



CITY OF MARGATE

EMPLOYEE HANDBOOK



The City of Margate is an Equal Opportunity Employer, M/F.

MAY 1, 2014

INTRODUCTION:

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

As a City employee, you have certain rights and obligations. Federal and State law as well as City policies cover such important areas as discrimination, safety, violence, harassment and conflicts of interest. Many common attitudes of the past have changed. For example, the old adage “to the victors belong the spoils” in governmental hiring is now against the law and the old fashion (patrol room,) garage or office “give and take” can no longer be condoned. Behaviors that were tolerated ten or twenty years ago are no longer acceptable.

Employees have a right to a safe workplace free of discrimination, violence, harassment and conflict of interests and have an obligation to conduct themselves consistent with these policies. The City of Margate has a “no tolerance” policy towards workplace wrongdoing.

This Employee Handbook adopted by the City of Margate discusses these issues and many other City personnel policies. You are urged to read this handbook and become acquainted with its contents. By its very nature, a handbook cannot be comprehensive or address all possible situations. For this reason, if you have any questions concerning any City personnel policy, contact your supervisor, or if you prefer, your Department Head, Administrator or the Personnel Officer

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

All employees receiving this handbook are required to sign an acknowledgement of receipt. A copy of this receipt will be maintained in your official personnel file.

Date:

Richard W. Deaney
City Administrator

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

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

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

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Personnel Policies and Procedures

OF PAGES: 1

SUBJECT: GENERAL PERSONNEL POLICY

EFFECTIVE DATE:
May 1, 2014

REVIEW DATE:
January 10, 2014

REPLACES POLICY DATED:
2012

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

All employees, officers and Department Heads shall be appointed and promoted by the Commissioner of the appropriate Department. No person shall be employed or promoted unless there exists a position created by an ordinance adopted by the Board of Commissioners as well as the necessary budget appropriation and salary ordinance.

The Personnel Officer and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Board of Commissioners has appointed the Personnel Officer to implement personnel practices. The Personnel Officer shall also have access to the Employment Attorney appointed by the Board of Commissioners for guidance in personnel matters.

As a general principle, the City of Margate has a "no tolerance" policy towards workplace wrongdoing. City officials, employees and independent contractors are to report anything perceived to be improper. The City of Margate believes strongly in an Open Door Policy and encourages employees to talk with their supervisor, Department Head, Personnel Officer or City Solicitor concerning any problem.

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

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

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Personnel Policies and Procedures

SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 101	# OF PAGES: 1
SUBJECT: ANTI-DISCRIMINATION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 102	# OF PAGES: 1
SUBJECT: AMERICANS WITH DISABILITIES ACT POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, the City of Margate does not discriminate based on disability. The City of Margate will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

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

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 103	# OF PAGES: 1
SUBJECT: CONTAGIOUS OR LIFE THREATENING ILLNESSES POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

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

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SECTION: 1 Policies Relating to Employee Rights & Obligations	CHAPTER: 104	# OF PAGES: 1
SUBJECT: SAFETY POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 105	# OF PAGES: 2
SUBJECT: TRANSITIONAL DUTY POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The City of Margate will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed and will not exceed 45 workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

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

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

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Personnel Officer. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Personnel Officer informed of the medical progress. Employees assigned to transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason. If at the end of transitional duty period the employee is not able to return to work without restrictions, the City reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers

Compensation or disability. This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy or other Federal or State law.

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 106	# OF PAGES: 2
SUBJECT: DRUGS & ALCOHOL POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The City of Margate recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is observed by a supervisor or department head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor or Department Head will immediately report any reasonable suspicions to the City Clerk.

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

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

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

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

Employees using prescription drugs that may affect job performance or safety must notify the City Clerk or Department Head who are required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act. City personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy. A program to assist employees who may have a drug/alcohol problem is provided through the City's Employee Assistance Program.

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

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SECTION: 1 Policies Relating to Employee Rights & Obligations	CHAPTER: 107	# OF PAGES: 1
SUBJECT: WORKPLACE VIOLENCE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

Prohibited conduct includes:

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 108	# OF PAGES: 1
SUBJECT: GENERAL ANTI-HARASSMENT POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

It is the City of Margate's policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic 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, and/or any other characteristic protected by law. Harassment of non-employees by City of Margate employees is also prohibited. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representations of persons using electronically or physically altered photos, drawings or images and other similar verbal, written, printed or physical conduct.

If an employee is witness to or believes to have experienced harassment, immediate notification of the supervisor or other appropriate person should take place. See the Employee Complaint Policy.

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

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 109	# OF PAGES: 2
SUBJECT: ANTI-SEXUAL HARASSMENT POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

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

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

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

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

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

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 110	# OF PAGES: 2
SUBJECT: WHISTLE BLOWER POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

In accordance with the statute, the employee must bring the violation to the attention of the City Clerk, City Solicitor, or City Administrator. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature.

Employees are encouraged to complain in writing using the Employee Complaint form. See

Employee Complaint Policy. Under the law, the employee must give the City a reasonable opportunity to correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy.

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 111	# OF PAGES: 1
SUBJECT: EMPLOYEE COMPLAINT POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employees who observe actions they believe to constitute harassment, sexual harassment, or any other workplace wrongdoing should immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Department Head, the City Clerk, or the City Solicitor. Reporting of such incidents is encouraged both when an employee feels that he or she is subject to such incidents, or observes such incidents in reference to other employees. Employees should report incidents in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

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

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

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SECTION: 1 Policies Relating to Employee Rights & Obligations	CHAPTER: 112	# OF PAGES: 1
SUBJECT: GREIVANCE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

A grievance is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the City. **Grievances from union employees will be handled pursuant to the terms of the applicable bargaining unit agreement.** All grievances from non-union employees must be presented within five working dates after arising and failure to report a grievance within such time shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than thirty working days prior to the date the grievance was first presented in writing.

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 113	# OF PAGES: 2
SUBJECT: ACCESS TO PERSONNEL FILES POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

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

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the City's compliance with applicable law;
- To the City's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the City are parties;
- In a workers' compensation proceeding;
- To administer benefit plans;

- To an authorized health care provider;
- To first aid or safety personnel, when necessary; and
- To a potential future employer or other person requesting a verification of your employment as described in the following section titled, “Requests for Employment Verification and Reference Procedure.”

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Personnel Policies and Procedures

SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 114	# OF PAGES: 2
SUBJECT: CONFLICT OF INTEREST POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

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

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their City duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the City or any person or firm seeking to influence City decisions. Meals and other entertainment valued in excess of \$25.00 are also prohibited. Employees are required to report to the Personnel Officer any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 115	# OF PAGES: 1
SUBJECT: POLITICAL ACTIVITY POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using City time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, City Clerk, City Administrator, or City Solicitor.

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Personnel Policies and Procedures

SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 116	# OF PAGES: 1
SUBJECT: EMPLOYEE EVALUATION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The Department Head will complete a written evaluation and appraisal form for every employee to measure progress and to encourage self-improvement at least once a year. The evaluation will also record additional duties performed, educational courses completed as well as a plan to correct any weak points using the Employee Counseling form. After completing the evaluation, the supervisor or Department Head will review the results with the employee and return the form(s) with the signed acknowledgement to the Personnel Officer. After review the form(s) are to be forwarded to the Personnel Officer for inclusion in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Personnel Officer.

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 117	# OF PAGES: 2
SUBJECT: EMPLOYEE DISCIPLINE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential City information.
- Gambling on City premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on City 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 City rules or policies.
- Conduct unbecoming a public employee.
- Violation of City policies, procedures and regulations.
- Violation of Federal, State or City laws, rules, or regulations concerning drug and alcohol use and possession.
- Misuse of public property, including motor vehicles.
- Unauthorized use of computers, Internet, and email.
- Other sufficient cause.

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

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

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

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

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 118	# OF PAGES: 1
SUBJECT: RESIGNATION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

An employee who intends to resign must notify the Department Head in writing at least two weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Department Head will prepare an Employee Action form showing any pay or other money owed the employee. The Personnel Officer 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.

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SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 119	# OF PAGES: 1
SUBJECT: WORKFORCE REDUCTION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Pursuant to N.J.A.C. 4A: 8-1.1 the City of Margate may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. (Seniority, lateral or other re-employment rights for employees in Career Service titles will be determined by the New Jersey Department of Personnel.)

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Personnel Policies and Procedures

SECTION: 1 Polices Relating to Employee Rights & Obligations	CHAPTER: 120	# OF PAGES: 1
SUBJECT: DRIVER'S LICENSE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

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

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

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SUBJECT: JOB DESCRIPTION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

A job description including qualifications shall be maintained for each position pursuant to New Jersey Department of Personnel guidelines if the position is subject to Civil Service. All job descriptions must be approved by the Personnel Officer. The Personnel Officer will make copies available upon request.

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SECTION: 2 Workplace Policies	CHAPTER: 202	# OF PAGES: 1
SUBJECT: ATTENDANCE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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 normal working hours for administrative departments are 9 AM to 4 PM. The working hours for other departments are established by departmental procedures and bargaining unit agreements.

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SECTION: 2 Workplace Policies	CHAPTER: 203	# OF PAGES: 1
SUBJECT: EARLY CLOSING & DELAYED OPENING POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

In the event of unsafe conditions, the Commissioners may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the City Clerk shall 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, Fire, Water, Sanitation, Emergency Services or any personnel who may be required to assist in an emergency.

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SUBJECT: DRESS CODE POLICY

EFFECTIVE DATE:

May 1, 2014

REVIEW DATE:

January 10, 2014

REPLACES POLICY DATED:

2012

Dress, grooming and personal hygiene must be appropriate for the position. Uniforms are required for certain jobs and are to be worn in accordance with applicable departmental standards. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees shall not wear suggestive attire, jeans, athletic clothing, shorts, sandals, T-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. Tattoos and body piercings, other than earrings, may not be visible. With the advance approval of the City Clerk, the City will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action or will be sent home without pay.

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CHAPTER: 205

OF PAGES: 1

SUBJECT: NO SMOKING POLICY

EFFECTIVE DATE:
May 1, 2014

REVIEW DATE:
January 10, 2014

REPLACES POLICY DATED:
2012

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 City of Margate has adopted a smoke-free policy for all buildings. City facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in City buildings. Employees are permitted to smoke only outside City buildings and such locations as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the City 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.

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CHAPTER: 206

OF PAGES: 1

SUBJECT: USE OF VEHICLES POLICY

EFFECTIVE DATE:
May 1, 2014

REVIEW DATE:
January 10, 2014

REPLACES POLICY DATED:
2012

Unless an employee receives permission from the City Clerk, City owned vehicles shall be used only on official business and all passengers must be on City business.

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

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Workplace Policies

SUBJECT: TELEPHONE USAGE POLICY

EFFECTIVE DATE:

May 1, 2014

REVIEW DATE:

January 10, 2014

REPLACES POLICY DATED:

2012

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

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CHAPTER: 208

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SUBJECT: COMMUNICATION MEDIA POLICY

EFFECTIVE DATE:
May 1, 2014

REVIEW DATE:
January 10, 2014

REPLACES POLICY DATED:
**Systems Privacy: E-mail,
Voice Mail and Internet
Usage Policy 2012**

The City's Communication Media are the property of the City and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the City, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

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

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

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

Employees can only use the City's Communication Media for legitimate business purposes. Employees may not use City's Communication Media in any way that is defamatory, obscene, or

harassing or in violation of any City rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by City. Certain data, or applications that process data, may require additional security measures as determined by the City. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

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

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

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

The City encourages employees to share information with co-workers and with those outside the City for the purpose of gathering information, generating new ideas and learning from the work of others to the extent such sharing is permitted by the City. Social media provide inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Employees may engage in social media activity during work time through the use of the City's Communication Media, provided that it is directly related to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential City information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the City's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the City Administrator. Except in "emergency situations," Employees are prohibited from taking digital images or photographs with media equipment not owned by the City. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the City's Communication Media. If such situation occurs, employee agrees that any images belong to the City and agree to release the image to the City and ensure its permanent deletion from media device upon direction from the City.

No media advertisement, electronic bulletin board posting, or any other posting accessible via the Internet about the City or on behalf of the City, whether through the use of the City's Communication Media or otherwise, may be issued unless it has first been approved by the City Administrator. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the City.

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

All users are personally accountable for messages that they originate or forward using the City's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else) is prohibited.

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

To the extent that employees use social media outside of their employment and in so doing employees identify themselves as City employees, or if they discuss matters related to the City on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the City, and the employee is expressing only their personal views. For example: "The views expressed on this website/web blog are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the City or the City's business. Employees must keep in mind that, if they post information on a social media site that is in violation of

City's policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

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

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SUBJECT: BULLETIN BOARD POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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SUBJECT: VIDEO SURVEILLANCE POLICY

EFFECTIVE DATE:
May 1, 2014

REVIEW DATE:
January 10, 2014

REPLACES POLICY DATED:
2012

The City may install video surveillance camera systems within public buildings and throughout public areas within the City, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the City will ensure compliance with federal, state and local laws governing such usage.

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

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

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

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

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SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER:	# OF PAGES: 1
SUBJECT: PAID AND UNPAID TIME OFF POLICIES		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Scope:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

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SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 301	# OF PAGES: 1
SUBJECT: PAID HOLIDAY POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- Lincoln's Birthday
- President's Day
- Good Friday
- Memorial Day
- July 4th
- Labor Day
- Columbus Day
- Veterans Day
- General Election Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day

This list may be amended from time to time. All employees covered by collective bargaining agreements shall receive holiday benefits as provided in the applicable collective bargaining agreement.

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SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 302	# OF PAGES: 2
SUBJECT: VACATION LEAVE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Vacation is an accrued benefit based on the following schedule:

- One day for each full month of service during the first calendar year;
- Twelve days for the second through fourth calendar year;
- Fifteen days after the completion of four years through ten years; and
- Twenty-one days after the completion of ten years through thirty years.
- Twenty-five days after completion of thirty years.

Vacation leave shall be credited at the advance of each calendar year in anticipation of continued employment, based on the employee's years of continuous service. An employee who terminates employment for any reason whatsoever (i.e. retirement, resignation, termination, etc.) before the end of the calendar year shall only be entitled to a pro-rated amount of said vacation leave and shall reimburse the City for paid vacation days in excess of his or her pro-rated and accumulated vacation entitlements.

If an Employee is permitted to but does not use his vacation time during the year in which earned, he will lose the days not used. If, however, an Employee is not permitted to use his vacation days during the year in which earned, he shall then be paid for each of such days so unused.

It is each Employee's responsibility to see that his vacation is planned well in advance of year end so that he will not have any unused days.

In order for an Employee to qualify to be paid for unused vacation days the following procedure must be followed:

1. The calendar is to be posed and Employees (in order of seniority) will mark off vacation days planned for the current year. This procedure is to be completed before January 31st of each year.
2. If the days selected are unsatisfactory, in the determination of the Supervisor, then the Supervisor shall give the Employee alternate days, which days must be accepted by the Employee.

3. If the Supervisor cannot give the Employee alternate days, he is to notify the Employee who must then write a memorandum to the City notifying the City of the Employee's intent to claim to be paid for such unused vacation days. This memorandum must be received by the City prior to November 1st of each year.
4. If Steps 1, 2 and 3 are complied with and the Employee does not in fact use his days earned and so rejected during each year, he shall be paid for same during January of the following year.

CITY OF MARGATE

Personnel Policies and Procedures

SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 303	# OF PAGES: 1
SUBJECT: PERSONAL LEAVE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employees are entitled to two personal days per year and any unused days are forfeited at the end of each calendar year.

CITY OF MARGATE

Personnel Policies and Procedures

SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 304	# OF PAGES: 1
SUBJECT: SICK LEAVE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employees are entitled to one working day of sick leave per month during the first calendar year of employment and fifteen (15) working days in every calendar year of employment thereafter. Sick days may accumulate from year to year. Sick leave is to be used only in cases where the employee is ill and unable to work, or in cases of the serious illness of a family member. Employees absent on sick leave for five or more consecutive working days must submit a doctor's verification of illness or injury. An absence of five or more days may also trigger the provisions of the Family Medical Leave Act. See Chapter 308. If an employee is attending to an immediate family member, including civil union partner, a doctor's verification of that individual is required. After the tenth day of absence on sick leave in one calendar year, a doctor's verification must be submitted for all sick leave absences, regardless of duration. Prior to the return to work, the City may require an employee to be examined by a physician designated by the City to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received. All employees covered by collective bargaining agreements shall receive sick leave benefits as provided in the applicable collective bargaining agreement.

At the end of each calendar year, an employee's unused sick time is added to the allotment for the following year. The accumulation continues indefinitely and employees who have served at least five (5) full years will be paid up to a maximum of one-hundred (100) days of the employees accumulated unused sick time computed at the rate of pay for the year immediately preceding the employee's retirement, death, or honorable termination of employment.

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SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 305	# OF PAGES: 1
SUBJECT: BEREAVEMENT LEAVE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

- A. In the event of death in the employee's immediate family, the employee shall be granted time off without loss of pay, from the date of death up to and including the day of the funeral, but in no event to exceed four (4) working days.
- B. The term "immediate family" shall include only spouse or significant other, civil union partner, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household.
- C. Funeral leave may be extended beyond the four (4) working day period at the sole discretion of the City Administrator.
- D. The above shall not constitute sick leave and shall not be deducted from the employee's annual sick leave.

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SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 306	# OF PAGES: 1
SUBJECT: JURY DUTY POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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.

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SECTION: 2 Paid and Unpaid Time Off Policies	CHAPTER: 307	# OF PAGES: 1
SUBJECT: LEAVE OF ABSENCE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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Personnel Policies and Procedures

SECTION: 2

CHAPTER: 308

OF PAGES: 10

**Paid and Unpaid
Time Off Policies**

SUBJECT: FAMILY & MEDICAL LEAVE ACT POLICY

**EFFECTIVE DATE:
May 1, 2014**

**REVIEW DATE:
January 10, 2014**

**REPLACES POLICY DATED:
2012**

I. Description of Leave Available under the federal Family and Medical Leave and the New Jersey Family Leave Act

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

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

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

NOTE: Nothing in this policy [Chapter 308], prohibits or limits an employee from utilizing the entirety of their accumulated sick time as long as they comply with the requirements of the sick leave policy. [Chapter 304].

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

Commencing July 1, 2009, Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in connection with a family member's serious health condition may take leave intermittently or consecutively. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the City with 30 days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the City with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. A serious injury or illness means an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

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

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

Upon an employer's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

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

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

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

II. Process for Requesting Leave Pursuant to the FMLA or NJFLA

A. Initial Request for Leave

- a. The employee must: (1) notify his or her supervisor verbally that a Leave is needed and (2) must contact the Personnel Officer and complete a Request for Leave. The request must include an explanation for the Leave that will allow the Personnel Officer to determine the type of leave for which the employee may be eligible.
- b. In circumstances where the need for leave is foreseeable, the employee must request Leave at least thirty (30) before he or she needs it. When an employee becomes aware of a need for leave less than thirty (30) days in advance, the employee must make a reasonable effort to schedule leaves and medical treatment with a minimum disruption to their department.
- c. For unforeseeable leave due to a qualifying emergency, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.
- d. An absence of five (5) or more days may also trigger the provisions of the FMLA or NJFLA.

B. Notice to Participants

- a. The City of Margate will place Department of Labor posters describing employees' FMLA rights in conspicuous locations where employees can readily see them.
- b. Absent extenuating circumstances, the City of Margate will notify the employee whether he or she is eligible for leave based on the information available within five (5) business days of when an employee requests family medical leave in writing to the Personnel Officer. The City of Margate may provide a provisional decision subject to additional information requested by the City of Margate.
- c. The Personnel Officer shall provide the following information, in writing, to employees who request Leave:
 - (1) That they must complete and submit the following forms (i.e., Request for Family/Medical Leave, Compensation Election, and Healthcare Provider Certification) to the Personnel Officer within fifteen (15) days of receipt

of the forms. The Personnel Officer will use the forms to determine whether the employee's request qualified for FML or another type of leave, and to ensure that he or she will be paid correctly and on time;

- (2) The options available for being paid during a family medical leave and how the elections they make will affect their long term sick and paid time off;
- (3) The consequences of failing to comply with the employee's obligations;
- (4) The circumstances under which the employee will be required to make direct payments for their share of the cost of their health insurance to the City of Margate and how they go about making such payments;
- (5) That employees who are not designated "key" have the right to return to work from approved leave after they present a completed return to work release notice to the Personnel Officer prior to their return to work date and the position protection period has not been exhausted;
- (6) Any additional entitlements and obligations that they have. For example, their requirement to make periodic status reports to the Personnel Director and to their supervisor providing the date they intend to return to work. Also, that they must provide the Personnel Officer with a request to extend a family/medical leave of absence, and an updated Healthcare Provider Certification or note, if they find that they need more leave than anticipated.

C. Certification of Serious Health Condition

- a. Family Medical Leave due to the serious health condition of either the employee or a qualified family member must be supported by a certification issued by the healthcare provider of the individual with the condition. The certification must be in the form of, or provide the information contained in form WH-380-E - Certification of Health Care Provider for Employee's Serious Health Condition and form WH-380-F - Certification of Health Care Provider for Family Member's Serious Health Condition.
- b. If the City of Margate notifies the employee of any deficiencies in the certification, the employee has seven (7) days to correct the deficiencies. Failure to bring the certification to the level of satisfying legal requirements will result in denial of the request.

- c. The City of Margate reserves the right to require a second medical opinion and, in the event that the two opinions conflict, a third opinion may be requested from a healthcare provider selected jointly by the employee and the City of Margate. The City of Margate will pay the greater of the cost of the second/third opinions, or the travel expenses incurred to get them. The City of Margate may later request additional certification.
- d. If the leave is related to a serious health condition, employees are expected to make reasonable efforts to schedule any treatments needed so that they do not unduly disrupt the City of Margate's operations.

D. Leave related to the birth or adoption of a child or placement of foster care

- a. Leave related to the birth or adoption of a child or the placement of a child with the employee for foster care must be taken within one year of the birth, adoption, or placement. FMLA states that this leave must be conducted within one (1) year of the qualified event. NJ FLA requires that this leave must commence within one (1) year of the qualified event.
- b. Family Medical Leave due to the birth or adoption of a child must be supported by proper documentation. The documentation must be in the form of, or provide the information contained in form WH-380-E - Certification of Health Care Provider for Employee's Serious Health Condition and form WH-380-F - Certification of Health Care Provider for Family Member's Serious Health Condition.

E. Qualifying Exigency Leave for Families or members of the National Guard and Reserves.

- a. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to twelve (12) weeks of leave for the arising of a qualifying exigency. Family Medical Leave due to the military duty of a family member must be supported by proper documentation. The documentation must be in the form of, or provide the information contained in form WH-384 - Certification of Qualifying Exigency For Military Family Leave.
- b. The qualifying exigency must be one of the following: (1) short-notice deployment; (2) military events and activities; (3) child care and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) additional activities that arise out of active duty, providing that the employer and employee agree, including agreement on timing and duration of leave.

- c. An employee must provide a certification in the form of, or provide the information contained in, the Certification of Qualifying Exigency for Military Family Leave.
- d. The leave may commence as soon as the individual receives the call-up notice.
- e. A son or daughter is defined the same as “child” for other types of FMLA leave except that the person does not have to be a minor.
- f. This type of leave would be counted toward the employee’s twelve (12) week maximum.

F. Military Caregiver Leave

- a. An employee may take up to 26 weeks in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Family Medical Leave due to the military duty of a family member must be supported by proper documentation. The documentation must be in the form of, or provide the information contained in form WH-385 - Certification for Serious Injury or Illness of Covered Servicemember -- for Military Family Leave.
- b. An illness or injury incurred by a covered member of the armed forces in the line of duty on active duty that renders such service member medically unfit to perform the duties of his or her office, rank, or rating. Eligible employees are entitled to leave under the FMLA in order to care for a service member with a serious health condition as so defined where such service member (1) is undergoing medical treatment, recuperation or therapy; (2) is otherwise in outpatient status; or (3) is otherwise on temporary disability retired list, due to such a serious health condition.
- c. Next of kin is defined as the closest blood relative of the injured or recovering service member.
- d. An employee must provide a certification in the form of, or provide the information covered in, the Certification for Serious Injury or Illness of Covered Service member – For Military Family Leave.
- e. Spouses who are both employed by the City of Margate are entitled to a total of 26 workweeks (rather than 26 weeks each) to care for covered service member.

G. Intermittent Leave or Reduced Schedule

- a. If medically necessary, leave related to a serious health condition may be taken intermittently or on a reduced schedule. Planned prior of treatment must be

submitted to the Personnel Officer and the Department Manager prior to the employee taking leave.

- b. Intermittent or reduced schedule leave may apply to the birth or placement of a child.
- c. Employees must make a “reasonable effort” to schedule any intermittent or reduced schedule leave so as not to unduly disrupt the City of Margate’s operations.
- d. The City of Margate reserves the right to temporarily transfer an employee to an alternate position if the alternate is better able to accommodate the intermittent or reduced schedule that the employee needs. The alternate will have duties, pay and benefits equivalent to the employee’s normal job.
- e. If an employee takes a leave on an intermittent or reduced schedule, only the amount of leave taken will be counted toward the 12-week family medical leave entitlement. If an employee normally works part-time, the amount of leave available will be calculated on a pro-rata or proportional basis. The employee’s budgeted work hours will be used in this calculation.
- f. In the event that any part of an exempt employee’s intermittent or reduced schedule is unpaid because he or she has insufficient long term sick or paid time off, the City of Margate will deduct amounts from an employee’s wages to reflect leave. By statute, this deduction will not affect the employee’s Fair Labor Standards Act status.

H. Leave Disapproval

- a. The employee will be given a reasonable opportunity to cure any deficiencies in leave requirements. Failure to bring the documents to the level of satisfying legal requirements will result in denial of the request. The employee may then be expected to report to work as scheduled; however, if the employee is away from work when the decision is made, the Personnel Officer will notify the employee by certified mail that he or she has three (3) days to return to work. Employees who do not return by the date they are given are considered to have voluntarily separated from the City of Margate.
- b. The employee will continue to be paid consistent with the City of Margate’s policies while the deficiencies are being resolved. He or she can use available long term sick, however, only if a properly completed healthcare provider certification which satisfies family leave requirements has been submitted to the Personnel Officer. If that is not the case, the employee will be paid from available paid time off. Long term sick and paid time off banks will be adjusted accordingly.

I. Benefit Information

- a. Employees who normally make voluntarily contributions to pay for benefits such as supplemental life insurance or health coverage, shall have their normal payments deducted from any long term sick or paid time off they are paid during the leave. In the event an employee's wages are insufficient to cover their required payments, he or she must make direct payments to the City of Margate to maintain benefits coverage.

J. General Provisions

- a. Applying established policies, the City of Margate will designate the leave as family medical leave, if applicable. If family medical leave does not apply, the leave will be designated as extended medical leave, if applicable. The Personnel Officer will base the decision on the length of employment, the hours worked, other information the employee provides, and the prior leave that the employee has taken.
- b. Eligible employees who take leave under approved family medical leave must use all accrued available vacation, sick and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave. Workers compensation leave may also run currently with FMLA.
- c. The City of Margate will require employees to make periodic updates on when they expect to return to work to the Personnel Officer and to their supervisor throughout the leave.
- d. Spouses who are both employed by the City of Margate are entitled to a total of twelve workweeks (rather than 12 weeks each) for the birth or adoption of a child or the care of a sick parent. Spouses who are both employed by the City of Margate are entitled to a total of 26 workweeks (rather than 26 weeks each) to care for a covered service member. Spouses are entitled to a total of twelve (12) weeks each to deal with their own illness.
- e. An employee who fraudulently obtains leave will not be entitled to the benefit coverage and return to work rights described in this policy.
- f. If an employee obtains other employment while on authorized leave, their employment with the City of Margate may be terminated.

K. Return to Work

- a. Employees who are not designated as "key," are entitled to return to either the same position that they left or to a position equivalent in pay, benefits, and the

terms and conditions of employment. They may also lose this right if they do not return to work as scheduled, or they exceed the maximum amount of family medical leave allowed.

- b. All employees returning from family medical leave for their own illness must provide a medical clearance certification to the Personnel Officer no later than two (2) days prior to the return to work date.
- c. Employees are to contact their supervisor regarding a work schedule at least one (1) week prior to the return to work date.
- d. An employee will not be entitled to return to work if she or she:
 - (1) Would have been laid off during the leave or would otherwise not have been employed at the time he or she can return.
 - (2) Has unequivocally advised the City of Margate that he or she does not intend to return to work.
 - (3) Is a key employee whose return to work would cause substantial or grievous economic injury to the City of Margate.
 - (4) Fails to provide the Return to Work Release Notice to the Personnel Officer.

L. Special Provisions for Key Employees

- a. A key employee is salaried and, when all employees are ranked by compensation, he or she is in the top five percent (5%) of the City of Margate's workforce under the NJFLA Statute or ten percent (10%) under Federal Law.
- b. In addition to the notification described above, employees designated "key" who request leave will be informed by certified mail of the "key" status. The mail will state whether the City of Margate is able to grant them position protection and, if not, the conditions that made the negative determination necessary. The Personnel Officer and/or City Administrator will make his notification as soon as possible, but it is understood that the notice may be delayed while it is being decided whether the employee is "key."
- c. If the City of Margate determines that the organization will incur substantial and grievous economic injury from the key employee's absence or return, and the employee is already away from work, the Personnel Officer will include in the notice the date by which the employee must return to work.

- d. In the event the key employee does not return to work within the specified time, he or she may apply for return to work when his or her emergency ends. The City of Margate will make a final determination regarding the key employee's return to work at that time and send the employee certified mail advising him or her of its decision.
- e. In the event they are denied reemployment, key employees will not be required to reimburse the City of Margate for the employee's share of their health coverage costs if the City of Margate pays it during their approved absence.
- f. If a key employee loses his or her job because he or she is not granted position protection and he or she cannot return to work when directed, they may seek a new City of Margate position via job postings. The City of Margate will grant thirty (30) days of unpaid time for the sole purpose of securing a new position.

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SUBJECT: DOMESTIC VIOLENCE LEAVE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED:

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

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

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

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

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

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave act. If so, the City will treat the leave

concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The City shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

The City shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

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SUBJECT: MILITARY LEAVE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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

CITY OF MARGATE

Personnel Policies and Procedures

SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER:	# OF PAGES: 1
SUBJECT: COMPENSATION & EMPLOYEE BENEFITS POLICIES		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Scope:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 401	# OF PAGES: 1
SUBJECT: PAYROLL POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Salary ranges are established by ordinance, and the salary must fall within the minimum and maximum ranges for the employee's title. Employees are paid every two weeks, with overtime being held back for two weeks in order to compute payment of the amount due. Employees who are going on vacation and would like their checks in advance must make a written request at least two weeks in advance of the vacation.

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

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 402	# OF PAGES: 2
SUBJECT: OVERTIME COMPENSATION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$100,000 per year depending upon their job duties. The Personnel 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 workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Personnel Officer's prior approval and at the sole discretion of the Personnel Officer.

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Personnel Officer. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of forty in a weekly period. Employees may choose overtime compensation in the form of overtime pay at their regular hourly salary or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is sixty (60) days. Once this maximum has been accumulated, all additional hours will be compensated by overtime pay. Accrued and taken overtime compensating hours must be noted on the employee's time sheet.

Non-Exempt employees will receive one and one-half hours of overtime compensation for each hour worked in excess of forty hours in a weekly period. For purposes of overtime compensation, hours worked are computed to the nearest one-half hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

In addition to the requirements of the Federal Fair Labor Standards Act, Non-Exempt employees will also receive overtime compensation for work in excess of thirty-five hours but not greater than forty hours in a weekly period. This other compensation will be one hour for each hour worked in excess of thirty-five hours. If a Non-Exempt employee works on Sunday or a paid

holiday, the employee will receive overtime compensation of 1.5 hour(s) for each hour worked less the number of hours of overtime compensation received under any other provision of the policy. If a Non-Exempt employee not on regular call out duty is required to return to work in an emergency or because of unusual circumstance, the employee will receive overtime compensation of the greater of (1) two-hours or (2) the actual number of hours worked (3) less the number of hours of overtime compensation received under any other provision of this policy.

Employees must make a request to their supervisor at least two days in advance when they want to take compensating time off. The supervisor will approve the request if the absence does not cause undue hardship to the department.

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 403	# OF PAGES: 1
SUBJECT: HEALTH INSURANCE POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The City of Margate's health insurance plan provides employees and their immediate family members, including civil union partner, access to medical insurance benefits. The City reserves the right to change provider networks, claims agents, and insurance mechanisms (fully insured versus health insurance fund, e.g.). The complete benefit plan is on file in the City Clerk's office and a Summary Plan Description will be provided to all employees. Benefit levels for non-unionized employees are subject to change at the discretion of the City.

The timetables for enrollment and termination of health insurance will occur in accord with the Timetables for Enrollment and Termination in the New Jersey State Health Benefits Plan except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Services Act provision for a period of up to eighteen months to thirty-six months.

All newly hired employees and their spouses shall receive a notice of Cobra rights upon being hired. For more information, consult the City Clerk and/or Personnel Officer.

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 404	# OF PAGES: 1
SUBJECT: DEFERRED COMPENSATION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Deferred Compensation is an optional program for employees to supplement their retirement or to simply use a tax sheltered savings plan. All regular full-time and provisional employees are eligible to participate. Maximum contribution amounts are as set forth in Section 457 of the Internal Revenue Code. For further information regarding deferred compensation please contact the payroll clerk.

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 405	# OF PAGES: 1
SUBJECT: RETIREMENT POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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 Personnel Officer 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.

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 406	# OF PAGES: 1
SUBJECT: WORKERS COMPENSATION POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The City of Margate covers workers compensation benefits through its membership in a joint insurance fund. 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 joint insurance fund and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Unless explicitly provided for in a bargaining agreement, the (local unit type) will only pay, either directly or through its Workers' Compensation insurer, those benefits that are specifically provided for under the Workers' Compensation Act and will not supplement these benefits with additional benefits pursuant to NJSA 11A:6-8.

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Personnel Policies and Procedures

SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 407	# OF PAGES: 1
SUBJECT: CONFERENCE AND SEMINAR POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Requests to attend a conference or seminar must be approved by the Department Head. 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.

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SECTION: 2 Compensation & Employee Benefits Policies	CHAPTER: 408	# OF PAGES: 1
SUBJECT: FLEXIBLE SPENDING ACCOUNT POLICY		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The City of Margate shall provide at no additional cost to the employee a Flexible Spending Account (FSA) in accordance with the Section 125 of the Internal Revenue Code, allowing a maximum of \$2,500 for medical expenses and a maximum of \$5,000 for child/dependent care. The option of enrolling in the FSA shall be that of the employee.

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 501	# OF PAGES: 4
SUBJECT: EMPLOYMENT PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Employment Procedure:

- **Recruitment:** The Personnel Officer will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, Civil Service and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Department Head to notify the Personnel Officer who will distribute notification of the vacancy to all departments. The Personnel Officer will undertake to recruit qualified applicants in accordance with applicable Federal and State law including New Jersey Department of Personnel regulations if the position is subject to Civil Service. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the City of Margate is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.
- **Interviews:** The Personnel Officer or Department Head will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The City of Margate will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided the accommodation does not impose an unreasonable hardship on the City.
- **Physical Examinations:** Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Personnel Officer may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular

position. The Personnel Officer may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the City at the expense of the City. All medical records of employees and prospective employees are confidential and are to be maintained by the Personnel Officer separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.

- **Criminal Background Checks:** Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedure set forth below.
- **Job Offers:** The final decision will be made by the Commissioner of the applicable Department after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the City. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.
- **Acceptances and Rejections:** If the first offer is rejected, the Commissioner will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the City Clerk. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least three (3) years. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

Procedure for Criminal Background Checks

- **Background checks required:** Background checks are required of all candidates, whether for paid or volunteer positions, working directly or indirectly with children/youth/minors. Background checks will also be administered for each employee or volunteer that works directly or indirectly with children/youth/minors every three years. The exact titles of employees subject to background checks are (locally defined, but at a minimum should include all recreational positions, crossing guards, library positions, and maintenance and administrative positions pertaining to such programs).
- **Background check procedure:** The Personnel Officer will perform or initiate background checks and be the recipient of reports from outside agencies or contractors.

The Personnel Officer will discuss disqualifying information received with the employee's or volunteer's department head. Written information received as a result of a "Request for Criminal History Record Information For A Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

The Personnel Officer will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the City contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from working with children/youth/minors. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the Personnel Officer.

- **Conditions Under Which An Employee Will Be Disqualified From Working With Children/Youth:** A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:
 - Homicide (N.J.S.A. 2C:11)
 - Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
 - Kidnapping (N.J.S.A. 2C:13)
 - Sexual Offenses (N.J.S.A. 2C:14)
 - Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
 - Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
 - Robbery (N.J.S.A. 2C:15)
 - Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction.

- **Appeal Process:** The Appeals Committee will be comprised of the Personnel Officer, Police Chief or other designated superior officer, and City Solicitor.

Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the employee has 14 calendar days to file a Notice of Appeal with the City. Such Notice of Appeal must be sent in writing to the City Clerk. The Notice of Appeal shall include a

Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to NJAC 13:59-1.6.

During the 14-day period listed above, and until the issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

In making a determination on the appeal, the following information will be considered:

1. The nature and responsibility of the position that the convicted individual would hold, has held, or currently holds, as the case may be.
2. The nature and seriousness of the crime or offense.
3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.
5. The age of the individual when the crime or offense was committed.
6. Whether the crime or offense was an isolated or a repeated incident.
7. Any social conditions which may have contributed to the commission of the crime or offense.
8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.
9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.

The City will issue a written determination on the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 502	# OF PAGES: 1
SUBJECT: NEPOTISM PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Unless otherwise provided by law or New Jersey Department of Personnel rule if the position is subject to Civil Service or collective bargaining unit agreements, immediate relatives shall not be hired, promoted or transferred to a regular full-time or regular part-time position where:

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

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

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 503	# OF PAGES: 1
SUBJECT: OPEN PUBLIC MEETINGS ACT PROCEDURE CONCERNING PERSONNEL MATTERS		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Discussions by the governing body or any body of the City of Margate concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the governing body or any body of the City 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. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session. If the individual(s) does not request that the discussion be held in open session, the governing body or other body of the City may at its sole discretion invite the affected individual(s) to attend the applicable portion of the closed session.

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 504	# OF PAGES: 1
SUBJECT: PROCESSING AND ORIENTATION OF NEW EMPLOYEES PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 505	# OF PAGES: 1
SUBJECT: INITIAL EMPLOYMENT PERIOD PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Except where State requirements direct otherwise, new employees or present employees transferring to new positions will be hired subject to an initial employment period of not less than 30 days or more than 90 days, as determined by the Personnel Officer. During this initial employment period, the new employee or transferee will be provided with training and guidance from the supervisor. At the end of the initial employment period, the supervisor will conduct an employee evaluation – see Performance Evaluation Procedure. New employees may be discharged at any time during this period if the Personnel Officer concludes that the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Personnel Officer may extend the initial employment period. Newly hired employees are not eligible for payment of paid time off except holidays until the successful completion of their initial employment period.

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

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 506	# OF PAGES: 1
SUBJECT: EMPLOYEE HANDBOOK PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The Personnel Officer with the assistance of the City Solicitor shall draft an Employee Handbook for the approval of the Board of Commissioners. A separate version of the Handbook will be drafted for part-time and seasonal employees as well as for major bargaining groups if appropriate. Once approved, copies will be distributed and employees will be required to sign an acknowledgement of receipt that will be placed in the official personnel file. The Handbook will be revised and re-distributed whenever there is a significant change in personnel practice or every two years.

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 507	# OF PAGES: 2
SUBJECT: PERFORMANCE EVALUATION PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

Periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as promotion and termination. In addition to day-to-day feedback to the employee, a performance evaluation must be conducted for all employees at least annually. The completed appraisal becomes part of an employee's permanent record.

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

- **Setting the Stage:** The reviewer must create a productive climate for the discussion. In preparing the evaluation form, prior evaluations should be reviewed to identify trends. Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form. The meeting should be private without interruptions in a comfortable environment.
- **Confirm Expectations:** The reviewer should start the discussion of each performance area by reviewing expectations. Ask the employee to confirm the employee's understanding of job requirements. Refer to the job description as appropriate.
- **Rating:** Continue the discussion by giving the employee's rating in each performance area. The supervisor should be prepared to refer to documentation. Employees should be evaluated based on set standards, not as they compare to other employees. It is rare that any person's rating in all areas is either high or low. The evaluation should consider performance during the entire period, not just the recent past. Care should be taken to avoid allowing one aspect of a person's performance to overshadow all other performance factors be it positive or negative. Ideally, each performance area should be evaluated individually based on specific behaviors exhibited.

- **Discussing Future Plans:** This is where the reviewer should turn to the discussion to the future performance and development of the employee. A Counseling Action Plan form must be completed if any item is rated “Needs Improvement” or “Does Not Meet Minimum Standards.” Specific performance goals must be established for the next review period along with plans for achieving those goals.
- **Closing the Discussion:** When all performance areas have been discussed, close the discussion by summarizing all of ratings in an overall rating for the review period.

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

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

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

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

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

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

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 508	# OF PAGES: 2
SUBJECT: DISCIPLINARY ACTION PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

- **Verbal Reprimand:** Depending on the circumstances, the supervisor may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The supervisor will prepare a record of the verbal reprimand including the date, time and what was discussed with the employee. This record must be forwarded to the Personnel Officer for the employee's official personnel file.
- **Personnel Officer Review:** Should the supervisor consider the offense sufficiently serious to warrant consideration by the Personnel Officer, the employee will be so advised and a meeting arranged with the Personnel Officer at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at that time of disciplinary action, if any.
- **Written Reprimand:** When a supervisor determines that a written reprimand is appropriate, the situation must be discussed with the Personnel Officer. The reprimand should clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The

employee should acknowledge receipt of the warning and may include additional comments. A copy of the written reprimand with the signed acknowledgement and comments must be forwarded to the Personnel Officer for the employee's official personnel file.

- **Suspension:** Whenever an employee is recommended for suspension, the Personnel Officer will make the decision and may seek the advice of the City Solicitor if appropriate. Suspended Employees may request a hearing under the applicable grievance procedure and Civil Service procedure.
- **Dismissal:** Whenever an employee is recommended for dismissal, the Personnel Officer and appropriate Commissioner will make the decision only after seeking the advice of the City Solicitor. There must be a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal. Terminated employees may request a hearing under the applicable grievance procedure and Civil Service procedure.

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 509	# OF PAGES: 1
SUBJECT: PERSONNEL FILE PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

The official personnel files shall be maintained by the City Clerk and employee medical information will be maintained in a separate file. At least annually, the City Clerk will review files to make sure they are up-to-date and will follow-up with the Department Heads as necessary.

The Official file shall include at least the following:

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

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SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 510	# OF PAGES: 2
SUBJECT: EMPLOYEE COMPLAINT INVESTIGATION PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.
- **Identification/Screening:** The supervisor or Department Head must report all written or verbal complaints to the Personnel Officer unless the complaint is against the Personnel Officer. Upon receipt, the Personnel Officer will determine if the complaint was made pursuant to the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy, the Whistle Blower Policy, a grievance procedure or is another form of complaint. A file will be established including the written complaint, the investigation procedure followed and the response action plan. As soon as possible but no later than ten days after receiving the complaint, the Personnel Officer or investigator appointed by the Personnel Officer will interview the employee. If the employee is reluctant to sign a written complaint, the Personnel Officer or investigator will prepare written notes of the date, time and place of the complaint and the specific allegations. These notes will be read back to the employee who will be asked to affirm, preferably in writing the information's accuracy.
- **Investigation:** The Personnel Officer will seek the advice of the City Solicitor when planning the investigation. The investigation should be conducted by the City Solicitor or county prosecutor if it involves potential criminal charges. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. It is important to protect the rights of both the person making the complaint and the alleged wrongdoer.
- **Response Plan – No Corrective Action Required:** The Personnel Officer will discuss the conclusions with the City Solicitor and render a decision within fourteen days after

the investigation is complete. If the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee should be notified in writing. Care should be taken to avoid being too specific, confrontational or accusatory and to avoid any language that might be construed as defamatory. A general statement is usually more appropriate that the claim was thoroughly investigated, but could not be sufficiently documented or confirmed to justify taking formal action. The employee should be assured that future complaints will be investigated and that the City is committed to eliminating wrongful employment practices when they are found to exist. If the investigation reveals that the complainant intentionally and maliciously levied false charges against the alleged wrongdoer, the complainant must be notified of the seriousness of filing a false complaint, and the appropriate disciplinary penalty under the circumstances, up to and including termination.

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

CITY OF MARGATE

Personnel Policies and Procedures

SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 511	# OF PAGES: 1
SUBJECT: REQUESTS FOR EMPLOYMENT VERIFICATION AND REFERENCE PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

In response to a request for information, the Personnel Officer will only verify an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1) the City is required to release the information by law or (2) the employee or former employee authorizes the City in writing to furnish this information and releases the City from liability.

CITY OF MARGATE

Personnel Policies and Procedures

SECTION: 5 Model Managerial /Supervisory Procedures	CHAPTER: 512	# OF PAGES: 1
SUBJECT: CONTINUING EDUCATION PROCEDURE		
EFFECTIVE DATE: May 1, 2014	REVIEW DATE: January 10, 2014	REPLACES POLICY DATED: 2012

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

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

SECTION SIX:

Model Forms

- Notice of Personnel Discussion
- Employee Letter Concerning Employee Complaint Procedure
- Sample Notices Concerning Whistleblower Act
- Application for Employment
- NJ Division of Civil Rights Guide on Pre-Employment Inquiries
- Performance Appraisal
- Counseling Action Plan
- Employee Evaluation Checklist
- Fingerprint and Background Check Consent Form for Employees, Job Applicants and Volunteers that May Work or Have Contact with Minors
- Harassment Prevention Checklist
- Exit Interview Form
- City of Margate Request for Leave
- Receipt for Personnel Policies and Procedure Manual
- Various Family Medical Leave Act Forms

CITY OF MARGATE

NOTICE OF PERSONNEL DISCUSSION

To: _____

Address: _____

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

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

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

Date of Meeting(s): _____

Time: _____

Location: _____

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

Notice Date: _____ Signed: _____ (title) _____

Conscientious Employee Protection Act

“Whistleblower Act”

Employer retaliatory action; protected employee actions; employee responsibilities

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

CONTACT INFORMATION

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

Primary Contact: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

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



AD-270 (4/05)

La Ley de protección al empleado consciente

“Ley de protección del denunciante”

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

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

Información del Contacto

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

Nombre: _____

Dirección: _____

Número de teléfono: _____

Este aviso se debe exponer a la vista de todos.

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



AD-270.1 (4/05)

City of Margate Employee Complaint Form

Date _____

Attach additional sheets if necessary to fully complete all questions

NAME: _____ DEPARTMENT: _____

TITLE: _____ SUPERVISOR: _____

Time period covered by this complaint: _____

Individuals who allegedly committed the acts being complained of:

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

Identify all persons with knowledge of the complained conduct:

Are there any documents or other evidence that supports the occurrences described above?

If you previously complained about this or related acts to a supervisor or official, please identify the individual to whom you complained, the date of the complaint, and any action taken.

Have you missed any time from work or incurred any un-reimbursed medical expenses as a result of the alleged acts?

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

What is your requested remedy for this complaint?

ACKNOWLEDGMENT

The information provided above is true and correct to the best of my knowledge.

BY: _____ DATE: _____

To investigate your complaint, it will be necessary to interview you, the accused party, and any witnesses with knowledge of the allegations or defenses. All persons involved in the investigation will be notified that (1) the complaint is confidential, (2) that any unauthorized disclosures of information concerning the investigation or retaliation could result in disciplinary action up to and including discharge.

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

BY: _____ DATE: _____

City of Margate
9001 Winchester Ave
Margate, NJ 08402

Date: _____
Employment Application:

Applicant Information:

Name (Last, First, Middle): _____
Address: _____
City/Town: _____
Phone (Work): () _____ (Home): () _____
Social Security Number: _____ - _____ - _____

Position applied for: _____

Have you ever applied to the (local unit type) before: ___ Yes ___ No If yes, give date _____

Date you can start: _____ Salary desired: _____

Are you available to work: ___ Full time ___ Part time ___ Shift work ___ Temporary

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

May we contact your current employer: ___ Yes ___ No

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

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

Do you possess a current commercial driver's license: ___ Yes ___ No

Please list any endorsements: _____

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

Are you legally eligible to work in the United States of America: ___ Yes ___ No
Pursuant to Federal Law, proof of US Citizenship or immigration status will be required if you are hired.

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

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

The City of Margate is an Equal Opportunity Employer M/F

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

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

Comments:

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

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

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

Language:	Speak Some:	Speak Fluently:	Read:	Write:

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

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

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

Name & Address:	Phone Number:	Years Known:

Understandings and Agreements:

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

Applicant’s Signature _____ Date _____

Voluntary Affirmative Action Information

You are not required to provide this information. Provide only if you wish.

If you provide information on this page, it will be filed separately from the job application. This information will be used only for purposes of the affirmative action program

Applicant Information:

Name: _____

Address: _____

City/town: _____

Phone: () _____

Position Applied For: _____

How did you learn about this position? Advertisement Employment Agency
 Friend Relative Walk-in Other (Explain) _____

Information Regarding Status:

Gender:

Male

Female

Equal Employment Opportunity identification groups:

White

African-American (non-Hispanic)

Hispanic

American Indian/Alaskan native

Asian/Pacific Islander

Other _____

Other protected Groups:

Individual with a disability

Vietnam-era veteran (served between 1964 and 1975)

Disabled veteran

For City of Margate use only

Hired: Yes No Position _____ Date _____

Which EEO job classification best describes the position for which the applicant applied?

1. Officials and Managers

4. Sales workers

7. Operators (semi-skilled)

2. Professionals

5. Office and clerical workers

8. Laborers (unskilled)

3. Technicians

6. Craft workers (skilled)

9. Service workers

(local unit type) Official _____ Date _____

This page for City of Margate use only!
Results of interview

Interviewer: _____

Date: _____ **Time:** _____

NJ DIVISION ON CIVIL RIGHTS GUIDE ON PRE-EMPLOYMENT INQUIRIES

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

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

CITY OF MARGATE PERFORMANCE APPRAISAL

EMPLOYEE NAME: _____ SUPERVISOR: _____

DEPARTMENT/JOB TITLE: _____ DATE OF HIRE: _____

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

Use the Comments section to note goals being appraised and to provide future goals.

Overall Rating (circle)

1 – Does not meet minimum standards 2 - Needs Improvement 3 – Meets Job Requirements 4 – Exceeds Expectations

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

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

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

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

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

Comments:

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

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

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

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

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

Comments:

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

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

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

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

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

Comments:

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

Seldom works well with others. Difficult to work with. Does not promote teamwork. Files unsubstantiated grievances.

Slow to help others. Does not readily accept additional assignments required of job. Lack of tact or consideration for others.

Fully cooperates with co-workers. Accepts new ideas. Helps others. Willing to work overtime as needed.

Continually goes out of way to help co-workers. Learns other job responsibilities to aid in coverage. Fosters teamwork.

Comments:

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

Does not adhere to safety rules. Repeatedly reprimanded for safety rule infractions.

Sometimes disregards safety procedures or misuses equipment.

Operates equipment and performs tasks within applicable safety standards. Reports all safety hazards.

Pays special attention to unsafe working conditions. Helps increase awareness of safety issues in work group. Suggests safety improvements.

Comments:

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

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

Comments:

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

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

Comments:

ATTENDANCE: Consider absenteeism and punctuality.

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Frequently arrives to work late. Excessive absenteeism beyond allotted time. | <input type="checkbox"/> Occasionally arrives late. Uses nearly all allotted sick time each year. | <input type="checkbox"/> Always arrives on time. Takes an average amount of sick time. | <input type="checkbox"/> Always prepared for work. Highly reliable attendance. |
|---|---|--|--|

Comments:

VOLUNTEER : Consider willingness to volunteer at work and in the community.

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Never volunteers to help. Puts down others who do volunteer work. | <input type="checkbox"/> Usually not interested in volunteering for projects, teams, etc. | <input type="checkbox"/> Willing to volunteer if asked to volunteer. | <input type="checkbox"/> Actively seeks opportunities to volunteer at both work or in the community. |
|--|---|--|--|

Comments:

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

Does this person have supervisory responsibilities?

- [] All the time as part of job requirement.
[] Supervises on an as needed basis.

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

Comments:

EMPLOYEE COMMENTS:

I have reviewed the appraisal and discussed its contents with my supervisor.

EMPLOYEE SIGNATURE: _____ **DATE:** _____

SUPERVISOR SIGNATURE _____ **DATE:** _____

CITY OF MARGATE COUNSELING ACTION PLAN

EMPLOYEE NAME: _____ **DATE:** _____

DEPARTMENT: _____ **POSITION:** _____

I met with the above employee to discuss performance regarding the following problem(s):

This is a *verbal*, *written*, *final* meeting with this employee concerning this matter.

State the reason for the counseling session:

Employee's performance is not acceptable for the following specific reasons:

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

Employee should reach these goals by:

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

Consequences of failure to improve or achieve goals:

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

Employee's Comments:

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

Employee Signature: _____ **Date:** _____

Department Head Signature _____ **Date:** _____

(CEO title) Signature: _____ **Date:** _____

CITY OF MARGATE EMPLOYEE EVALUATION CHECKLIST

BE PREPARED

- Know the objectives and goals of the meeting.

TIME AND PLACE

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

CONDUCTING THE INTERVIEW

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

CONCLUSION

- Summarize and review the important points of the discussion.
- Restate the action steps that have been recommended and provide a time frame for completion.
- Make sure employee reviews the appraisal and provides comments.
- Have employee sign the acknowledgement that the employee has read the appraisal (does not signify agreement with the content).

FOLLOW-UP

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

Fingerprint and Background Check Consent Form
For Employees, Job Applicants, and Volunteers That May Work or Have
Contact with Minors

In accordance with the City of Margate Ordinance No. ___ and N.J.S.A. 15A:3A-1 et seq, I understand that, as a condition of continued employment, new employment, or my volunteer service, the City requires background checks on all individuals who will be working with children.

By signing this form, I agree to be fingerprinted and consent to a criminal background record check as a condition of new employment, continued employment, or voluntary service. I also represent, attest, and certify that I have never been convicted of any of the following crimes or disorderly persons offenses as defined by New Jersey law or the law of any other state, or that the guilty disposition of any of the crimes and/or offenses has been amended to a status of not guilty, or that any previous charges, as listed below, have been expunged:

2C:11 HOMICIDE all offenses

2C:12 ASSAULT, ENDANGERING, THREATS all offenses

2C:13 KIDNAPPING all offenses

2C:14 SEXUAL OFFENSES all offenses

2C:15 ROBBERY all offenses

2C:20 THEFT all offenses

2C:24 OFFENSES AGAINST THE FAMILY, CHILDREN AND INCOMPETENTS
all offenses

2C:35 CONTROLLED DANGEROUS SUBSTANCES
all offenses **except** paragraph (4) of subsection a. of NJS.2C:35-10

Name (please print)

Applicant's signature

Date

Parent's signature (if applicant is under 18)

Date

CITY OF MARGATE
Harassment Prevention Checklist

Are you aware of our organizational commitment to the prevention of job based harassment from the workplace?

Yes _____ No _____

Are you familiar with our policy?

Yes) _____ No _____

(Yes or No, Review Policy)

After reading the policy together.

Do you understand the policy?

Yes _____ No _____

Do you have any questions?

Yes _____ No _____

Do you know how to file a complaint should you ever have a problem with harassment or if you see inappropriate behaviors at work?

Yes _____ No _____

Are you aware of any behaviors in the workplace that are inconsistent with this policy?

Yes _____ No _____

Employee Signature: _____

Date _____

**City of Margate
Exit Interview Form**

Name _____

Title_____

Department_____

Division_____

Date of Hire_____

Years of Service_____

Date of
Separation_____

Date of Notice_____

Section 1 to be completed by Employee

A. Termination (check one)

_____ voluntary _____ involuntary

B. Reason for termination (check all that apply)

- _____ wages
- _____ working conditions
- _____ work hours
- _____ chance for advancement
- _____ change of career goals
- _____ public v. private employment
- _____ moving out of area
- _____ other:

Explanation of items checked above:

C. What can the City do to improve itself as a place of employment?

D. General comments concerning your employment with the City:

Section II to be completed by Supervisor

A. Employee performance

____ excellent ____ superior ____ above average
____ satisfactory ____ fair ____ unacceptable

B. Response to employee comments for leaving:

C. What actions can be taken by the City to minimize loss of other employees for similar reasons:

D. General comments concerning employee's work history:

Section III (Optional) To be completed by employee upon review of Section II

Comments:

Note: *Any comments made on this form will not be used on any future employment reference*

Employee signature: _____ date: _____

Supervisor signature: _____ date: _____

Dept Head signature: _____ date: _____

Administrator signature: _____ date: _____

City of Margate Request for Leave

Part A (Employee to Complete)

I, (print name) _____ hereby request the following leave:

_____ w/pay _____ w/out pay

Insert number of hours requested in space provided:

_____ Vacation

_____ Personal

_____ Comp [Time Leaving _____; Time Returning _____].

_____ Sick (indicate treating doctor or family member being care for) _____.

_____ Funeral (indicate family member) _____.

_____ Military (indicate assignment location and days) _____.

_____ Jury Duty (indicate assignment days) _____.

_____ Injury (describe) _____.

_____ Leave of Absence (requires prior approval).

_____ Conference/School/Seminar (describe) _____.

_____ Suspension (to be completed by Supervisor). _____.

Part B (Called out sick)

Day(s) Called Out Sick	Total Hours
------------------------	-------------

Employee Signature	Department	Date
--------------------	------------	------

PART C (Approvals)

Date: _____ Immediate Supervisor: _____

Date: _____ Department Head: _____

PART D (Finance Officer to Complete)

	Vacation	Sick	Comp	Personal
Accrued Leave to end of last pay period (hours)				
Leave requested (hours)				
Balance as of _____				

Date: _____ Administration & Finance: _____

Receipt for Personnel Policies and Procedures Manual

I acknowledge that I have received a copy of City of Margate's Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my supervisor, the City Clerk or the City Solicitor. I understand that the City of Margate is an "at will" employer and consistent with applicable Federal and State law including the New Jersey Civil Service Act, as well as applicable bargaining unit agreements, employment with the City of Margate is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the City has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states City's personnel policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with City for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the City Clerk.

Date: _____

Signature: _____

Print Name: _____

Department: _____