject to the jurisdiction of a state agency, a representative of the state agency for the purpose of monitoring the Authority's compliance with the requirements of Part 382. No service agent will serve as DER for this Authority.*

B. *Reasonable Accommodations – the Authority provides reasonable accommodations to employees and/or applicants in the alcohol and drug testing program whose physical condition prevents them from producing a urine specimen suitable for testing. You may contact the DER if you wish to make an accommodation request. In accordance with Authority policy, a test result reported by the laboratory as a negative dilute urine test is not considered a negative test but subjects the donor to immediate retesting; and a second negative dilute urine test will render an applicant ineligible for hire and current employees, where a negative test is required, not currently fit for duty. FDA approved on-site screening devices may be utilized with all initial positive results confirmed by laboratory testing.*

C. *Workplace Searches and Inspections – in order to achieve the goals of this Policy and maintain a safe, healthy, and productive work environment, the Authority reserves the right at all times to inspect employees, as well as their surroundings and possessions, for substances or materials in violation of this Policy. This right extends to the search or inspection of clothing, desks, lockers, bags, briefcases, containers, packages, boxes, tools and toolboxes, lunch boxes, and employer-owned or leased vehicles and any vehicles on Authority property where prohibited items may be concealed. Employees should have no expectation of privacy while on Authority premises, except in restrooms/locker rooms.*

D. CDL Clearinghouse – the EMUA is required to comply with FMCSA/USDOT Rule regarding utilization of the FMCSA Clearinghouse, 49 C.F.R. Part 382.701 et seq. EMUA employees who are also CDL holders are subject to the following:

1. The Clearinghouse will be queried for prospective employee's drug and alcohol program violations.

2. The EMUA is required to annually query the Clearinghouse for possible violations of each driver currently employed.

3. The following information is required to be reported to the Clearinghouse by the MRO or EMUA: a verified positive, adulterated, or substituted drug test result; an alcohol confirmation test with a concentration of 0.04 or higher; a refusal to submit to a drug or alcohol test; Pre or on-duty alcohol use pursuant to 49 C.F.R. Part 382.205/207; post-accident results pursuant to 49 C.F.R. Part 382.209; drug use pursuant to 49 C.F.R. Part 382.213 a substance abuse professional's report of the successful completion of the return to duty process; a negative return to duty test; the employer's report of completion of follow-up testing.

4. An applicant's refusal to grant consent to query or access information in the Clearinghouse per 49 C.F.R. 382.703, shall be viewed as non-compliance with the pre-employment testing process.

5. An employee's refusal to grant consent to query or access information in the Clearinghouse per 49 C.F.R. 382.703 shall be viewed as a refusal to comply with the testing process and result in immediate cessation of the employee's performance of "safety-sensitive" functions and/or discipline up to and possibly including termination, as determined in the sole discretion of the Authority.

E. <u>*Employees Covered Under a Collective Bargaining Agreement*</u> *– the employment terms set out in this Policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with the EMUA. Wherever employment terms in this Policy differ from the terms expressed in the applicable collective bargaining agreement with the EMUA, employees should refer to the specific terms of the collective bargaining agreement, which will control.*

F. <u>Drug Educational Information</u> – attached to this Policy you will find drug educational information to assist you in recognizing the impairing effects of drug use. The Authority will conduct employee education of substance abuse education and awareness and supervisor training on how to recognize signs of abuse, how to document and collaborate signs of employee substance abuse, and how to refer substance abusing employees to the EAP.

G. *<u>Reservation of Rights & Policy Administration</u> – the EMUA expressly reserves the right to change, modify, or delete the provisions of Policy without notice. In addition, changes to applicable federal or state laws or regulations may require the Authority to modify or supplement the policy. This Policy does not create a binding employment contract.*

Appendix A

THE EVESHAM MUNICIPAL UTILITIES AUTHORITY COMMERCIAL MOTOR VEHICLE DRIVER'S CERTIFICATE OF COMPLIANCE WITH DOT CELL- PHONE/TEXTING BANS

MOTOR CARRIERS: The restrictions in 49 CFR Part 392 on using a mobile telephone or texting while driving apply to every operator of a "commercial motor vehicle" as defined in Section 390.5, including interstate vehicles weighing or rated at 10,001 pounds or more, vehicles placarded for hazardous materials, and certain vehicles designed or used for more than 8 passengers (including the driver). In-state operations of vehicles placarded for hazardous materials are also subject to the restrictions. Other in-state-only operations may also be subject, depending on state rules.

DRIVERS: Part 392 of the Federal Motor Carrier Safety Regulations contains restrictions on texting and the use of hand-held mobile telephones while driving a commercial motor vehicle (CMV), including the following:

- **Texting ban (392.80):** You may not manually enter text into or read text from an electronic device while driving a CMV. This includes e-mailing, text messaging, using the internet, pressing more than one button to start or end a phone call, or any other form of text retrieval or entry for communication purposes.
- **Hand-held cell-phone ban (392.82):** You are prohibited from using a hand-held cell phone while driving a CMV. This includes talking on a phone while holding it in your hand (including push-to-talk), pressing more than a single button to dial or answer a cell phone, or leaving your normal, seated driving position to reach for a cell phone.

Except as prohibited under Authority policy, you are allowed to use a hands-free phone, a CB radio, a navigation system, a two-way radio, a music player or a fleet management system for purposes other than texting. Texting

and hand-held cell- phone use are **only** allowed if you need to contact emergency services or if you have stopped in a safe location off the road.

Penalties (383.51, 391.15, 49 CFR 386): CDL and non-CDL drivers can be disqualified for 60 up to 120 days and/or face fines of up to $2,750 for each violation. The EMUA can be fined up to $11,000 for each violation.

It is understood that the above information is being provided to the employee in an effort by the Authority to show good faith efforts to achieve compliance with the above-cited regulations. (49 CFR § 386.81)

Appendix B

Evesham Municipal Utility Authority

Covered Employee Certificate of Receipt

The Authority's COVERED EMPLOYEE CERTIFICATE OF RECEIPT contains the name, address, and phone number of the responsible individual(s). The Authority's DRUG AND ALCOHOL FREE WORKPLACE AND FMCSA/USDOT TESTING POLICY complies with

requirements of the Department of Transportation regulations as set forth in 49 CFR § 382 and 49 CFR Part 40. The DER shall be responsible for providing oversight and evaluation on the plan; providing guidance and counseling; reviewing of all discipline applied under this plan for consistency and conformance to human resources policies and procedures; scheduling for types of testing (random, post-accident, reasonable suspicion, etc.); maintaining a locked file system on all test results; and overseeing the referral of employees for evaluation and treatment. The Authority shall ensure that all covered employees are aware of the provisions and coverage of the Authority's USDOT ALCOHOL AND CONTROLLED SUBSTANCES USE AND TESTING POLICY and

that all employees are notified prior to testing.

DESIGNATED EMPLOYER REPRESENTATIVE (DER)

NAME: Frank Locantore

TITLE: Director of Personnel, Safety and Security

ADDRESS: 100 Sharp Road, Box 467, Marlton, New Jersey,

08053 PHONE: 856-983-0331 ext 218; Cell-856-524-8062

E-MAIL: flocantore@eveshammua.com

HOURS WHEN AVAILABLE: Monday thru Friday 7:30 AM-4:00 PM; Available by

cell after established business hours

ALTERNATE DESIGNATED EMPLOYER REPRESENTATIVE (DER)

John Ellis, Safety Coordinator

Evesham Municipal Utilities Authority 100 Sharp Road, Box 467

Marlton, New Jersey 08053 (t): 856-983-0331

(e): jellis@eveshammua.com

MEDICAL REVIEW OFFICER (MRO)

NAME: Dr. Brian Heinen

ADDRES: 151 Leon Ave, Eunice LA. 70535

Phone: 888-382-2281

FAX: 913-752-3148

SUBSTANCE ABUSE PROFESSIONAL (SAP)

NATIONAL RESOURCES

A2Z Alcohol & Drug Abuse-Addiction 1-800-274-2042

Al-Anon/Alateen Family Group Headquarters 1-800-356-9996

Alcoholics Anonymous World Service..... 1-212-870-3400

American Council on Alcoholism Helpline 1-800-527-5344

800 Cocaine--An Information and Referral Hotline..... 1-800-262-2463

Nar-Anon Family Group Headquarters 1-310-547-5800

Narcotics Anonymous 1-818-773-9999

National Association of Alcoholism (NAADAC) 1-800-548-0497

www.naadac.org Fax: 1-800-377-1136

National Association of Addiction Treatment Professionals 1-717-581-1901

www.naatp.org

National Council on Alcoholism and Drug Dependence, Inc 1-212-269-7797
www.ncadd.org

Hope Line (24-hour affiliate referral)..... 1-800-NCA-CALL

Center for Substance Abuse Prevention's Workplace Hotline 1-800-WORKPLACE

National Clearinghouse for Alcohol & Drug Information..... 1-800-729-6686

Center for Substance Abuse Prevention's Drug Information,

Treatment & referral Hotline 1-800-662-HELP

(Spanish-Espanol) 1-800-66-AYUDA

CONSORTIUM/THIRD PARTY ADMINISTRATOR (C/TPA)

NAME: Virtua Occupational Health

ADDRESS: 400 Lippincott Dr Suite 115, Marlton NJ, 08053

Phone: 856-355-7010

Fax: 856-355-7011

LABORATORY

NAME: Abbot Laboratories

ADDRESS: 1111 Newton Street, Gretna LA, 70053

ACKNOWLEDGMENT OF RECEIPT AND REVIEW

I, _____ (employee name), acknowledge that on _____(date), I received a copy of the EMUA DRUG AND ALCOHOL- FREE WORKPLACE & FMCSA/USDOT TESTING POLICY (the "Policy"), and that I read it, understood it, and agree to comply with it.

I understand that it is my responsibility to be familiar with and abide by the terms of the Policy. I further understand that the EMUA has the maximum discretion permitted by law to interpret, administer, change, modify, or delete this policy at any time with or without notice. No statement or representation by a supervisor or manager or any other employee, whether oral or written, can supplement or modify this policy. Changes can only be made if approved in writing by the EMUA Personnel Director.

I also understand that any delay or failure by the EMUA to enforce any work policy or rule will not constitute a waiver of the EMUA's right to do so in the future. I understand that neither this Policy nor any other communication by a management representative or any other employee, whether oral or written, is intended in any way to create a contract of employment.

I understand that, unless I have a written employment agreement signed by an authorized EMUA representative, **I am employed at will and this Policy does not modify my at-will employment status.** If I have a written employment agreement signed by an authorized EMUA representative and this Policy conflicts with the terms of my employment agreement, I understand that the terms of my employment agreement control.

Signature _____

Printed Name _____

Date _____

APPENDIX B

FORMS

THE EVESHAM MUNICIPAL UTILITIES AUTHORITY

APPLICATION FOR EMPLOYMENT

PERSONAL INFORMATION:

Name: _____Soc. Sec. #___
Last First Middle

Present Address: _____

Are you 18 year or older: Yes _____ No _____ Phone No. _____

Length of time at this address: _____If less than 10 years, provide previous addresses for last 10 years:

_____

_____

In case of emergency, notify: _____

At address and phone number: _____

Do you have a valid driver's license? Yes _____ No _____ Which State _____

Do you have a valid CDL? Yes _____ No _____ Which State _____

EMPLOYMENT DESIRED:

Position: _____Date you can start: _____Salary desired: _____

Are you employed now? _____If so, can we contact your present employer? _____

Have you ever applied to the Authority before? Yes_____ No _____If so, when _____

Have you ever worked for the Authority before? Yes _____ No _____If so, when _____

Reason for leaving prior employment by the Authority: _____

Do you have any relatives who work for the Authority? _____

EDUCATION:

School Level	Name/Location of School	No. of years attended	Did you graduate	Major area of study
Grammar School				
High School				
College				
Trade, business or correspondence school				

SPECIAL SKILLS:

Subjects of special study or research work: _____

_____

Special training: _____

Special skills: _____

Special licenses or permits: _____

What foreign languages do you speak fluently? _____

FORMER EMPLOYERS: (List below last three employers, starting with last one first)

Name and address of present or last employer: _____

_____

Date started: _____ **Leaving Date:** _____

Job Title: _____ **May we contact your supervisor?** _____

Name and title of supervisor: _____ **Phone No.** _____

Description of work: _____

Reason for leaving: _____

Name and address of present or last employer: _____

_____

Date started: _____ **Leaving Date:** _____

Weekly starting salary: _____ **Weekly final salary:** _____

Job Title: _____ **May we contact your supervisor?** _____

Name and title of supervisor: _____ **Phone No.** _____

Description of work: _____

Reason for leaving: _____

Name and address of present or last employer: _____

_____

Date started: _____ **Leaving Date:** _____

Job Title: _____ **May we contact your supervisor?** _____

Name and title of supervisor: _____ **Phone No.** _____

Description of work: _____

Reason for leaving: _____

REFERENCES: Give below the names of three persons not related to you, whom you have known at least one year.

Name	Address	Business	Years Acquainted
1.			
2.			
3.			

SERVICE RECORD:

Branch of Service: ____ Induction Date: _____ Rank: _ Discharge Date: _____

AUTHORIZATION:

I certify that all information submitted by me on this application is true and complete and I understand that if false information, omissions, or misrepresentations are discovered, my application may be rejected and if I am employed, my employment may be terminated at any time.

I authorize investigation of all statements, previous employers, and references contained in this application for employment as may be necessary in arriving at an employment decision. I understand that this application is not intended to be a contract of employment.

In consideration of my employment, I agree to conform to the Authority's rules and regulations, and I agree that my employment and compensation can be terminated with or without cause and with or without notice at any time at either my or the Authority's option. I also understand and agree that the terms and conditions of my employment may be changed, with or without cause, and with or without notice, at any time by the Authority. I understand that no Authority representative other than The Evesham Municipal Utilities Authority acting as a body, and then only when in writing, has any authority to enter into any agreement for employment for any specific period of time or to make any agreement contrary to the foregoing.

Date: _____ Signature: _____

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER:

The Evesham Municipal Utilities Authority is an Equal Employment Opportunity Employer. Applicants are considered for all positions, and are treated without regard to race, creed, color, national origin, nationality, ancestry, age, marital status, affectional or sexual orientation, genetic information, sex, atypical hereditary cellular or blood trait, liability for military service in the Armed Forces of the United States, handicap or disability. All qualified applicants are welcome to submit applications for employment. As an employer, the Authority complies with government regulations and affirmative action responsibilities.

ARBITRATION AGREEMENT

As a condition of my employment with The Evesham Municipal Utilities Authority, I agree to waive my right to a jury in any action or proceeding related to my employment with the Authority. This waiver shall apply to any claims that I may have under either federal or state law including, but not limited to, claims under the Law Against Discrimination, the Family Leave Act or the Americans with Disabilities Act. I understand and acknowledge that I am waiving my right to a jury trial voluntarily and knowingly, and free from duress or coercion of any type. I acknowledge and understand that I have a right to consult with a person of my own choosing, including an attorney-at-law, before signing this document.

I hereby agree that all disputes with the Authority relating to my employment or termination that are covered by the provisions of any collective bargaining agreement shall be presented and decided in accordance with the terms of that collective bargaining agreement. I further agree that all other claims that I may have under federal or state law relating to my employment with, or termination by the Authority, including but not limited to claims under the Law Against Discrimination, the Family Leave Act or the Americans with Disabilities Act, shall be decided by an arbitrator pursuant to the labor relations procedures of the American Arbitration Association.

I understand and acknowledge that the New Jersey Supreme Court has upheld the validity of this form of arbitration agreement in the case of *Martindale v. Sandvik, Inc.,* 173 N.J. 76 (2002) and I further agree not to challenge or contest the validity of this arbitration agreement in any state or federal court.

I acknowledge that the Authority has given adequate consideration, that is, something of value to me, in exchange for the promises that I have made in this arbitration agreement. This consideration includes the Authority's willingness to consider me for employment and, if an offer is extended, the commencement of employment, the provision of compensation during the period of employment and my on-going employment with the Authority.

I have read the foregoing arbitration agreement and understand it completely. I agree to be bound by this arbitration agreement.

Signature: _____

Print Name: _____

Dated: _____

The Evesham Municipal Utilities Authority

100 Sharp Road Marlton, NJ 08053

AUTHORIZATION FOR RELEASE OF PRIOR EMPLOYMENT INFORMATION

The below named individual is seeking employment with The Evesham Municipal Utilities Authority ("Authority") and has indicated that he/she worked at your company. Please verify the following information.

Name of individual:

_____

Address of individual:

_____

I authorize the Authority and any persons or companies listed on this form to verify my employment, education and all other job-related qualifications. I also authorize the Authority and all persons and companies to furnish, release, request and receive and evaluate such information. I have read and understand this statement.

Signature:_____Date_____

The information you furnish will be held in the strictest confidence.

Name of your company:

_____

Address of your company:

_____

Dates individual worked for your company: From_____To _____

Position held when individual left your company: _____

Why did individual leave your company? _____

_____

Please rate the individual in the following areas:

	Unsatisfactory	Satisfactory	Comments:
Attendance:	{ }	{ }	_____
Cooperation:	{ }	{ }	_____
Performed Assigned work:	{ }	{ }	_____
Overall Assessment:	{ }	{ }	_____

Would you re-employee this individual?_____If no, briefly explain: _____

_____

Signature:_____Title: _____

Date: _____

THE EVESHAM MUNICIPAL UTILITIES AUTHORITY
100 SHARP ROAD
MARLTON, NJ 08053
(856) 983-1878

AUTHORIZATION TO CONDUCT A POLICE RECORDS AND CRIMINAL BACKGROUND INVESTIGATION, FOR RELEASE OF SUCH INFORMATIONBY ANY LAW ENFORCEMENT OFFICIAL AND FOR RELEASE OF ALL CLAIMS RELATED THERETO

Full Name (do not use initials):

_____

Aliases:

_____

Current Address:

_____

Prior Addresses in last 10 years:

_____

Social Security Number:_____ Place of Birth: _____

AUTHORIZATION TO CONDUCT A POLICE RECORDS AND CRIMINAL BACKGROUND INVESTIGATION

I am seeking employment with The Evesham Municipal Utilities Authority. I hereby authorize The Evesham Municipal Utilities Authority to conduct a police records and criminal background investigation on me through any local, state or federal law enforcement agency. I authorize The Evesham Municipal Utilities Authority to provide a copy of my employment application to such local, state or federal law enforcement agency. I authorize the Authority to request, receive, evaluate and use such information. I hereby certify that the information provided herein is true and correct in all respects and is complete and does not omit any relevant information. I have given this authorization voluntarily and of my own free will. I have read and understand this statement.

Signature:_____ Date: _____

AUTHORIZATION FOR RELEASE OF POLICE RECORDS AND CRIMINAL BACKGROUND INVESTIGATION INFORMATION BY ANY LAW ENFORCEMENT OFFICIAL

I hereby authorize any local, state or federal law enforcement agency to perform a police records and criminal background investigation on me and to release such information to The Evesham Municipal Utilities Authority. I have given this authorization voluntarily and of my own free will. I have read and understand this statement.

Signature:_____ Date: _____

RELEASE

For the consideration of my employment application, I hereby release and forever discharge The Evesham Municipal Utilities Authority and all local, state and federal law enforcement agencies from any and all claims that I may have related to the request for, and performance of, a police records and criminal background investigation on me and the release, receipt, evaluation and use of such information. I have given this release voluntarily and of my own free will. I have read and understand this statement.

Signature:_____ Date: _____

ACKNOWLEDGEMENT OF RECEIPT

PROPERTY INSPECTION, SEARCH & SURVEILLANCE POLICY

The Evesham Municipal Utilities Authority (Authority) assumes no liability whatsoever for the damage, loss or theft caused by third parties to the personal property of staff members.
All storage facilities, offices and workspaces, including desks and lockers, are the property of the Authority and the Authority reserves the right to have access to these areas and to inspect, search and surveil such property and any personal property contained therein at any time, without advance notice to any employee upon reasonable grounds. Therefore, employees should not expect that such property will be treated as private and personal to the employee. Likewise, electronic mail and voice mail left on Authority owned devices or property are considered Authority property which are subject to inspection, search and surveillance and are to be used only for business purposes. Internet accounts are also to be used only for Authority business. The Authority reserves the right to inspect, monitor and have access to Authority computers, electronic mail, voice mail messages and Internet communications.

To promote the safety of employees and Authority visitors, as well as the security of its facilities, the Authority reserves the right to conduct video surveillance of any portion of its premises at any time. Video cameras will be positioned in appropriate places within and around Authority buildings. The only exceptions to this policy include private areas of restrooms, showers and dressing rooms.

Employee Acknowledgement
I acknowledge that I have received and read the above as well as the Authority's policy on Property Inspections, Searches and Surveillance. I have also been given the opportunity to ask questions about the policy. I understand that by signing this acknowledgement, I agree to accept the policy as a condition of my employment or continuing employment with the Authority.

Employee Name (Print): _____

Employee Signature: _____Date: _____