PERSONNEL POLICIES AND EMPLOYEE HANDBOOK 2025

BOROUGH OF HARRINGTON PARK
85 HARRIOT AVENUE
HARRINGTON PARK, NEW JERSEY 07640

AMENDED DECEMBER 2025

AT-WILL STATEMENT & DISCLAIMER

The contents of this Personnel Policies and Procedures Manual ("the Manual") summarize the current benefits and guidelines within the municipality ("the Borough of Harrington Park") and are intended as guidelines only.

The Borough of Harrington Park reserves the right to change, delete, suspend, or discontinue any part or parts of this Manual at any time, without prior notice, and any such action shall apply to existing as well as future employees. You should be aware that these benefits and guidelines may be changed at any time, and that depending upon the circumstances of a given situation, the Borough of Harrington Park's actions may vary from the provisions of this Manual. As such, the contents of the Manual DO NOT CONSTITUTE THE TERMS OF A CONTRACT OF EMPLOYMENT.

It should be noted that nothing contained in this Manual should be construed as a guarantee of continued employment; but rather, EMPLOYMENT WITH THE BOROUGH OF HARRINGTON PARK IS ON AN AT-WILL BASIS. This means that either the employee or the Borough of Harrington Park, with or without cause, may terminate the employment relationship at any time with or without

notice, for any reason not expressly prohibited by law. Any exception must be expressly authorized and signed by the Borough of Harrington Park.

This Manual supersedes and replaces all prior personnel policy and benefit statements, whether oral or in writing. While some of the provisions contained herein refer specifically only to federal law, employees should be aware that the Borough of Harrington Park will comply with all federal, state and local laws.

Should any provision in this Manual be found to be unenforceable and/or invalid, such finding does not invalidate the entire Manual, but only the subject provision. Many of the policies in this handbook shall also apply in equal force to volunteers of the Borough of Harrington Park.

When changes are made to this Manual, the Borough of Harrington Park will make any corresponding changes to the Employee Handbook that are necessary so that the Manual and Handbook do not conflict.

All employees will be notified when any material changes are made to the policies contained in this Manual.

This Manual has been written so as not to conflict with the collective bargaining agreements between the Borough of Harrington Park and its unionized employees. If there is a conflict between this Manual and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented employees. This Manual has been written so as not to conflict with the provisions and mandates of the laws and regulations governing employment in the State of New Jersey. If there is a conflict between this Manual and any such mandate pursuant to law, such law will prevail for covered employees.

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Available on the Borough website: http://harringtonparknj.gov/index.php/staff-officals

EMPLOYEE HANDBOOK PROCEDURE

The Borough Administrator with the assistance of the Borough Attorney and the Finance and Exec Committee, shall draft an Employee Handbook for the approval of the Mayor and Council. Once approved, copies will be distributed and all employees (full time, part time, contractual, collective bargaining) and volunteers will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. The handbook will be available online on our website, as well as in hard copy form in the clerk's office. The Handbook will be revised and re-distributed whenever there is a significant change in personnel practice or when appropriate.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Borough of Harrington Park is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act, as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) and all other applicable state or federal laws. Under no circumstances will the Borough of Harrington Park 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), 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, 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, Mayor, the Borough Administrator, 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.

Any employees with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of Management through the complaint procedure set forth in the Policy Against Harassment set forth in this Manual.

AMERICANS WITH DISABILITIES AND PREGNANT WORKERS FAIRNESS

The Borough of Harrington Park complies with the New Jersey Law Against Discrimination, the Americans with Disabilities Act and the federal Pregnant Workers Fairness Act ("PWFA"). The Borough of Harrington Park 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 Borough of Harrington Park 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 otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that accommodations do not require significant difficulty or expense.

The Borough of Harrington Park's nondiscrimination policy applies to all aspects of the Borough of Harrington Park-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and termination

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 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.

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 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 Borough of Harrington Park, or that 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. Employees or prospective employees should direct their written request to the Borough of Harrington Park. 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 Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park's business operation.

To further the Borough of Harrington Park's nondiscrimination policy, the Borough of Harrington Park 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 a reasonable accommodation can be made for a qualified individual.

Reasonable accommodations that the Borough of Harrington Park may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include 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 Borough of Harrington Park 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 Borough of Harrington Park's equal employment opportunity policy, he or she should contact the Borough Administrator.

POLICY AGAINST HARASSMENT

The Borough of Harrington Park is committed to providing a work environment that is free of discrimination. The Borough of Harrington Park 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 Borough of Harrington Park, as well as volunteers working on behalf of the Borough of Harrington Park, 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 Borough of Harrington Park are also expected to abide by this policy. In addition, no employee (on staff or contracted, or volunteer) shall be required to withstand behavior from the public which violates this policy.

Purpose. This policy is designed to ensure all employees and volunteers 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. *It should be noted that while many forms of discriminatory behaviors are intended to apply to those in a protected class. Harrington Park anti-discrimination policies apply as well to all persons, whether in a protected class or not.*

Provisions. All employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The Borough of Harrington Park 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.

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. . 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 accounts) 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 Borough of Harrington Park 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 or volunteer who feels he or she has been subject to harassment should report the incident directly to the Borough Administrator, who 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.

Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this policy. If the complainant wishes to discuss the alleged harassment verbally, it shall be handled in a strictly confidential manner, in the presence of the Borough Administrator and a witness. The discussion may be recorded with the complainant's agreement. Great care should be taken not to harass the complainant. Empathy and understanding should be expressed, and the complainant should be informed that the disposition of the complaint will be based on a determination of facts, to the extent possible.

Any individual uncomfortable reporting an incident to the Borough Administrator should feel free to go to any management representative which he or she feels most comfortable to relay the problem. When any management representative learns of an alleged violation of this policy, the management representative shall assist the victim in reporting the alleged incident(s) of harassment. Management representative could be – Department head, Mayor and Chair of the Finance & Admin. committee council chair.

All Harassment Complaint Forms shall be maintained in a secure storage location for a minimum of ten(?) years, under the control of the Borough Administrator. This includes verbal reports if Harassment Complaint Forms have not been submitted. If Complaint Forms have not been submitted by the complainant, the person in receipt of the information shall record their best understanding of the complaint and submit it to the Borough Administrator. That document shall be maintained in a confidential file assigned for that situation. The Borough Administrator, the Borough Attorney and the Mayor should be promptly informed of all Harassment Complaints.

Should any person in this chain of command be accused of harassment, the complaint shall be managed by the next higher authority. Should the Mayor be accused, the complaint shall be managed by the Council President in consultation with the Borough Attorney.

All Borough of Harrington Park employees and volunteers 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. Harassment or discrimination does not have to occur on the Borough of Harrington Park's property during regular work hours for an employee to file a complaint under this policy.

The Borough of Harrington Park strongly encourages employees who witness conduct which they believe violates the Borough of Harrington Park's Policy Against Harassment to report the violation pursuant to this complaint procedure. The Borough of Harrington Park 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 Borough of Harrington Park shall conduct an investigation into the harassment complaint to determine the merits of the allegations. The Mayor and/or Borough Administrator shall designate an objective investigator to assess 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 Borough of Harrington Park 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 Borough of Harrington Park.

In the event that the Borough of Harrington Park 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 Borough of Harrington Park 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 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 Borough Administrator for resolution.

Retaliation is Prohibited. The Borough of Harrington Park 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 Borough Administrator 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 Borough of Harrington Park 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 Borough of Harrington Park's Policy Against Harassment should contact Borough Administrator

Training. The Borough of Harrington Park 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 Borough of Harrington Park acknowledges the importance of ensuring that Borough of Harrington Park's 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 Borough of Harrington Park 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 Borough of Harrington Park will engage in proactive efforts to monitor and ensure compliance with its policies within their workplaces.

Mayor Joon L. Chung

Mr. John R. Dineen, Borough Attorney

Mr. Kunjesh Trivedi, Borough Administrator

POLICY PROHIBITING WORKPLACE VIOLENCE

The Borough of Harrington Park 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 Borough of Harrington Park, its employees and volunteers, or which occur on the Borough of Harrington Park'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 Borough of Harrington Park, 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 Borough of Harrington Park property, regardless of the relationship between the Borough of Harrington Park and the parties involved in the incident.

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

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

Any threats or acts resulting in the conviction of an employee or agent of the Borough of Harrington Park, or of an individual performing services on the Borough of Harrington Park'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 Borough of Harrington Park.

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:

- 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 Borough of Harrington Park.
- 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 Borough of Harrington Park.
- 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 Borough of Harrington Park property.
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Borough of Harrington Park property.

While employees of the Borough of Harrington Park may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law, employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

Application of Prohibition. The Borough of Harrington Park's prohibition against threats and acts of violence applies to all persons involved in the Borough of Harrington Park's operation, including but not limited to Borough of Harrington Park personnel, volunteer, contract and temporary workers, and anyone else on Borough of Harrington Park property. Violation of this policy by any individual on Borough of Harrington Park property, by any individual acting as a representative of the Borough of Harrington Park while not on Borough of Harrington Park property, or any individual acting off of the Borough of Harrington Park property when his or her actions affect the public interest or the Borough of Harrington Park'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 complexion, menacing stare, loudness, fast profane speech.
- Acting out either verbally or physically.

- Disgruntled employee or ex-employee who is excessively bitter.
- 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 Borough Administrator. 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 Borough Administrator. The Department Head will contact the Borough Administrator, who will take responsibility for coordinating a response to the incident.

In instances that involve criminal situations, the designated human resources official 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 Borough of Harrington Park 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 Borough Administrator.

The Borough of Harrington Park 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 Borough of Harrington Park'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 Borough Administrator.

Harassment Complaint Form is on the Borough Website under the Staff /Officials tab.

WHISTLEBLOWER POLICY

As a matter of policy, the Borough of Harrington Park 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 Borough of Harrington Park 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 Borough Administrator. The written statement should detail the specific information the employee possesses so that the Borough of Harrington Park may undertake an investigation.

The Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care.
- 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 Borough of Harrington Park or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care.
- Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the Borough of Harrington Park or any government entity.
- Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the Borough of Harrington Park or any governmental entity.
- Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes: (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care; (2) is fraudulent or criminal; or (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. See N.J.S.A. 34:19-3

Disclosure to the Borough of Harrington Park first, however, is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. The employee must give the Borough of Harrington Park a reasonable opportunity to correct the activity, policy or practice. It is the Borough of Harrington Park'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 Borough of Harrington Park and cause the Borough of Harrington Park and its employees to be subjected to adverse publicity leading to public distrust.

This policy is important to the Borough of Harrington Park. Each employee must seek to resolve any problem within Borough of Harrington Park channels before reporting it to any outside person or entity.

OPEN PUBLIC MEETINGS ACT PROCEDURE CONCERNING PERSONNEL MATTERS

Discussions by the governing body or any public body concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective

officer or employee may be held in closed session. Ultimately, the guidance as to notification of employees and the right to have the discussion in executive session or the open session should be discussed with and be based upon the guidance and advice of legal counsel for the public entity and recent court decisions.

Prior to the discussion by the governing body or any body of the Borough of Harrington Park concerning such matters, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. Should the matter involve other parties, their rights to privacy must be respected. This may require shielding their identities from the public.

CONFLICT OF INTEREST POLICY

I. PURPOSE.

It has always been and it will continue to be the policy of the Mayor and Council of the Borough of Harrington park ("the Borough") that all officers, key employees and Board Members (as defined below) of the Borough (together, "Covered Persons") shall serve the Borough with the highest loyalty, and shall conduct the affairs of the Borough in the best interests of the Borough without favoritism or preference based on personal considerations.

It is in the best interest of Harrington Park to be aware of and properly manage all conflicts of interest and appearances of a conflict of interest. This Conflict of Interest Policy ("Policy") is designed to help Covered Persons (defined below) of the Borough to identify situations that present potential conflicts of interest and to provide the Borough with a procedure to appropriately manage conflicts in accordance with legal requirements and the goals of accountability and transparency in the Borough's operations.

II. APPLICABILITY.

All Covered Persons (defined below) must abide by the Borough's Conflict of Interest Policy.

Covered Persons. Covered Persons include: the Mayor, each member of the Council of Harrington Park, each member of a Board Committee, the Borough Administrator, the Borough Clerk and any key person (defined as a person, other than the Mayor or Council Member who: a) has responsibility, or exercises powers or influence over the affairs of the Borough as a whole similar to the responsibilities, powers, or influence of the Mayor or Council members; b) manages the Borough, or a segment of the Borough that represents a substantial portion of the activities, assets, income, or expense of the Borough, or c) determines a substantial portion of the Borough's capital expenditures, operating budget, financial decisions, or is empowered to vote on matters affecting the Borough's financial health and/or residents' well-being. Also covered are all persons empowered to file legal documents on behalf of the Borough.

1. A conflict of interest occurs when an individual has a financial or personal interest that potentially conflicts with the best interests of the Borough.
2. To which employees and volunteers does this apply
    a. Any employee involved in financial interactions and contract negotiations
    b. Hiring, termination and performance evaluation.
    c. Job assignment and scheduling

III. POLICY STATEMENT.

1. Covered Persons have an obligation to:

    a recognize and avoid activities, relationships and situations which involve or may appear to involve actual or potential conflicts of interest, and behavior that may cause embarrassment to the Borough or compromise its integrity or reputation.

    b arrange their outside obligations, financial interests and activities so as not to conflict with their commitment to the Borough.

    c conduct the affairs of the Borough in a manner consistent with its commitment to the Borough.

    d not advance their personal interests or those interests of a Related Party (defined below).

    e not advance their personal interests or those interests of a Related Party (defined below).

    f not use their official positions to secure unwarranted privileges or advantages for themselves, a Related Party or others.

    g recognize and avoid activities and relationships that involve or might appear to involve conflicts of interest and behavior that may cause embarrassment to the Borough or compromise its integrity.

2. Related Party. The term “Related Party” means:

    a The following living relatives of each Covered Person:

        i His or her ancestors

        ii His or her siblings and half-siblings

        iii The spouses or domestic partners of his or her siblings and half-siblings

        iv His or her spouse or domestic partner or co-habitant

        v His or her children, grandchildren, and great-grandchildren (whether by birth or adoption)

        vi The spouse or domestic partner of each of his or her children, grandchildren, and great-grandchildren

    b Any entity or trust of which any individual described in paragraph 1 above serves as a director, officer, general partner, or employee; and

    c Any entity or trust in which any individual described in paragraph 1 above have a direct or indirect ownership or beneficial interest in excess of 5%.

IV. GUIDING PRINCIPLES.

The following principles are intended to guide Covered Persons in recognizing these situations:

1. The Borough and its Covered Persons will abide by the letter and spirit of all applicable laws and regulations and will act in such a manner that the full disclosure of all facts related to any activity will reflect favorably upon the Borough.

2. The Borough and its Covered Persons will adhere to the highest ethical standards of conduct in all activities and will act in a manner that enhances the Borough's standing as a vigorous and ethical contributor within the community.

3. The Borough will promote relationships based on mutual trust and respect and provide an environment in which individuals may question a practice without fear of adverse consequences.

4. The Borough and its Covered Persons will consider reputation risk to Harrington Park that could arise from its activities and will not take any actions reasonably likely to result, on balance, in an adverse effect to the Borough. Further, the Borough and its Covered Persons will not pursue any course of action that involves a violation of the law or a violation of these conflict of interest principles. Actions which may have an adverse effect on the Borough may be reviewed for compliance to this Policy and any applicable laws by the Administrative and Personnel Committees.

5. Each Covered Person will disclose any potential conflict of interest such Covered Person may have regarding their responsibilities to the Borough and will remove the conflict as required and appropriate.

The potential for an actual conflict of interest, or the appearance thereof, extends across a wide range of activities in the Borough. Conflicts of interest which must be avoided by Covered Persons include, but are not limited to the categories listed in the sections below.

V. OUTSIDE ACTIVITIES.

Conflicts occur because many Covered Persons should be expected to have, and do in fact generally have, multiple interests, affiliations, and positions of responsibility within the community. These outside activities could have an impact on the Borough or perception related to the Borough.

1. Outside activities which conflict with commitments to the Borough, imply that the Borough endorses an organization or activity, or constitute an unauthorized use of the Borough's resources or name are prohibited.

2. Partisan political activity prohibited by federal and state law or regulations, when on Borough property, or using Borough resources or the Borough's name are prohibited.

    1. It is understood and encouraged that Covered Persons can and do participate in political campaigns in their individual capacities, on their own time and without any use of Borough resources. However, such persons must take steps to ensure that their individual participation will not be attributed to the Borough or make use of Borough resources.

    2. The Borough does not endorse political candidates or participate in political campaign activities. No Covered Person may participate in any political campaign on

behalf of the Borough or engage in any other activity that would lead an outsider to believe that the Borough is supporting or opposing a candidate for public office. This prohibition covers activities such as making campaign contributions, organizing or encouraging the purchase of tickets to political fundraising events, using Borough facilities or resources for campaign-related activities, and publishing, making, or distributing statements for or against any candidate, where such activities are, or may appear to be, undertaken on behalf of the Borough.

3. It is important to distinguish between personal and organizational political activities. As a responsible citizen, the Borough occasionally will speak out on issues of importance to it. The Mayor and Council are responsible for developing the Borough's position on relevant legislative and regulatory issues. Unless specifically requested by the Borough to represent it before legislative or other governmental bodies, Covered Persons must clearly label any personal communication with legislators as their own beliefs. Covered Persons that are contacted by legislators or regulators regarding the Borough's position on public issues should refer them to the Mayor.

4. Certain Covered Persons and board members may periodically be called upon by the Borough to make contact with members of county, state or federal legislative bodies and other officials to set forth and advocate for the Borough's positions on certain issues. These persons are expected to abide by all applicable laws at all times. Any person who attempts to influence any legislative, executive or other governmental action, official or employee on behalf of the Borough may be required to register as a lobbyist and file certain reports concerning his or her activities. There may also be registration and reporting requirements as well as explicit limitations on lobbying that apply to the Borough. In addition, some laws provide rules of conduct for lobbyists.

5. With respect to lobbying, it is the Borough's policy that no gifts, meals or gratuities be given to government personnel without prior authorization from the Mayor. To assure that these laws and policies are fully complied with, it is expected that no Covered Person will engage in lobbying without authorization from the Mayor.

6. The Borough may also periodically engage lobbyists or lobbying firms to help promote its interests and has established internal controls to assure that all activities comply with the law. Written authorization must be obtained from the Mayor prior to engaging any lobbyist, outside legal counsel or consultant to lobby for or otherwise promote the Borough's interests on any legislative, regulatory or other governmental issue.

1. Outside business in which the Covered Person or Related Party has an ownership interest or serves as a paid employee or officer which competes with the Borough or sells goods or services to the Borough (applicable only if the goods and services comprise more than 5% of the business's sales or more than 5% of the goods and services of the Borough's goods) could represent an actual, perceived, or potential conflict and must be subject to the provisions in Section VIII (Policy Management and Implementation).

VI. PERSONAL BENEFITS AND GIFTS.

1. Negotiation, authorization or execution of purchasing agreements or other types of contracts with the Borough in situations where the Covered Person or a Related Party has a direct or indirect financial or other interest is prohibited.

2. Conflicts of interest may arise in the areas of gifts and entertainment. Giving or accepting gifts, favors, entertainment, or other things of value can sometimes be construed as an attempt to unduly influence a relationship. No personal gifts should be directly or indirectly offered or accepted where the gift could be viewed as intended to influence the Mayor, a Councilperson, a Board or Committee Member, or an employee, in the exercise of proper business and professional judgment. In order to avoid conflicts of interest and the appearance of impropriety, Covered Persons must obtain the consent of the Mayor before accepting gifts having a value in excess of $25 from any individual or organization doing business or desirous of doing business with the Borough. Covered Persons may not accept such gifts valued, individually or in combination with other gifts from the same source, at more than $40 in any calendar year. Gifts of money are never permissible.

3. Attending occasional lunch or dinner meetings hosted by others may be necessary when conducting Borough business. However, Covered Persons are reminded to exercise discretion in accepting invitations to dinners, lunches and other forms of entertainment offered by other individuals or organizations doing or wishing to do business with the Borough.

4. Federal, state and other applicable laws restrict the ability to give a gratuity to government employees, including politicians. These laws specifically prohibit giving a gratuity to a government employee in connection with a business or other commercial transaction. The giving of gratuity and gifts is not permitted even if done without the intent to influence official action.

A model Conflict of Interest Form is attached. If the Governing Body decides to enact this procedure, a Conflict of Interest Disclosure Form should be drafted specifically for the Borough of Harrington Park and be shown as an Appendix of the amended Handbook.

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NEPOTISM POLICY

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 Borough of Harrington Park's interest and their own.

Employees who marry or become related by marriage (or domestic partnership or co-habitation) may continue in their employment if the marriage does not result in the creation of a prohibited employment relationship. Where the marriage results in the creation of a prohibited employment relationship, the Borough of Harrington Park will explore potential accommodation 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

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RECUSAL POLICY

No Council Member, Mayor or member of a Board, Committee or Commission shall cast a vote on matters in which they have a personal interest, financial or otherwise. If a member does not withhold their vote and the vote is later determined to be improper, that vote will be removed. If that changes the outcome of the vote, the issue shall be reopened and revoted.

Adjudication of the validity of such votes will be made by the Mayor and/or vote of the Mayor & Council in consultation with the Borough Attorney and any other parties with first-hand knowledge of the situation. The individual in question shall not have a voting privilege nor take part in the discussion except as a witness. Such matters shall be considered personnel issues and shall take place in Executive Session and disclosed only as required by law.

In addition, those with a personal interest in a matter before the Council, or one of the Boards, Committees, or Commissions shall recuse themselves and refrain from participating in debate on that matter. Failure to do so may be subject to sanction by the Mayor and Council.

1. Recusal – Any Covered Person having a direct or indirect interest in an arrangement shall not
    a. Vote on or participate in the deliberations of the relevant Board Committee regarding the arrangement;

b. Influence or attempt to influence such vote or deliberation; or
c. Be present during such vote or deliberation.

The foregoing requirements shall not be construed as preventing the affected Covered Person from answering questions addressed to him or her by other Council, Board, Commission, etc., or other persons invited to participate in the discussion, or from presenting background information at the request of such persons.

2. Finance Committee– If the Mayor or the Chair of the Personnel Committee identifies or is made aware of an actual, potential of perceived conflict of interest for a Covered Person, each will make the other aware of the matter. They must:
    a. Ensure that the steps required have been taken by the Covered Persons and Mayor.
    b. Before approving the arrangement, determine that the arrangement is fair, reasonable and in the Borough's best interest at the time of the determination and obtain and rely on comparable market data, to the extent available, in making such determination.
    c. In addition, before approving an arrangement in which a Covered Person has a direct or indirect interest, consider alternative transactions to the extent available.
3. Voting – All determinations and approvals with respect to an arrangement in which a Covered Person has a direct or indirect interest must be approved by the affirmative vote of no less than a majority of the members of the Personnel Committee present at a meeting of the Personnel Committee (provided a quorum is present). Interested Council Members may be counted solely for determining the presence of a quorum.
4. Documentation and Retention of Records – All disclosures and recusals with respect to an arrangement in which a Covered Person has a direct or indirect interest, together with the basis for all determinations and approvals of the Personnel Committee, must be contemporaneously documented in writing (including in the minutes of any meeting at which the arrangement was discussed and voted on). This document must include an account of the consideration of comparable market data and alternative arrangements =, to the extent considered or available.
5. Disclosure to the Personnel Committee – If an arrangement in which a Covered Person has a direct or indirect interest comes before a committee other than the Personnel Committee, the existence of the arrangement (if not already disclosed) must be promptly disclosed to the Personnel Committee.

Section Two: Employee Benefits

COMPENSATION

The Borough of Harrington Park 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.

OVERTIME

The Borough of Harrington Park complies with all applicable federal and state laws with regard to payment of overtime work, including the New Jersey Wage and Hour Law and the federal Fair Labor Standards Act.

Under the 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 $107432 per year depending upon their job duties. The Chief Administrative Officer 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 work week and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Mayor and Chief Financial Officer's prior approval and at the sole discretion of the Mayor and Chief Financial Officer.

Depending on work needs, employees may be required to work overtime. Employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Mayor and Chief Financial Officer. Employees working overtime without prior approval will be subject to disciplinary action.

Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over forty (40) in a workweek. Employees may choose overtime compensation in the form of overtime pay or compensating time off.

MEDICAL BENEFITS

Full details of employee's health, medical and hospitalization plans can be provided by the CFO. If there is any conflict or inconsistency between the information in the policy and procedures manual and the official documents, the official documents will govern. The employer reserves the right to modify, revoke, suspend, terminate or change any or all such plans, in whole or in part, at any time with or without notice in accordance with applicable law. The employer also reserves the right to change insurance carriers in accordance with applicable law.

HIPAA COMPLIANCE

The Borough of Harrington Park 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 Borough of Harrington Park maintains such information about its employees and others, its elected officials and employees are committed to protecting the privacy and confidentiality of that information. Protected files will be securely maintained by the Borough Administrator.

WORKERS' COMPENSATION

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. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a workers' compensation physician appointed by the Borough of Harrington Park or workers' compensation carrier. Workers' Compensation is not a leave entitlement but only a wage replacement arrangement. Employees shall contact the CFO to handle claims and compensation regarding workers' compensation.

Workers' Compensation Light Duty Policy. The Borough of Harrington Park will endeavor to bring employees with temporary work-related injuries or illnesses back on the job as soon as possible. The Borough of Harrington Park 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 Borough of Harrington Park and, as a consequence, is unable to perform his/her regular job duties.

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.

PAID HOLIDAYS

This policy covers non-union employees. It also covers union employees to the extent that their collective bargaining agreements do not cover these issues.

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.

Paid holidays are reviewed by the Mayor and are approved by Council at the Reorganization meeting each year.

Days chosen are subject to the approval of the Mayor as per the contract or collective bargaining agreement.

This policy is not intended to conflict with the collective bargaining agreement between the Borough of Harrington Park and its unionized employees. If there is a conflict between this Manual and any collective bargaining agreement, the provisions of the collective bargaining agreement will prevail for represented employees.

Section Three: Leaves of Absence

VACATION LEAVE POLICY

Vacation is an accrued benefit based on the following schedule:

- One week for 6 months of service through the first year;
- Two weeks for the second year through the fifth year;
- Three weeks for the sixth year through the tenth year; Four weeks for year eleven through the fourteenth year;
- Five weeks for fifteen or more years. (unless it was negotiated differently at the time of hiring.)

Full-time employees without collective bargaining or contractual agreement are entitled to three personal days. Employees with seniority will get priority when personal day requests conflict. In the case of an emergency situation, the needs of the Borough of Harrington Park take priority and there is the possibility that the Mayor and Council shall request that personal days may need to be rescheduled or denied. If an employee leaves the Borough's employ, unused paid personal days are not eligible for payout at employment termination. When an employee misses work because of reasons such as illness, jury duty, military service, bereavement, or vacation, paid personal days are not used.

The Borough of Harrington Park believes that vacation is important to the health and well-being of our employees and encourages all employees to utilize their vacation days. Therefore, the Borough of Harrington Park will not accumulate unused vacation days or pay for unused vacation days. Employees must receive their supervisor's approval at least two weeks in advance of the first vacation day. Borough Hall employees will not be granted vacation after December 15 of any year unless approved by the Mayor.

If an employee is terminated prior ~~to completion of the Introductory Period~~, no vacation days are accrued. Once that time has passed, an employee will be entitled to vacation pay for accrued but unused vacation days on a pro-rata basis.

If an employee has chosen to leave their position (with the exception of retirement) of employment with the Borough of Harrington Park vacation time would accrue at one day of paid annual leave at the end of each month during that year. Exceptions: Time spent on leaves of absence for jury duty, military service or extended illness does not count for vacation accrual.

Employees with seniority will get priority when vacation requests conflict. In the case of an emergency situation, the needs of the Borough of Harrington Park take priority and there is the possibility that the Mayor and Council shall request that vacations may need to be rescheduled or denied.

SICK LEAVE POLICY

For every 30 hours worked, an employee shall accrue one hour of sick leave. An employee may accrue or use in any year, or carry forward from one year to the next, no more than 40 hours of earned sick leave.

The Borough of Harrington Park permits an employee, pursuant to N.J.S.A. § 34:11D-3(a), to use the earned sick leave accrued for any of the following instances:

(1) Time needed for diagnosis, care, or treatment of, or recovery from, the employee's own mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;

(2) To aid or care for a family member 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 preventive medical care for the family member;

(3) If an employee or a family member are a victim of domestic or sexual violence, and are obtaining services from a designated domestic violence agency or other victim services organization, medical attention, legal services, counseling, or are relocating due to the domestic or sexual violence;

(4) Closure of an employee's workplace, or of the school or place of care of an employee's child, due to an epidemic or public health emergency, or because of the issuance by a public health authority of a determination that the presence of the employee or their family member in the community would jeopardize the health of others; or

(5) If an employee needs to attend a school-related conference, meeting, function or other event requested or required by an administrator, teacher, or other professional school staff member responsible for the education of the employee's child, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

(6) 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

In regard to the above, the Borough of Harrington Park requires 7 calendar days' notice for any foreseeable use of leave. If the use of leave is unforeseeable, the employee should notify the Borough of Harrington Park as soon as practicable of their need to use same. Should an employee need to use three (3) or more consecutive days of leave, said employee must provide the Borough of Harrington Park with reasonable documentation that the leave is being taken for one of the purposes permitted above. Reasonable documentation shall be as defined in N.J.S.A. § 34:11D-3(b).

An employee is eligible to use the earned sick leave beginning on the 120th calendar day after the employee starts work. The employee may subsequently use earned sick leave as soon as it is accrued. Employees will not be paid for any unused sick leave, except as expressly required by federal or State laws, or an applicable collective negotiations agreement.

An employee who exhausts all paid sick leave in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year.

Employees Covered under a Collective Bargaining Agreement – The employment details 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 Borough of Harrington Park. Wherever employment details in this policy differ from the terms expressed in a collective bargaining agreement with the Borough of Harrington Park, the specific terms of the collective bargaining agreement will control.

FAMILY AND MEDICAL LEAVE IN ACCORDANCE WITH THE FEDERAL FAMILY AND MEDICAL LEAVE ACT ("FMLA"), THE BOROUGH OF HARRINGTON PARK

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 BOROUGH OF HARRINGTON PARK'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 Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park, 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 Borough of Harrington Park, 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 Borough of Harrington Park, at its expense, may require an examination by a second healthcare provider designated by the Borough of Harrington Park. If the second healthcare provider's opinion conflicts with the original medical certification, the Borough of Harrington Park, 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 Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park 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. An employee will be required to use any available accumulated paid leave concurrently with the employee's FMLA leave.

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 Borough of Harrington Park shall attempt to work out a schedule for such leave that meets the employee's needs without unduly disrupting the Borough of Harrington Park's operations, subject to the approval of the employee's health care provider. The Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park.

Employees should consult with their Department Head and the Borough CFO or the Borough Administrator 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 Borough of Harrington Park 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 Borough CFO 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 Borough of Harrington Park 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 Borough of Harrington Park. 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 Borough of Harrington Park 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 Borough of Harrington Park 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 six (6) weeks (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 Borough of Harrington Park 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 Borough of Harrington Park and have worked at least 1,000 hours for the Borough of Harrington Park over the previous twelve (12) months.

Qualifying Reasons for Leave. An employee may take NJFLA leave to care for:

- A newly born or adopted child or a child placed into foster care with the employee, but the leave must start within twelve (12) months of the birth of the child or the placement of the child.

- A family member (sibling, grandparent, grandchild, child, spouse, domestic partner, civil union partner, parent-in-law, or parent of a covered individual, 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) with a serious health condition.
- 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 the spread of a communicable disease, which:
- (i) 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;
- (ii) 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
- (iii) 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
- 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 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 Borough of Harrington Park'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 Borough of Harrington Park will notify employees of their options to continue to participate in our group health plans during NJFLA leave.

Required Notice and Certifications. When requesting NJFLA leave, an employee must provide the Borough of Harrington Park thirty (30) days' advance written notice. If advance written notice is not possible because of an emergency, the employee must provide the Borough of Harrington Park with reasonable oral notice and then follow up with written notice.

The employee also must give the Borough of Harrington Park a medical certification supporting the need for leave. The Borough of Harrington Park 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 Borough of Harrington Park. If an employee fails to provide the required documentation, the Borough of Harrington Park 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 Borough of Harrington Park'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 Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park '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 Borough of Harrington Park -provided leave available to him/her).

Retaliation Prohibited. The Borough of Harrington Park 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 Borough of Harrington Park 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 Family Leave Insurance. 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, 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.

An employee's job is not protected while receiving FLI benefits – unless the employee is eligible for leave under the FMLA, NJFLA, or is otherwise designated for an approved family leave of absence.

Employees must provide the Borough of Harrington Park with advance notice of need for leave, as follows:

- At least thirty (30) days before leave to bond with a newborn or newly adopted child, unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.

- In a reasonable and practicable manner for leave to care for a seriously ill family member on a continuous, non-intermittent basis, unless an emergency or other unforeseen circumstance precludes advance notice.

- At least fifteen (15) days before leave to care for a seriously ill family member or leave to bond with a newborn or newly adopted child on an intermittent basis unless an emergency or other unforeseen circumstance precludes advance notice.

NOTE: The Application Form for Family and/or Medical Leave (FMLA) and/or New Jersey Family Leave (NJFLA) can be found in Appendix B.

BEREAVEMENT LEAVE

Each employee shall be entitled to leave with pay upon the death of a member of his/her immediate family. "Immediate family" shall mean spouse, civil union partner, child, parent, brother, sister, grandparent, adopted children, stepchildren, and step-parents of the employee and the parent of the employee's spouse.

The following number of days shall be granted as bereavement leave upon the death of the following members of the employee's family:

1. Spouse, Civil Union Partner, or child 6 Days
2. Parent, brother, or sister 3 Days
3. Grandparents 2 Days
4. Parent of Spouse 3 Days

Bereavement days shall not be charged against the employee's vacation of sick leave. A reasonable extension of bereavement leave may be made at the Mayor's option to be charged against the employee's available vacation time or to be taken without pay for a reasonable period. Under unusual circumstances not specified here, bereavement leave may be extended without charge against vacation or pay reduction with approval by the Mayor and Council.

JURY DUTY POLICY

An employee required to render jury service shall be entitled to be absent from work during that service and will be paid the difference between any payment received for jury duty and the employee's regular salary.

MILITARY SERVICE LEAVE POLICY

The Borough of Harrington Park provides military leave in accordance with applicable State and Federal law. In all cases involving military leave, the employee must, as soon as possible, provide his or her Department Head and Mayor with a certificate verifying the call to military duty prior to beginning the military leave.

Organized Militia. Any permanent or full-time temporary officer or employee, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other affiliated organization, including the National Guard of other states, shall be entitled to a leave of absence without loss of pay or time on all work days on which he or she is engaged in any period of Federal active duty, up to thirty (30) work days in any calendar year. A military leave of absence is in addition to the employees' regular vacation or other accrued leave.

Any leave of absence for such duty in excess of thirty (30) work days will be without pay but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

New Jersey Organized Militia. New *Jersey's organized militia consists of the* National Guard (Army and Air), the Naval Militia, and the State Guard. Any permanent or full-time officer or employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which he or she shall be engaged in State or Federal active duty, up to ninety (90) work days in any calendar year.

Any leave of absence for such duty in excess of ninety (90) work days will be without pay but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

Reinstatement. To be reinstated by the Borough of Harrington Park without loss of privileges or seniority, the employee must report for duty with the Borough of Harrington Park within the time required by law following release from active duty under honorable circumstances.

In accordance with legal requirement, employees who take military leave are required to:

- Provide the Borough of Harrington Park with proper notice of the leave;
- Apply for reinstatement within the time required by law;
- Have a creditable military record including completion of all required training and full-time service and be discharged under honorable conditions.

On return from a military leave of absence, the employee will be reinstated as required by law. See The Uniformed Services Employment and Reemployment Act ("USERRA"). Failure to comply with the requirement enumerated above or as required by law will jeopardize an employee's reemployment rights.

TRANSITIONAL DUTY

Purpose: To establish guidelines and procedures for transitional duty work assignments to employees who are recovering and recuperating from a work-related injury or illness, with temporary physical work restrictions or limitations, as diagnosed by a treating physician. Transitional duty assignments are temporary in nature.

Transitional Duty programs offer time-limited, modified and meaningful work assignments to employees who, due to an on-the-job injury or illness, have been rendered temporarily incapable of meeting the physical demands of their usual duties. These assignments are modified to accommodate the physical limitations imposed by injury or illness, as determined by medical professionals involved in the care of the worker.

The Borough of Harrington Park is committed to providing opportunities for employees who have been injured on the job to return to the workforce as soon as possible. The Borough of Harrington Park views the Transitional Duty Program as a partnership with the employees who have been injured, with the sole objective of enhancing the recovery of employees to facilitate their return to work in their previous position as soon as possible.

The Borough of Harrington Park will make every effort on a case by case basis to accommodate an employee under the Americans with Disabilities Act (ADA) absent an undue hardship by the Borough of Harrington Park.

Section Four: Personnel Rules and Regulations

JOB DESCRIPTION POLICY

A job description, including required qualifications, may be maintained. The Mayor and Council must approve all job descriptions. The CFO will provide copies upon request.

ATTENDANCE POLICY

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday. The CFO keeps record of all vacation, personal and sick time.

EARLY CLOSING AND DELAYED OPENING POLICY

In the event of unsafe conditions, the Mayor may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Mayor shall notify the Borough Administrator, and the Borough Administrator will notify Department Heads 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 the Department of Public Works, Police, or any personnel who may be required to assist in an emergency.

BREAKS

Administrative personnel are entitled to a one-hour lunch that is to be arranged by the supervisor so that offices continue to function. Two fifteen (15) minute breaks are taken during regular office hours. Other employees are entitled to a one-hour lunch break, which will be scheduled by the supervisor.

NO SMOKING POLICY

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Borough of Harrington Park has adopted a smoke-free policy for all buildings and public grounds. Borough of Harrington Park facilities shall be smoke-free and no employee, volunteer or visitor will be permitted to smoke anywhere in Borough of Harrington Park buildings and on public parks and grounds. Smoking inside vehicles owned by the Borough of Harrington Park 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.

APPEARANCE

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 Borough of Harrington Park wishes to project

This policy incorporates by reference all references to uniform and dress contained in all collective negotiations agreements in force between the Borough of Harrington Park 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.

COMPUTER USE, ELECTRONIC MAIL, AND INTERNET POLICY

The Borough of Harrington Park's e-mail, voicemail, computer systems and Internet service are for official Borough of Harrington Park business and use for all other non-business purposes during working time is prohibited. "Working time" shall be defined as any time in which the employee is engaged in or required to be performing work tasks for the Borough of Harrington Park. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and meal times. This includes, but is in no way limited to, the use of computers or Borough of Harrington Park-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 Borough of Harrington Park operates in an environment where the use of computers, e-mail and the Internet are essential tools for certain employees. Those employees are encouraged to use computers, email and the Internet; however, it is the responsibility of the employee to guarantee that these systems are 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 computers owned by the Borough of Harrington Park are to be used for business purposes only during working time (as defined above), and that they have no expectation that any information visited or stored on a Borough of Harrington Park computer is private. Because e-mail messages are considered as business documents, the Borough of Harrington Park 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. Borough administrator's approval is needed to download any software.
- **Personal use** of any computer during working time (as defined above) is prohibited, unless expressly authorized by the employee's supervisor.
- The Borough of Harrington Park reserves the right to block or cancel an employee's access to Internet sites or the Internet as a whole while using business computers or on the Borough of Harrington Park's time.
- The e-mail, telephone, and Internet systems, as well as the messages thereon, are the property of the Borough of Harrington Park.

- The Borough of Harrington Park reserves its right to monitor its computer systems, including but not limited to e-mail messages, computer files and Internet usage, with or without notice, at any time, at the Borough of Harrington Park's discretion. The Borough of Harrington Park 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 Borough of Harrington Park computers or 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 Borough of Harrington Park or generated by the employee, do not restrict or eliminate the Borough of Harrington Park's access to any of its electronic systems as the employees shall be on notice that they should not have any expectation of privacy when using these systems.

- Employees must not share personal access codes or passwords, grant access to unauthorized users, or access another individual's email or Internet account without proper authorization. If access is authorized by someone other than the Borough Administrator, the Administrator must be notified, and the reason for such authorization must be documented and retained. Two-step authentication may only be overridden by the Network Administrator and the Borough Administrator.

- The Borough of Harrington Park's network, 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 the Borough of Harrington Park's computer, e-mail and connection to the Internet shall not interfere with the employee's duties and shall comply with the Borough of Harrington Park'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 should consider a more secure method of communication for such data.

- Because postings placed on the Internet may display the Borough of Harrington Park's address or other Borough of Harrington Park-related information, and thus reflect on the Borough of Harrington Park, make certain before posting such information that it exhibits the high standards and policies of the Borough of Harrington Park. 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.

- If you identify yourself as an employee in any manner on any internet posting or blog, comment on any aspect of the Borough of Harrington Park's business or post a link to the Borough of Harrington Park, 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 Borough of Harrington Park or anyone associated/affiliated with the Borough of Harrington Park."

- Subscriptions to news groups or mailing lists are permitted only when the subscription is for a work-related purpose and authorized by the Borough of Harrington Park. 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 Borough of Harrington Park's Network Administrator and Borough Administrator before downloading.

- Any "unauthorized use" of e-mail or the Internet is strictly prohibited while at work or while using a Borough of Harrington Park computer. "Unauthorized use" includes, but is not limited to: connecting, posting, or downloading obscene, pornographic, violent, sexually suggestive, or discriminatory-based material; attempting to disable or compromise the security of information contained on the Borough of Harrington Park's computer systems; or sending or receiving obscene, violent, harassing, sexual or discriminatory-based messages. If an employee receives a message that is representative of an

"Unauthorized use" of the Borough of Harrington Park's electronic media by someone outside of the Borough of Harrington Park, it is the employee's duty to immediately inform the sender of such materials that he or she must refrain from sending such materials. in such situations Borough Administrator must be alerted immediately. The Borough Administrator will then inform the Network Administrator..

- Your Internet postings SHOULD NOT VIOLATE ANY OTHER APPLICABLE BOROUGH OF HARRINGTON PARK POLICY, including, but not limited to, the following: the Borough of Harrington Park's Anti-Harassment and Discrimination Policies.

- Borough of Harrington Park 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 Open Public Records Act. 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.

Social Network Postings

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 other users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design vary from site to site. Examples of the types of internet based social networking activities include: blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting comments on the sites. 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, including but not limited to Snapchat, Facebook, TikTok, Instagram, and X (formerly Twitter), is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the Borough of Harrington Park 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 Borough of Harrington Park reserves the right to investigate postings, 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 Borough of Harrington Park 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, libelous, or that can create a hostile work environment. You can also be sued by agency employees or any individual who views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, 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 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 Employer-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.

REQUESTS FROM THE PRESS

From time to time the press may request interviews with Borough employees. The response to such requests is that all requests for comments to the press should be directed to the Mayor. The Mayor will ascertain the nature of the request and determine who, if anyone, should respond to the inquiry. Exceptions to this policy will be those employees who have a statutory duty to release specific information (e.g., the Borough Clerk). Information released in this manner shall be limited to the information required by statute. In these cases, the Mayor and Borough Administrator shall be informed of the specific information released.

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CONDUCT OF EMPLOYEES

Employees are expected to conduct themselves in a manner which exhibits respect for the rights and property of the Borough of Harrington Park, fellow employees, and residents. While many of these behaviors are addressed under specific policies, the following list, while not inclusive, further identifies examples of inappropriate behavior:

- Insubordination or the refusal by an employee to follow management's instructions concerning job-related matters
- Serious breach of discipline
- Neglect of duty
- 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 without a prescription, being intoxicated or narcotized while on duty
- Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved or revoked; provided that any regular member or officer of the police department who shall

be absent from duty without just cause for a period of five days shall cease to be a member of the police department, as provided by N.J.S.A. 40A:14-122, as amended.

- 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
- Chronic or excessive absenteeism
- Disorderly or immoral conduct
- Theft, bribery or unauthorized use or possession of the Borough of Harrington Park, co-worker or resident property
- Disregarding safety or security regulations
- Falsifying or otherwise altering ~~The~~ Borough of Harrington Park 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 Borough of Harrington Park supplies, especially for personal purposes
- Conviction of a crime
- Failure to maintain confidentiality of Borough of Harrington Park 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 Borough of Harrington Park rules
- Improper attire or inappropriate personal appearance
- Engaging in any harassment or discrimination based upon a protected class
- Violation of Borough of Harrington Park policies on solicitation or distribution (Borough Ordinance#237)
- Possession of firearms or other weapons on Borough of Harrington Park property or while on official business, unless otherwise authorized by the Borough of Harrington Park
- Other actions disruptive to the effective, efficient, and economical operation of the Borough of Harrington Park's affairs
- Conduct unbecoming a public employee. It is important that all employees perform to the best of their abilities at all times.

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 Borough of Harrington Park at any time with or without cause and without following any system of discipline or warnings.

CONFIDENTIALITY OF PERSONNEL RECORDS

The Borough Administrator will ensure that adequate personnel records are maintained for each employee in accordance with applicable Federal and State requirements. These records shall include dates of appointments, transfers, promotions and terminations, job titles, salaries, commendations, complaints, performance evaluations, disciplinary actions, amount of leave accrued and used, a record of the employee's training and other related matters, and attendance records.

A new employee's employment application, letters of reference, reference verification and any other supporting documents will be included in the personnel file. Confidential medical records are maintained in a separate file.

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 Borough Administrator, Mayor, and Finance & Admin Chair. Personnel records may also be available to other members of management, the Borough of Harrington Park's Mayor and legal counsel, and members of the governing body on a need-to-know basis in connection with official duties. Additionally, the Borough of Harrington Park 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 Borough of Harrington Park in the hiring process, but may not review the contents of other employees' personnel files. Employees who want to review their own personnel folder should request an appointment with the Administrator. Employees should provide the Borough of Harrington Park 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 Borough Administrator or his/her designee. Employees will not be permitted to photocopy the contents of their folder, take personnel folders outside of the Administrator's office or remove any documents from the folder.

Employees whose duties require access to personnel documents or information must maintain their confidentiality. Violators of this confidentiality will be subject to disciplinary action up to and including termination. It is the responsibility of each employee to notify the Borough Administrator and the payroll office promptly, in writing, of any changes of vital information, including but not limited to:

Name
Address
Telephone Number
Marital Status
Dependent Children
Change in status for health care programs
Change in status for dental coverage

Change of beneficiary on pension or life insurance policies
Change in tax status for tax withholding purposes
Persons to notify in case of emergency

Changes may be accomplished by completing and filing an Employee Information Change Form with the Borough CFO 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.

CONTAGIOUS/LIFE THREATENING ILLNESS POLICY

The Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park'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 Borough of Harrington Park offers the following resources through the Borough Administrator:

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 Borough of Harrington Park encourages employees who need these resources to contact the human resources official.

DISCIPLINE AND TERMINATION POLICY

Corrective disciplinary action, as appropriate, will be taken with 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 Borough of Harrington Park. 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 fewer days.

All disciplinary actions shall be recorded and maintained in the employee's personnel file.

This policy covers non-union employees. It also covers union employees to the extent that their collective bargaining agreements do not cover this subject matter.

All disciplinary actions shall be documented and placed in the individual's personnel File.

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

- Incompetency, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Chronic or excessive absenteeism or lateness;
- Conviction of a crime;
- Conduct unbecoming a public employee;
- Neglect of duty;
- Misuse of public property, including motor vehicles;
- Discrimination that affects equal employment opportunity, including sexual harassment;
- Violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder;
- Falsification of public records, including attendance and other personnel records;
- Failure to report absence;
- Harassment of co-workers and/or volunteers and visitors;
- Theft or attempted theft of property belonging to the Borough of Harrington Park, fellow employees, volunteers or visitors;
- Unauthorized absences and/or chronic or excessive absences;
- Fighting on Borough of Harrington Park's property at any time;
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Borough of Harrington Park property and at any time during work hours;
- Failure to report to work on the day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
- Possession, sale, transfer or use of intoxicants or illegal drugs on Borough of Harrington Park property and at any time during work hours;
- Entering the building without permission during non-scheduled work hours;
- Soliciting on Borough of Harrington Park 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, such as those from Avon, Amway, etc.;

- Careless waste of materials or abuse of tools, equipment or supplies;
- Deliberate destruction or damage to Borough of Harrington Park property or the property of other employees or residents;
- Sleeping on the job;
- Carrying weapons of any kind on the Borough of Harrington Park premises and/or during work hours, unless carrying a weapon is a function of your job duties;
- Violation of established safety and fire regulations;
- 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 Borough of Harrington Park or other employees or unauthorized posting of any materials;
- Unauthorized disclosure of confidential Borough of Harrington Park information;
- Gambling on Borough of Harrington Park premises;
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Borough of Harrington Park premises;
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;
- Conviction of a crime or disorderly persons offense;
- Violating any Borough of Harrington Park rules, procedures, regulations or policies;
- Unauthorized use of computers, Internet, email, voicemail, telephone and cellular phone; and
- Other sufficient cause.

These are mere examples and not an exhaustive list or binding on the Borough of Harrington Park. Additionally, the Borough of Harrington Park reserves the right to use any and all forms of discipline on a case-by-case basis and is not obligated to use progressive discipline. Employment with the Borough of Harrington Park may be terminated at any time with or without cause or reason by the employee or Borough of Harrington Park.

GRIEVANCE PROCEDURE

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 right to grieve. 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.

EMPLOYMENT REFERENCES

To ensure that individuals who work for the Borough of Harrington Park are well-qualified and have a strong potential to be productive and successful, it is the policy of the Borough of Harrington Park to check the employment references of all applicants at the Borough of Harrington Park's discretion.

Employees should not, under any circumstances, provide another individual with information regarding a current or former employee. Any employee, including Department Heads, who receives a request for reference information should forward the request to the human resources official. Generally, unless otherwise required by law, the Borough of Harrington Park will only confirm employees' name, title, salary, compensation, dates of service, reason for separation, if applicable, and specific educational or medical qualifications required for employment. The Borough of Harrington Park's response to a request for reference information shall be communicated in writing only. The Borough of Harrington Park does not honor oral requests for employment references.

A current or former employee may also authorize the Borough of Harrington Park to release additional information. Unless otherwise required by law, the Borough of Harrington Park will only release additional information if the current or former employee provides authorization, in writing.

POLITICAL ACTIVITY

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 Borough of Harrington Park'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.

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 whole or in part 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 Borough of Harrington Park. Employees should report any violation of this policy to their direct supervisor and the Borough Administrator.

LONGEVITY POLICY

Certain full time employees working "full time" in Borough Hall prior to 12/31/97, are entitled to Longevity. That Longevity is fixed at 3% for qualified employees. Police and DPW employees should consult their current management/labor contract to determine eligibility. The current DPW contract makes all full time employees hired before 1/1/95 eligible for longevity. Persons hired after 1/1/95 are not eligible for longevity.

The schedule of Longevity payments for full-time DPW/Police Department employees is as follows.

After 5 years of continuous full time service -	1.5%
After 8 years of continuous full time service -	3%
After 11 years of continuous full time service -	4%
After 14 years of continuous full time service -	5%
After 18 years of continuous full time service -	6%
After 23 years of continuous full time service -	7%

Payments shall be computed as a percentage of the employee's yearly base salary and shall be included in equal installments in equal payroll payments

RETIREMENT POLICY

Under State law, all employees must enroll in the New Jersey Public Retirement System or the Police and Fire Fighters Retirement System as applicable. 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 Department Head 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 Department Head will prepare an Employee Action form showing any pay or other money owed the employee. The CFO 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.

SAFETY POLICY

The Borough of Harrington Park endeavors to provide a safe and healthy work environment for all employees and shall comply with the requirements of the Public Employees Occupational Safety and Health Act ("PEOSHA"). The Borough of Harrington Park is equally concerned about the safety of the public.

Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action.

Any occupational or unsafe public condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving the Borough of Harrington Park's facilities, equipment, or motor vehicles must also be immediately reported to the supervisor or Department Head and the Chief Administrative Officer. Failure to do so constitutes grounds for disciplinary action. Employees are encouraged to discuss safety concerns with supervisory personnel.

EDUCATIONAL ASSISTANCE AND TRAINING POLICY

The Borough of Harrington Park may choose to reimburse/pay for full-time or part-time regular employees for education costs for courses that are required as part of statutory certification for their respective positions. The approval for reimbursement will be dependent upon the course and its relevance to the employee's current or future potential position. Approval must be obtained prior to commencement of each course.

CONFERENCE AND SEMINAR POLICY

Requests to attend a conference or seminar must be approved by the Department Head and the Mayor. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Department Head at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. The Department Head 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. In the event of multiple employees requesting the same conference, seniority takes preference unless the Mayor and Council decide otherwise. Reimbursements shall be made for registration fees, reasonable meal expenses at current rates acceptable by the Internal Revenue Service, excluding alcohol, and a hotel room cost not to exceed the established convention rate

POLICY FOR USE OF EMPLOYER VEHCILES (Non Law Enforcement)

Unless an employee or volunteer receives permission from the Mayor of the Borough of Harrington Park owned vehicles shall be used only on official business and all passengers must be on Borough of Harrington Park business.

Vehicles may be taken home only with the advance approval of the Mayor and Council, which may grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Borough of Harrington Park vehicle, it is to be used only for official Borough of Harrington Park business; any other use is not permitted. At no time shall children be in the Borough of Harrington Park vehicle when responding to an emergency. Any violation of this policy constitutes cause for disciplinary action.

The Borough of Harrington Park owns and maintains a fleet of vehicles ("Employer Vehicles") that are used in furtherance of the business of the Borough of Harrington Park. The following policy governs the use of all Employer 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 Borough of Harrington Park to the employee in any civil or criminal matter brought in any Court arising from improper use of a Borough of Harrington Park vehicle. The Borough of Harrington Park 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.

Driving Privileges and Licensure. The use of a Borough of Harrington Park Vehicle by an employee is subject to the approval and discretion of the Chief Administrative Officer. Any employee operating a Borough of Harrington Park 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 Borough of Harrington Park's insurance carrier before an employee will be permitted to operate a Borough of Harrington Park Vehicle.

A. Employees are required to file a copy of a valid driver's license with the Borough of Harrington Park prior to the use of a Borough of Harrington Park 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 Borough of Harrington Park 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 a Borough of Harrington Park vehicle and may also result in the denial of indemnification and/or defense by the Borough of Harrington Park to the employee in any civil or criminal matter brought in any Court arising from the use of an Borough of Harrington Park vehicle while said employee's driving privileges were suspended or revoked.

B. The Borough of Harrington Park 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 Borough of Harrington Park reserves the right to suspend an employee's Borough of Harrington Park driving privileges if the Borough of Harrington Park deems it necessary based on the employee's driving record.

2. The Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park and awaits clearance to resume driving.

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

Borough of Harrington Park 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-Borough of Harrington Park employee, including but not limited to family members of the

employee, to operate or ride as a passenger in an assigned Borough of Harrington Park Vehicle, unless said passengers are assisting in the official business of the Borough of Harrington Park.

Location of Vehicles. Employees who are assigned the regular use of a Borough of Harrington Park Vehicle for official business may, with the written permission of his/her Department Head, take the Borough of Harrington Park 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 Borough of Harrington Park 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 a Borough of Harrington Park 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 the operation of any Borough of Harrington Park 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, taking photographs of the accident site, and obtaining and providing a police accident report to the CFO, etc.)

A. In the event of an incident or accident involving the use of a Borough of Harrington Park 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 Borough of Harrington Park.

Citations and Violations. Operators of Borough of Harrington Park Vehicles are expected to follow all laws, regulations and rules prescribed by the Motor Vehicle Commission. Drivers are responsible for paying any moving violation tickets and MUST notify the Borough of Harrington Park 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 Borough of Harrington Park 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 Borough of Harrington Park, an employee shall, within ten (10) business days of such notice, provide acceptable proof to the Borough of Harrington Park that the outstanding toll and any related fees have been paid.

General Policies and Procedures. Employees authorized to use a Borough of Harrington Park 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, 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 a Borough of Harrington Park Vehicle are responsible for scheduling all repairs and manufacturer-recommended maintenance with the Borough of Harrington Park, 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 Borough of Harrington Park 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 handheld phones or electronic devices (BlackBerry, navigation systems, etc) while driving Borough of Harrington Park 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 safety 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 in 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 a Borough of Harrington Park Vehicle and/or termination.

ADDITIONAL INFORMATION-Additional forms are posted on the Borough Website for the policies noted below at harringtonparknj.gov under the Staff and Officials tab. http://harringtonparknj.gov/index.php/staff-officials

*ALCOHOL AND DRUG FREE WORKPLACE

*DOMESTIC VIOLENCE POLICY

*PROTECTION AND SAFE TREATMENT OF MINORS

APPENDIX A

CONFLICT OF INTEREST DISCLOSURE QUESTIONNAIRE

1. Are you aware of any relationship existing between the Borough and you, any of your relatives, or any other person or firm affiliated with you or any such Related Party, which may represent an actual or appearance of conflict of interest?

   Yes _____ No _____ _____

   If your answer is "Yes" please detail the circumstances. If more space is needed you may use the reverse side of this form or add additional pages.

_____

_____

_____

2. Please list any entity or trust in which you or a Related Party of yours is an officer, director, member, owner (either as a sole proprietor or a partner) or employee and with which the Borough is known to have (or is known to be in discussions to have) a relationship (whether contractually or otherwise).

_____

_____

_____

If more space is needed, you may use the reverse side of this form or add additional pages. Write "N/A" if not applicable to you.

3. Excluding circumstances that have been previously reported under the Borough's Code of Ethics and Conduct, during the past 12 months, did you, any of your relatives, or any other person or firm affiliated with you or such family member, receive a gift, gratuities, loan, or anything of value:

   (a) from any source that supplies, or is seeking to supply, goods or services to the Borough or which otherwise has business dealings with the Borough; or

   (b) for or because of any official act performed, or to be performed, by you in your official capacity as an employee or volunteer of the Borough of Harrington Park?

   Yes _____ No ____ _____

If your answer is "Yes" please detail the circumstances. If more space is needed, you may use the reverse side of this form or add additional pages.

_____

_____

_____

4. Do you or any family member directly or indirectly own securities or other interests in, have a financial interest in, or serve as an officer, director or other management employee of, any entity that has a relationship with the Borough?

Yes _____ No _____ _____

If your answer is "Yes" please detail the circumstances. If more space is needed, you may use the reverse side of this form or add additional pages.

_____

_____

_____

5. Do you have a family relationship or a business relationship with any other Covered Person?

Yes ____ _____ No _____

If your answer is "Yes" please detail the circumstances. If more space is needed you may use the reverse side of this form or add additional pages.

_____

_____

_____

6. Do you know of any instances or circumstances that may constitute a violation of the Borough's Code of Ethics and Conduct for Members of the Borough Council, its Boards, Committees, Commissions or employees subject to Conflict of Interest Disclosure but that may not have been previously reported?

Yes _____ No _____ _____

If your answer is "Yes" please detail the circumstances. If more space is needed you may use the reverse side of this form or add additional pages.

_____

_____

_____

I HEREBY CERTIFY THAT THE ANSWERS TO THIS QUESTIONNAIRE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

_____
Signature

_____
Please print your name

_____
Title

_____
Date

APPENDIX B

Application Form for Family and/or Medical Leave (FMLA)
and/or New Jersey Family Leave (NJFLA)

Name: _____

_____

Hire Date: _____

Date of Request:

Mailing Address:

Department:

Title: _____

Start Date of Anticipated Leave: _____

Expected Date of Return to Work: _____

Reason for Leave:

☐ I request family leave to care for my newborn child, newly adopted child, or a newly placed foster child in my home.

☐ I request family leave to care for my family member with a serious health condition. I request family leave to care for:

☐ Spouse ☐ Child ☐ Parent

NJFLA Only: ☐ Parent-in-Law ☐ Civil Union/Domestic Partner

Name: _____ Address:

_____

☐

I request medical leave to care for my own serious medical condition.
Describe serious health condition:

_____

☐

I request military family leave because of a qualifying exigency arising out of the fact that my
☐Spouse ☐ Child ☐ Parent
is on active duty or called to active duty status in support of a contingency operation as a member of the National Guard or reserves.

☐ I request military family leave because I am the

☐ Spouse ☐ Child ☐ Parent ☐ Next of Kin of a covered service member with a serious injury or illness.

Application for FMLA and/or NJFLA (cont'd)

I understand that if my family or medical leave (total of paid and unpaid time) does not exceed twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), I will be returned to my same or equivalent position.

I understand that if my family or medical leave exceeds twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), the Borough of Harrington Park may terminate my employment in accordance with the applicable law.

If my request for leave is approved, it is my understanding that unless the Borough of Harrington Park has authorized an extension of my leave in writing, I must report to duty on the first workday following the date my leave is scheduled to end.

I understand that failure to return to work within five (5) consecutive working days following the expiration of the leave will constitute unequivocal notice of my intent not to return to work and the Borough of Harrington Park may terminate my employment.

Signature of Employee:_____Date: _____

Received By: _____
Borough of Harrington Park Representative

Complete and Return To:

Chief Financial Officer 201-768-8185 cfocollector@harringtonparknj.gov

Return to Work Medical Certification

Employee Name:_____ Position: _____

Date leave commenced: _____ Date employee can return to work: _____

To Be Completed by Health Care Provider:

_____ I have completely examined this employee. In my medical opinion, his/her functional capacity is limited such that there is no possible way to modify his/her work environment to accommodate his/her physical and/or mental limitations according to the attached job description that was reviewed by me.

_____ This employee's condition prevents him/her from safely performing the essential functions of his/her position and will be unable to return to work.

- or-

_____This employee is unable to return to work at this time and should be out of work until (please provide date): _____

_I have completely examined this employee and in my medical opinion, his/her functional capacity is limited. This employee can continue to work safely if the job, according to the attached job description that was reviewed by me, is modified to match the modifications stated below:

_____

_____

_____

_____

_____ Modified duty status should continue until _____

Date

_____ I have completely examined this employee. In my medical opinion I believe this employee can resume/perform all functions of his/her position without restrictions according to the attached job description that was reviewed by me.

Signature of Health Care Provider:_____ Date: _____

Name of Health Care Provider: _____ Telephone: _____

Address:

Type of Practice:

Area of Specialization: