RESOLUTION REVISING THE POLICY AND PROCEDURES MANUAL

MOTIONED BY: Velazquez SECONDED BY: Friedrich

WHEREAS, the North Hudson Sewerage Authority (hereinafter "Authority") is a public body, duly formed under the Sewerage Authorities law, constituting Chapter 138 of the Laws of New Jersey of 1946, as amended (Chapter 14A of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, it is the goal of the Authority to provide an opportunity to its personnel to meet their professional and personal goals in the context of providing our constituents with service excellence, integrity, competence, independence and personal dedication; and

WHEREAS, the Commissioners of the North Hudson Sewerage Authority have created a personnel policy manual as a guide for supervisors and managers;

WHEREAS, the Authority has determined to update the personnel policy manual to comply with changes deemed appropriate; and

WHEREAS, the Finance Committee has considered this request and recommends the approval of the full Board.

NOW THEREFORE, BE IT RESOLVED that the Board revises the attached updated version of the Policy and Procedures Manual, effective immediately.

DATED: APRIL 18, 2024

RECORD OF COMMISSIONERS' VOTE

	YES	NO	ABSENT
Commissioner Gardiner	X		
Commissioner Kappock	X		
Commissioner Marotta	X		
Commissioner Friedrich	X		
Commissioner Guzman	X		
Commissioner Velazquez	X		
Commissioner Barrera			X
Commissioner Zucconi	X		
Commissioner Assadourian	X		

THIS IS TO CERTIFY THAT THIS RESOLUTION WAS DULY ADOPTED BY THE NORTH HUDSON BOARD OF COMMISSIONERS ON APRIL 18, 2024.



THE NORTH HUDSON SEWERAGE AUTHORITY **POLICY AND PROCEDURES MANUAL**

Dated: April 18, 2024 Resolution 24-047

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INTRODUCTION

The North Hudson Sewerage Authority (the "Authority") is determined to provide an opportunity to its personnel to meet their professional and personal goals in the context of providing its constituents with service excellence, integrity, competence, independence and personal dedication. The Authority wants employees at every level to be able to experience the satisfaction that results from interesting work that is well done.

The governing body of the North Hudson Sewerage Authority (the "Authority's Commissioners") have created this personnel policy manual as a guide for all employees. The Authority's Commissioners believe that when personnel policies are understood and consistently and fairly applied, the work of the Authority will be more efficiently accomplished in the best interests of the environment and customers.

Existing policy and procedures may be revised from time to time, and new policies will be established as the need arises. As new policies are written or existing ones revised, the Authority will provide the approved changes to each employee. Each employee is responsible for incorporating changes and additions into his/her personnel policy manual.

Should questions arise that are not covered in this personnel policy manual, employees should consult the Executive Director who will then bring the matter to the attention of the Authority's Commissioners so that a decision can be made that may later be interpreted as policy. This personal policy manual and its contents are the property of the Authority.

Regardless of any statement contained in this personnel policy manual to the contrary, it is not a contract of employment and it does not contain any binding promises of any kind by the Authority. Subject only to the laws of the State of New Jersey, the Authority retains the right in its sole discretion, without having to consult anyone and without anyone's agreement, to change, modify or alter, without limitation, the provisions of this personnel policy manual, including those provisions dealing with wages and all other working conditions, and the Authority has the absolute right to discharge an employee at any time for any reason.

The terms and conditions of employment contained in this manual are meant to and do apply to all employees of the Authority, unless otherwise specified by an individual employment contract. All employees should be aware of the position taken by the Authority's Commissioners that the employees are not covered by Civil Service Statues or regulations even though the Authority is a public employer.

EMPLOYMENT POLICIES

EMPLOYER-EMPLOYEE RELATIONS

In its continuing effort to implement fair and effective personnel policies and practices, the Authority pledges:

- a) To employ and promote people on the basis of their qualifications with assurance of equal opportunity and treatment regardless of race, religion, color, creed, national origin, sex, marital status, age, sexual orientation, affectional preference, handicap, or veteran status;
- b) To provide salaries and employee benefits which bear a fair and reasonable relationship to the work performed;
- c) To maintain safe and healthy working conditions;
- d) To place employees in the kind of work best suited to their abilities;
- e) To welcome constructive suggestions which relate to methods, procedures, working conditions, and the nature of the work performed;
- f) To establish procedures for employees to discuss freely any matter of interest or concern with their immediate supervisors or department heads; and
- g) To permit each employee as much discretion and responsibility as is consistent with a well-coordinated and effective operation.

In turn, the Authority expects all employees:

- a) To give a productive day's work to the best of their abilities and skills;
- b) To arrive at their departments and begin work on time; and to demonstrate a considerate, and constructive attitude toward fellow employees and the customers we serve;
- c) To adhere to the policies, rules and regulations adopted by the Authority; and
- d) To perform the job in a manner to provide for the safety of themselves, the public and other workers.

The Authority retains all of its rights as a public employer including but not limited to the right:

- a) To dismiss, assign, supervise and discipline employees;
- b) To determine and assign starting times, quitting times and shifts;
- c) To transfer employees within departments or into other departments and other classifications;
- d) To determine and establish the size of and qualifications of the work force;
- e) To establish, change and abolish its policies, practices, rules and regulations;
- f) To determine and change methods by which its operations are to be carried out; and
- g) To assign duties to employees in accordance with the Authority's needs and requirements and to carry out all ordinary administrative functions.

EMPLOYMENT HIRING

It is the policy of the Authority to recruit, hire and promote for all job classifications without regard to race, color, creed, religion, national origin, age, sex, marital status, sexual orientation, affectional preference, handicap, or veteran status. All decisions regarding the recruitment, selection and placement of employees are made without discrimination and are made solely on the basis of job-related criteria. The Executive Director shall have the authority to recruit and hire individuals on a full-time, part-time or temporary basis for any non-supervisory / non-management staff positions. The Executive Director shall recommend to the Authority's Commissioners candidates for any supervisory / management staff positions.

The Executive Director shall have the authority to implement an internship program. However, interns shall not be deemed employees of the Authority, and interns shall not receive any of the employment benefits set forth in this personnel policy manual.

In no event shall the hiring or the promotion of an employee be considered as creating a contractual relationship between the employee and the Authority. Unless otherwise provided in writing, such relationship shall be defined as "employment at will" where either party may dissolve the relationship at any time. All representatives of the Authority should be aware that employment is "at will" and should exercise great care not to make any representations to the contrary. Therefore, during the recruitment, hiring and orientation process, no statement shall be made promising permanent or guaranteed employment.

The Authority will employ, but not give preference, to a relative or cohabitant of an employee, provided the individual possesses the usual qualifications for employment. However, those persons will not be given work assignments which will require one to direct, review or process the work of the other, or which permit one to have access to the personnel records of the other. If one employee marries or cohabits with another, both may retain their positions if they do not work in the same department, are not under the direct or indirect supervision of each other, and neither occupies a position which has influence over the other's employment, promotion, salary, administration or other management or personnel considerations. If such a conflict develops, the preference of the employees involved shall be considered as to which of them either transfers if a position exists, or is laid off, except where the Executive Director determines that the one who chooses to leave has a critical license or skill.

Relatives are defined as the following relationships whether they are established by blood, marriage (in-laws) or other legal actions (e.g., adopted child): father, mother, son, daughter, brother, sister, spouse, grandparent, grandchild or member of the household. Cohabitants are defined as persons living together in the same household.

The Authority will accept applications on a non-discriminatory basis for employment at all times, even when no openings exist. When no openings exist, applicants will be so informed and also told that their applications will be kept on file for a period of one year.

Job opportunities shall be posted on the Authority's website, a bulletin board or other conspicuous place where notices to employees are normally posted. Positions shall remain posted generally for a period of ten (10) calendar days which may be extended at the discretion of the Executive Director.

Former employees who left the Authority in good standing may be considered for reemployment. Former employees who resigned without adequate notice or who were dismissed for cause will not be considered for reemployment. A previously dismissed employee who is reemployed will be considered a new employee from the date of reemployment unless the break in service is less than ninety (90) days, in which case, the employee shall retain accumulated seniority and other applicable benefits.

DISCRIMINATION AND SEXUAL HARASSMENT

It is the Authority's policy and the responsibility of every supervisor to conduct the affairs of the Authority without regard to race, color, creed, sex, age, religion, marital status, sexual orientation, affectional preference, national origin, handicap or veteran status. All decisions with regard to hiring, work assignments and conditions, advance opportunities, layoffs, discipline or discharge must be based on legitimate criteria related to the skills of the candidate, necessities of the job and other business needs.

Likewise, no employee shall receive extra favorable treatment or harassment on account of the above factors. Special attention is drawn to the Authority's policy against sexual harassment. It is illegal and against the Authority's policy for any employee, male or female, to sexually harass another employee by: (a) making unwelcome sexual advances or requests for sexual favors, or making other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment; or (b) making submission to or rejection of such conduct a basis of an employment decision affecting the employee; or (c) creating an intimidating, hostile or offensive working environment by such conduct. Racial remarks are similarly against the Authority's policy against discrimination and sexual harassment.

Any employee who believes he/she has been the subject of sexual harassment or other discrimination should report the alleged act as soon as possible to the Executive Director. If the alleged conduct involves the Executive Director, the report should be made to the General Counsel. An investigation of all complaints will be undertaken immediately. Any supervisor, agent or other employee who has been found, after appropriate investigation, to have sexually harassed or discriminated against another employee will be subject to appropriate sanctions depending on the circumstances, up to and including termination.

The Authority recognizes that the question of whether a particular action or incident is a purely personal / social relationship without a discriminatory employment effect requires a factual determination based on all facts. Given the nature of the type of discrimination alleged, the Authority recognizes also that false accusations of sexual harassment can have a serious effect on innocent individuals. We trust that all employees will continue to act responsibly to establish a pleasant working environment free of discrimination. The Authority encourages any employee to raise questions he/she may have regarding discrimination of any kind with the Executive Director.

EMPLOYEE SAFETY AND HEALTH

It is the Authority's policy to provide a safe and healthy work environment for all employees. Employees are expected to comply with all safety and health requirements whether established by the Authority or by federal, state or local law. Employees are encouraged to bring safety problems or potential safety problems to the attention of their supervisor.

The Executive Director shall be constantly alert to protect the safety and health of employees. The responsibility of the Executive Director, or his/her designee, includes:

- a. Inspecting their work areas;
- b. Familiarity with all safety and health rules and regulations and/or procedures;
- c. Training employees in matters of health and safety;
- d. Identifying, and where feasible, correcting unsafe conditions; and
- e. Reporting all accidents.

Employees are also subject to discipline for failure to follow safety procedures, rules and regulations. Supervisors will be evaluated relative to and held responsible for workplace safety accidents and/or health conditions under their jurisdiction.

Employees who are injured while working must make an immediate report of such injury to the Executive Director or their immediate supervisor. All injuries, no matter how slight they may be, must be reported within eight (8) hours or upon reporting to work at the start of the next workday.

All injuries incurred in or arising out of the course of employment shall be subject to the Workers' Compensation Law of the State of New Jersey.

MAINTENANCE OF WORK AREAS

It is the Authority's policy that work areas shall be kept clean and orderly at all times, and for employees to report any defective or unsafe conditions to his/her immediate supervisor. A cluttered work area is usually the result of poor work habits on the part of an employee, which the Authority will not tolerate. It is the responsibility of each employee to ensure that his/her work area is maintained in accordance with the requirements of this policy. Food and beverages may not be consumed in an employee's work area. There will be no individual radio or television playing in an employee's work area. Coats, boots, umbrellas and other personal property should be placed in the areas which have been designated for such articles and not left in an employee's work area.

Smoking is not permitted in areas as may be designated by the Safety Committee and P.L. 1985, Chap. 381 of the State of New Jersey. A general "cleanup" of work areas in office facilities shall be accomplished at the end of each day.

NO SOLICITATION RULE

As a public body, the Authority cannot discriminate among groups - charitable, political or otherwise - who might seek money or support from employees. While the Authority's Commissioners encourage employees, as private citizens, in the exercise of their charitable and civic impulses, all such activity, except as otherwise permitted by law, is prohibited among employees while either the person doing the soliciting or the person being solicited is on working time or at their work location. Authorized break periods, mealtimes and similar periods are not considered working time. All solicitation as permitted by law should be within the bounds of order and good taste and should not coerce or intimidate fellow employees or disrupt the operations of the Authority. Any associated distribution of literature as part of solicitation shall not be allowed if it causes littering or a commotion that disturbs fellow employees on their working time or at their work location.

STANDARDS OF CONDUCT

North Hudson Sewerage Authority employees are expected to do their utmost to create a supportive work environment where everyone has the opportunity to reach their fullest potential and be free from harassment; hostility of any sort; intimidation; bias, and unlawful discrimination.

The North Hudson Sewerage Authority holds employees to the highest standards of ethics and conduct to maintain a healthy and collaborative environment. We expect North Hudson Sewerage Authority employees to work cooperatively with co-workers, clients, and visitors (including applicants), and maintain basic standards of civility and respect. We strongly believe that our employees expect the same. We at the North Hudson Sewerage also have a legal responsibility to maintain a work environment free of unlawful harassment as well as an interest in maintaining our collaborative environment. In accordance with that legal responsibility, North Hudson Sewerage Authority employees are obligated to provide truthful responses to work-related inquires, including but not limited to, work-related investigations. All employees are further obligated to comply with this policy, and if an employee observes or becomes aware of conduct that might violate this policy, it should be immediately reported to management.

In light of our overarching goal, there are certain prohibited behaviors, which, if engaged in by any North Hudson Sewerage Authority employee, could result in disciplinary action up to and including termination. The behaviors identified below are not meant to serve as an exhaustive list. Rather, they are meant to serve as examples of prohibited behaviors.

Prohibited behaviors include:

Failure to maintain basic standard of civility towards one another, clients, and visitors (including applicants). Examples include but are not limited to:

- O Disparaging or insulting comments or profanity or obscenity that is directed at an individual;
- Statements or conduct that constitute workplace harassment or discrimination in violation of this policy;

- o Engaging in or threatening to engage in violent behavior or behavior that creates a substantial likelihood of violence towards others;
- O Disclosure of personal information about a North Hudson Sewerage Authority employee for the purpose of causing the employee to be subjected to physical, verbal, or online abuse or harassment, or under circumstances where a reasonable person should know that the disclosure is likely to lead to such abuse or harassment;
- Unprofessional behavior toward co-workers, clients, and visitors (including applicants), including but not limited to the use of profane or disrespectful language or unwanted physical behavior;
- o Inappropriate or unwanted touching, including hugging and kissing, that does not rise to the level of Harassment as set forth above;
- o Engaging in conduct that interferes with productivity and other legitimate business goals, such as the ability to collaborate;
- Theft, stealing or removal (without express permission) of any property not owned by the employee;
- o Unethical behavior, including dishonesty, failure to disclose conflicts of interest, or falsification of any records, forms, or reports.
- Failing to provide truthful responses to work-related inquires, including but not limited to, work-related investigations;
- o Engaging in or permitting the creation of a conflict of interest, whether or not one personally benefits from the conflict;
- Accessing data in violation of privacy, security or other policies, or modifying access rights to any system that contains user, employee or customer data without express permission of the data owner;
- Insubordination (refusing a reasonable work assignment or refusing to follow work-related instructions);
- Excessive absenteeism (that is not protected by any right to leave/accommodation under applicable law), such as being absent for three or more days in a row without notice;
- o Creating a significant safety or health hazard, intentionally or unintentionally;
- o Mistreating or destroying company property, such as physical harm to company property or downloading illegal content or unapproved software;

- o Any breach of the terms of employment including any terms that relate to the use of confidential information; or
- O Violation of this or any other company policy.

Nothing in this policy limits any North Hudson Sewerage Authority employee's right to communication with a government agency or official regarding terms and conditions of employment or violation of law.

BULLETIN BOARDS

The Authority shall provide a space for posting of notices to its employees. Employees should check such bulletin board regularly to keep informed on matters of concern to the Authority.

EMPLOYMENT PRACTICES

PERSONNEL RECORDS

It is the Authority's policy to maintain certain records on each employee which are directly related to the employee's job. At all times the Authority will do its best to balance the employee's right to privacy with the Authority's need to collect and use information.

Each employee's personnel file will contain only such information as is needed by the Authority in conducting its business or as required by federal, state or local law. This information normally will include:

- a. Application forms;
- b. Payroll Information;
- c. Performance appraisals;
- d. Medical information; and
- e. Disciplinary records.

Each personnel file will be reviewed annually to ensure that the file contains only information that is relevant to the individual's employment with the Authority. Each record in the file will be examined for accuracy, timeliness and completeness. Material that is irrelevant, inaccurate or obsolete will be corrected or deleted from the file.

Each employee is allowed to inspect and make copies of his/her personnel records. A written request to do so should be directed to the Executive Director who may schedule a time for inspection that is convenient for both the employee and the Authority. A reasonable charge will be made for any copies of records made by the employee.

If, after inspecting his/her personnel records, the employee believes that certain material is irrelevant, inaccurate or obsolete, he/she may submit a written request to the Executive Director to remove or edit the material from the file. The Executive Director will either remove or edit the material in the file, or inform the employee if the material will remain in the file. If the employee is

not satisfied with the Executive Director's decision, the employee shall be permitted to place a written statement of disagreement in the his/her personnel file, and he/she may pursue the matter further by using the regular grievance procedure.

All requests from sources outside the Authority for personnel information concerning applicants for employment, current employees and former employees shall be directed to the General Counsel. Information will be released to outsiders in response to written requests only as may be permitted by law, and only after obtaining the written consent of the individual who is the subject of the inquiry. An employee may request the advance release of such information in writing. All written requests will become part of the employee's personnel records. Any individual who violates the individual's rights by unauthorized release of information is subject to disciplinary action and probable dismissal.

In order to keep personnel records up to date, employees are required to notify the Executive Director, or his/her designee, in writing of any changes in:

- a. Name:
- b. Address;
- c. Telephone number;
- d. Marital Status;
- e. Number of dependents:
- f. Beneficiary designations for any of the Authority's insurance, disability and pension plans; and
- g. Persons to be notified in case of emergency.

When a change in the number of dependents or marital status occurs, the employee should arrange with the Payroll Manager to complete a new IRS Form W-4 for income tax withholding purposes.

PROBATIONARY PERIOD

All new hires not previously employed by the Authority and employees serving in a new position (promotion or transfer) shall serve a probationary period of ninety (90) days during which at least sixty (60) days of work must have been served. If for illness or other reason, the employee has been unable to complete sixty (60) of work, the probation period may be extended, at the Authority's discretion until the individual has worked sixty (60) days.

Given the length of the probation period and the obligations expressed above, any individual successfully completing the probation period will thereafter be held to the highest standards of performance and will be presumed to be fully aware of other job and personnel policies. Thereafter, an employee may be fully subject to discipline or discharge for any reason regardless of length of service. The existence of a probationary period is not a guarantee that an employee will be retained until it is completed. The employee can be discharged at any time during the probationary period for any reason. No decision with respect to the completion or outcome of any probationary period shall be subject to the grievance procedure.

Temporary Employee: A temporary employee is one who is hired as summer help, hired to replace a regular employee who cannot work for specified period of time, or hired for a specific job, for a specified period of time. If the temporary job turns into a permanent job, then the job will be posted, the same as any other job opening at the Authority. Temporary employees will have the right to bid on jobs posted; however, they will not be given credit for length of service or experience gained while on temporary status.

Permanent Employee: A permanent employee is one who has completed the probationary period. Upon successful completion of the probationary period, sick time and vacation time shall accumulate from the first (1st) day, but any unearned time absent during the probationary period will not be payable.

PROMOTION

The Authority will attempt to place its employees in positions which best utilize their abilities and in which they will be able to achieve both personal satisfaction and opportunity for growth.

The Authority shall take all factors, e.g., seniority, qualifications, past evaluations and job performance, into consideration when two (2) equally qualified employees apply for the same position. Seniority will not be the sole governing decision of the appointment. Discretion rests with the Authority to select the most qualified applicant.

WORKING HOURS

For office personnel, the normal operational work week shall consist of five (5) working days from Monday through Friday, unless otherwise specified by individual employment contract. Regular working hours are from 9:00 a.m. through 5:00 p.m. daily. Normally, office personnel receive a one (1) hour lunch period at or as close to noon time as may be feasible. Lunch may be scheduled by agreement among office personnel or set by the Executive Director, or his/her designee, so as to maintain continuous coverage of the office functions. Authorized break periods, mealtimes, and similar periods are not considered work time. Telecommuting is permissible with prior approval of the Executive Director only.

ABSENCE AND LATENESS

Prompt and regular attendance is an essential condition of employment. All employees shall report for work at 9:00 a.m. until 5:00 p.m. unless disabled by illness or injury or absent with prior approval of the Executive Director, or his/her designee, unless otherwise specified by individual employment contract.

Any employee who expects to be absent or late shall notify his/her supervisor in the office as soon as possible. If it is not possible to do so in advance of the working day, the report shall be made by telephone within two (2) hours of the time that such employee was to report to work.

Lateness and absence not covered by sick leave or other authorized time off will be deducted from the employee's payroll at straight time.

WEATHER EMERGENCIES

Due to the nature of the Authority's business, the offices will normally remain open during weather emergencies. Considering personal safety, employees are expected to make every effort to report to work. Employees who do not report to work will not be paid.

EMPLOYEE SUPERVISION

Reporting to the Authority's Commissioners, the Executive Director is in charge of day-to-day operations. The Organizational Chart set forth in Appendix I establishes the reporting relationships within the Authority.

PERFORMANCE APPRAISAL

It is the policy of the Authority that the job performance of each employee shall be evaluated periodically by the employee's supervisor.

The performance appraisal consists of a written evaluation of the employee's job performance and a personal discussion with the employee. Information derived from the performance appraisal will be used to determine the employee's eligibility for promotion and transfer, and to identify the training needs of the employee.

Performance appraisals shall be completed upon the following occasions:

- a. At the end of the employee's probationary period (90 days)
- b. Each fiscal year end;
- c. When the employee is transferred or promoted to a new job;
- d. When the employee's supervisor changes jobs or leaves the Authority; and
- e. At the time of the employee's termination.

Except in the case of probation or termination, if a performance appraisal has been completed on the employee within one (1) month prior to any of the above occasions, a new appraisal need not be completed. Supervisors will keep informal records of significant events concerning the job performance of individuals under their supervision which occur during the periods between performance appraisals. These records will be used in preparing performance appraisals.

The job performance of each employee shall be evaluated based on the job description, productivity goals established by the Authority, and the experience and training of the employee. Factors to be considered in the performance appraisal include knowledge of the job, quantity and quality of work, promptness in completing assignment, cooperation, initiative, reliability, attendance, judgment and acceptance of responsibility.

Following completion by the supervisor, each written evaluation shall be reviewed by Executive Director to assure objectivity and fairness. After review of the written evaluation has been completed, the supervisor shall discuss the evaluation has been completed, the supervisor

shall discuss the evaluation with the employee. The discussion will cover both the employee's accomplishments and shortcomings, so that positive aspects of his/her job performance are reinforced and unsatisfactory performance is targeted for improvement. The employee will sign and date the official copy of the performance evaluation.

At the time of the discussion with the supervisor, the employee shall be given a copy of the written evaluation and be provided an opportunity to make written comments concerning any aspects of the evaluation. The written evaluation shall then be forwarded to the personnel office for inclusion in the employee's personnel file. If the written evaluation contains an unfavorable comment or rating which the employee believes is unfair or unjustified and the matter has not been resolved to the employee's satisfaction during the discussion with the supervisor, the employee may take further action by using the regular grievance procedure. Nothing contained in this policy should be construed to prohibit or discourage supervisors and/or employees from discussing an employee's job performance on an informal basis whenever the need to do so arises.

WORKING DISCIPLINE

Continued employment remains at the will of the Authority, and it is the Authority's policy to ensure compliance with its rules, regulations and standards of performance, employee conduct and behavior, by disciplining or discharging employees who violate same.

For general infractions and non-serious misconduct, the following steps shall be followed:

- 1. On the occasion of the first violation the supervisor shall take the following action:
 - a. Meet with the employee to discuss the nature of the problem and the action necessary to correct it; and
 - b. Prepare a memorandum for the supervisor's own records and personnel file indication that the meeting has taken place.
- 2. Should a second violation occur, the supervisor shall hold a second meeting with the employee at which time the following action shall be taken:
 - a. Issue a formal written reprimand to the employee: the employee should acknowledge receipt of the reprimand;
 - b. Warn the employee that a third violation will result in more severe disciplinary action; and
 - c. Prepare and forward to the Executive Director a written report describing the first and second violations and summarizing the action taken during the meetings with the employee.
- 3. Should additional violations occur, the supervisor shall take progressive disciplinary action as follows:
 - a. Issue a final written reprimand or warning; or if circumstances warrant,
 - b. Suspend the employee without pay for up to five working days;
 - c. Suspend the employee indefinitely and recommend termination.
- 4. All reports relating to disciplinary matters should be forwarded by the supervisor to the Executive Director to determine the appropriate disciplinary action in consultation with

the General Counsel. Thereafter, the Executive Director shall inform the Chairman of the Authority's Commissioners of any disciplinary actions determined.

Suspension without pay and terminations are not to be imposed lightly. Before determining either, the supervisor should prepare and forward to the Executive Director a written report, including the names of witnesses, if any, fully describing the violations and summarizing the justification for the suspension or termination. In deciding when to issue discipline and how severe, a supervisor must assess the nature of the violation, whether it was deliberate, the existence of extenuating circumstances and the employee's prior disciplinary record. (It is within the sole discretion of the Executive Director to determine how long the record of a disciplinary incident shall remain in the employee's file for consideration in progressive discipline.) A supervisor should consider the discipline given to others who have committed the same violation under similar circumstances. A supervisor should make certain that neither prejudice, nor temporary emotional reaction play any part in the discipline.

In cases involving serious misconduct, such as a violation of law, the principles of progressive discipline do not require compliance with the full procedure and immediate suspension followed by termination may be recommended. Possible causes for discharges shall include but not be limited to the following:

- a. theft of Authority or employee property;
- b. substance abuse, including but not limited to the possession of or being under the influence of alcoholic beverages or non-prescribed drugs, or the misuse of prescribed drugs on Authority or while on duty;
- c. calling or participating in an unauthorized walkout, job action or strike;
- d. assault while on Authority property;
- e. deliberate damage to Authority property;
- f. excessive absenteeism or tardiness;
- g. illegal immoral or indecent conduct;
- h. gambling or fighting;
- i. insubordination or failure to follow instructions;
- j. falsification of records;
- k. abusive behavior toward co-workers, customers or supervisory personnel;
- l. violation of current safety rules (occupational environmental safety and health rules and regulations);
- m. smoking in areas where smoking is prohibited;
- n. leaving post without permission of the supervisor; and
- o. failure to fully perform job duties whether or not in response to direct instructions.

At any investigatory interview conducted for the purpose of determining the facts involved in any suspected violation of rules and regulations, prior to such investigatory interview, the employee who is suspected of violating the Authority's rules and regulations must be told in general terms what the investigation is about.

No employee benefits shall be paid or accrued to any employees while they are suspended from work. Employees who dispute their discipline may utilize the grievance procedures.

The inadvertent failure to discipline or discharge in any particular instance shall not be deemed a waiver of the Authority's right with respect to the future or controlling precedent for other instances involving the same or other employees or conduct.

TERMINATION

LAYOFF

It is the Authority's policy to provide stable employment whenever possible by avoiding both over-hiring and layoffs. Since the health and welfare of the public served by the Authority is at stake, the Authority will retain the best qualified and most reliable staff possible in the event a layoff becomes necessary. Among factors considered are schooling and licenses, punctuality and attendance, acceptable behavior towards customers, willingness to accept overtime when offered, general cooperation with supervisors and fellow employees, and knowledge and experience in all phases of Authority operations. While seniority and experience would normally go together, strict seniority will not be applied although it will be considered where two employees are otherwise considered equal in qualifications and reliability in the sole discretion of the Authority. If a layoff is for a known period of time, the employee(s) laid off will be informed.

RECALL

While on layoff, it shall be the responsibility of the employee to keep the Authority informed of their address and phone number if they desire to be considered for recall. Employees may be called back up to a six (6) month period of time in any order, depending on the needs of the Authority. Recall notice will be sent by certified mail, return receipt requested, to the last address supplied to the Authority by the employee. If the employee does not respond within three (3) days of the receipt of the notice, it will be deemed that the employee is not interested in the position. The Authority will then go to the next qualified on the layoff list, or if none exists, then the Authority may hire for the position. Recall may be offered to a position other than the one from which a person was laid off. A person accepting such alternate positions will receive the rate of pay, higher or lower, associated with the new position. A person recalled form layoff will receive credit for prior years of service, but not the period of layoff, in the computation of contingency pay. No decision regarding layoff or recall shall be subject to the grievance procedures.

RESIGNATION AND DISCHARGE

Normally, two (2) weeks notice is acceptable for either an employee resigning or the Authority terminating an employee for any reason; either side should give more notice, if possible. However, the Authority reserves the right to terminate immediately for just cause. Employees failing to provide at least two (2) weeks' notice shall forfeit all accumulated vacation. The fact that an employee has given due notice of intent to terminate employment voluntarily in no way precludes being discharged by the Authority in the period between the date of notice and the actual termination date, should the situation arise which in the sole discretion of the Authority would warrant the discharge.

An employee resigning or terminated with proper notice given to the Authority will receive all payments due on the last day worked. Employees resigning or terminated with less than two (2) weeks' notice will receive their last paycheck and payment for whatever benefits are due two (2) weeks after notice is received.

EXIT INTERVIEW

All employees resigning, retiring, or terminated must have an exit interview with the Executive Director prior to the last day worked. Employees should be prepared to turn in all keys, documents and any other Authority property. The Authority reserves the right to withhold the final paycheck until all Authority property has been returned, deductions may be made for missing property.

A resigning employee will be asked the reason for his/her resignation and will be asked if they wish reference information to be released. In the absence of any desire to the contrary, future inquiries will be answered by confirming only the dates of the first and last days of work, and that it is Authority policy to provide no further information in the absence of a written request signed by the former employee. All departing employees will be asked to confirm their current address or, if they expect to relocate, the address where the year-end IRS Form W-2 form may be sent. The exit interview is also an opportunity for the employee to make comments or constructive suggestions regarding their period of employment.

GRIEVANCE PROCEDURE

A grievance is a complaint by an Authority employee or otherwise that he/she has been arbitrarily, capriciously or discriminatorily treated by any supervisor or denied a benefit set forth by law or in this personnel policy manual. Employees are encouraged to raise their grievance promptly so that matters can be investigated and settled without undue delay. In no event will a routine grievance be processed beyond thirty (30) days of its occurrence.

An employee may gain consideration of his/her grievance by taking the following action:

- Step l. The grievance shall be discussed verbally between the employee and his/her immediate supervisor.
- Step 2. If the matter is not satisfactorily settled at Step l, it shall be put in writing and presented to the Executive Director.
- Step 3. If the matter is not satisfactorily resolved at Step 2, a meeting is to be arranged by the Executive Director with the Personnel Committee for discussion of the written grievance.
- <u>Step 4.</u> If the matter is not satisfactorily resolved at Step 3, the employee may request to meet with the Authority's Commissioners to present and explain the grievance.

COMPENSATION POLICIES

PAY SCHEDULE

All employees are paid twice a month on the fifteenth (15th) and last day of each month. Overtime, if any, worked during that same pay period will be paid in the next regular paycheck.

OVERTIME

Overtime work must be approved in advance by the employee's immediate supervisor and the Executive Director.

Approved overtime work shall be compensated at the normal base rate of pay for hours worked over thirty-five (35) and up to forty (40) hours, and at the rate of one and one-half times the employee's normal base rate of pay for all hours in excess of forty (40) hours in the same normal pay week, being defined as Monday through Friday. Paid holidays, sick leave, vacation time and other authorized leaves of absence with pay will be considered as hours worked in the computation of overtime. Overtime pay will be issued in the next pay period following the performance of overtime work.

The Executive Director, Chief Engineer, Chief Operating Officer, Chief Financial Officer, Billing Supervisor, Purchasing Agent, Director of Communications and Special Projects, Assistant to the Executive Director and Final Bill and Adjustment Associate are not entitled to receive overtime pay since they are compensated as salaried employees.

LONGEVITY

Employees shall receive longevity pay in accordance with the following schedule. Said longevity is to be paid in the employee's salary at regular pay periods, unless otherwise elected by the employee. Said longevity, when included in regular pay periods, shall be part of the employee's base salary for pension purposes:

Beginning with the 5th year of service, 2% of annual base pay; Beginning with the 10th year of service, 4% of annual base pay; Beginning with the 15th year of service, 6% of annual base pay; Beginning with the 20th year of service, 8% of annual base pay; and Beginning with the 25th year of service, 10% of annual base pay.

EMPLOYEE BENEFITS

TIME OFF

Employees shall receive paid time off, with the approval of the employee's immediate supervisor, for the following categories as set forth below: Holidays, Vacation, Sick Leave, Personal Days, and Other Authorized Time Off.

Employees shall not receive paid time off for the following categories as set forth below: Leave of Absence and Other Time Off Without Pay.

HOLIDAYS

The holidays during which the Authority shall be closed are determined by the Authority's Commissioners at each annual reorganization meeting of the Authority.

When a holiday falls on a Saturday, the office will be closed the preceding Friday. When a holiday falls on a Sunday, it will be celebrated the following Monday.

If a holiday falls during a vacation period, the employee shall be granted an additional day of vacation which may be taken at the option of the employee either to extend the vacation or as a single vacation day, subject to the scheduling approval of the Executive Director.

VACATION

The Authority provides full-time employees with paid annual vacation and encourages individuals to use their vacation each year. Full-time employees shall be entitled to annual paid vacation leave, credited at the beginning of each anniversary year in anticipation of continued employment. Part-time and temporary employees are not eligible for vacation. The following is a schedule of vacation days, based on the employee's years of service, unless otherwise specified by an individual employment contract.

Days of vacation
10 working days
11 working days
12 working days
13 working days
14 working days
15 working days
20 working days
25 working days
30 working days
35 working days

Any employee who does not take vacation leave that accrues in a given year because of business demands shall be granted that accrued leave only during the next succeeding year. However, vacation leave not taken in a given year because of duties directly related to a state of emergency declared by the Governor of the State of New Jersey may accumulate at the discretion of the Authority until, pursuant to a plan established by the Executive Director, the leave is used or the employee is compensated for that leave.

At the time of separation from employment, an employee shall be paid for any vacation accumulated and not previously taken within the prescribed period up to a maximum of fifty thousand dollars (\$50,000). Employees may not be paid for vacation leave earned and not used while still employed by the Authority, unless such payment is directly related to a state of

emergency declared by the Governor of the State of New Jersey and is paid pursuant to a plan established by the Executive Director.

If an employee who separates from employment and is paid for unused accumulated vacation time returns to employee status within six months of separation, vacation time paid at the previous separation date shall be deducted from the vacation time awarded in the first year of employment.

During the months of February, May, August and November, Customer Service Representatives are limited to 5 vacation days, within each respective month, to ensure the Authority has sufficient coverage for proper customer service.

SICK LEAVE

Full-time employees shall receive seven (7) days sick leave up front per anniversary year.

Part-time employees shall receive forty (40) hours of sick leave up front per anniversary year.

Sick leave will not accrue during an employee's leave of absence. Sick leave and vacation days may not be taken consecutively.

Employees may carry over accumulated unused sick leave into future benefit years. Upon separation for employment for any reason other than retirement through a State-administered or locally-administered retirement system, all accumulated unused sick leave is forfeited and is not subject to compensation.

Upon retirement from a State-administered or locally-administered retirement system, supplemental compensation paid to an employee for accumulated unused sick leave shall not exceed \$15,000.

Sick leave can be used for the following reasons:

- 1. Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury, or other adverse health condition, or for preventative medical care for the employee;
- 2. Time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury, or other adverse health condition, or during preventative medical care for the family member;
- 3. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member; medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including

- obtaining a restraining order or preparing for, or participating in, any civil or criminal proceeding related to the domestic or sexual violence;
- 4. Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others; or
- 5. Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function, or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health condition or disability.

Upon the use of sick leave on three (3) or more consecutive workdays, the employee shall provide the Authority with reasonable documentation of the reason for his/her absence. However, the Authority reserves the right at any time to require reasonable documentation that an absence, regardless of its duration, was due to one of the above stipulated reasons.

Foreseeable Sick Leave:

For purposes of this subsection, the need to use earned sick leave shall be considered "foreseeable," when the employee is able to predict or know in advance that he or she will need to use earned sick leave, such as a scheduled doctor's visit, a regularly occurring medical treatment, or regularly scheduled therapy appointment.

Where the employee's need to use earned sick leave is foreseeable, the employee shall make a reasonable effort to schedule the use of earned sick leave in a manner that does not unduly disrupt the operations of the Authority. It shall be the responsibility of the employee to notify their supervisor as soon as possible when they expect to be absent.

During the months of February, May, August and November, Customer Service Representatives are asked not to use sick leave for foreseeable purposes to ensure the Authority has sufficient coverage for proper customer service.

Paternity Leave: Employees may request that earned or accumulated sick leave be granted during the time prior to the expected date of delivery and for six (6) weeks after the actual date of delivery. This request must be accompanied by a certificate from the employee's / partner's doctor and is dependent upon approval by the Executive Director. Additional time beyond the six (6) week period after delivery may be granted, provided the certificate from the employee's / partner's doctor sets forth the details of the condition requiring such additional leave.

PERSONAL DAYS

In addition to paid leaves for sickness, vacations, holidays and certain other times as specified in this manual, employees are granted three (3) days off with pay during their anniversary year for personal use upon prior notice to and authorization of the Executive Director. Permission will be reasonably given so long as the absence does not interfere with Authority operations. Unused personal days are forfeited at the end of the anniversary year, and are not carried over.

OTHER AUTHORIZED TIME OFF

The Authority may provide time off without loss of pay for the following:

Death in the Family: If there is a death in the employee's immediate family, the employee will be excused from work up to three (3) days without loss of pay. It is the intention of this provision to make sure an employee has three (3) bereavement days off from work without loss of pay. Therefore, these three (3) days off are in addition to any other regular time off from work scheduled at the time when the death occurs. If an employee cuts short a scheduled vacation on account of the death, the employee shall be entitled to reschedule the remaining portion of the vacation in the same manner as other compensatory days. An immediate family member of an employee includes his/her spouse, children, parents or legal guardians, parents or legal guardians of his/her spouse, brothers, sisters, and grandparents.

Jury Duty: When an employee is called upon to serve as a juror, the Authority shall continue to pay regular straight-time pay during the period of service. The employee shall endorse the jury duty payment to the Authority and the employee will receive his/her normal work week pay. The payment from the jury duty will serve as satisfactory proof of jury duty.

Military Service: Conforming to the requirements of the law, the Authority's policy on military leave applies when an individual volunteers for military duty, is called into service or is recalled to active duty from reserve status. Employees required to serve on military reserve duty will be permitted to take up to fifteen (15) days off and will be paid the difference between their military pay and their regular pay for his/her normal work week upon presentation of satisfactory proof of the amount received from the military. If more than fifteen (15) days is required, the additional time off will be without pay. Time spent fulfilling active military duty obligations will be counted, upon return to work, as part of the employee's length of service, in accordance with government's regulations. To allow sufficient time for the Authority to schedule replacement, jury notices and military orders are to be presented to the employee's supervisor or the Executive Director as soon as received, but in no instance later than two (2) weeks before the date the employee is scheduled to commence jury or military service, unless the employee id not receive two week's notice. Employees who do not provide this required notice may still be excused but may not receive payment under this article.

LEAVE OF ABSENCE

A leave of absence is a stated period of time off without pay. An initial period of ninety (90) calendar days, may be granted to an employee who makes such a request in writing, specifying the

reasons for the leave and the expected date of return. If an employee does not return from a leave of absence within three (3) days of the approved return date, unless there is valid justification for such failure to return approved by the Executive Director, they will be deemed to have quit employment with the Authority. Unless there is an emergency reason for the request, it should be submitted to the Executive Director. The Executive Director will review the request and consider both the reason for the request and the impact on the Authority's operations prior to approving or rejecting the request. The Executive Director shall consider each request on its merits and, without establishing a precedent, accept or reject the employee's request within seven (7) days of the date such request is made.

Should an employee desire to continue the unpaid leave of absence he/she should submit a request for an additional ninety (90) days. The same procedure for the initial leave of absence application will apply for any extended leave of absence requests. If an employee does not return from an extended leave of absence by the approved return date, unless there is valid justification for failure to return approved by the Executive Director, they will be deemed to have quit employment with the Authority. It should be understood that the Executive Director shall not grant a leave of absence or extension, even without pay, for more than one hundred eighty (180) days in any twelve (12) month period from the date when such leave commenced.

Credit for vacation time and other benefits shall be suspended while an employee is on any leave without pay, except for military leave or other conditions as required by law. When considering a leave of absence, the employee may wish to discuss the effect on health and pension benefits in advance of submission of a written request for leave.

OTHER TIME OFF WITHOUT PAY

Authority staff may request up to a maximum of five (5) days off without pay once all allotted vacation and personal time is used. The approval of the Executive Director is required and may be withheld at his/her discretion.

PENSION BENEFITS

Eligible full-time employees of the Authority shall participate in the New Jersey Public Employee Retirement System, in accordance with the rules and regulations established by the New Jersey State Pension Board. Eligible full-time employees, part-time employees and Commissioners of the Authority shall participate in the Defined Contribution Retirement Plan, in accordance with the rules and regulations established by the New Jersey State Pension Board.

HEALTH BENEFITS

The Authority is a participant in the New Jersey State Health Benefits Plan. A copy of the plan and the State manuals are maintained by the Executive Director, or his/her designee, and available for review upon request at all times. Enrollment shall include the employee's family, as defined by the plan.

All full-time employees and their dependents shall become eligible for enrollment in the

Authority's hospitalization, medical, surgical and major medical expense group insurance plan on their date of hire, subject to the waiting period established by the respective insurance providers. The plan includes dental, prescription and eyeglass coverage.

The Authority and employee shall share the premium costs for such insurance for the employee and his/her dependents in accordance with the requirements of state law. Payments of such premiums shall terminate upon the employee's separation from service, except with respect to payment of health benefits for retirees. Pursuant to N.J.S.A. 40A:10-23, the Authority shall pay the entire cost of health care insurance coverage for its retired employees and their eligible dependents under the following circumstances:

- 1. Retirement on a disability pension.
- 2. Retirement after twenty-five (25) years or more of service credits in a State or locally administered retirement system and fifteen (15) years or more of service with the Authority at the time of retirement.
- 3. Retirement at age sixty-two (62) years or older with at least fifteen (15) years of service with the Authority.

CONTINUING EDUCATION

Employees are encouraged to enroll in academic courses that will enable them to improve their work performance and/or prepare them for potential advancement within the Authority.

In certain instances, the Authority may require an employee to take a course as part of onthe-job training. When these situations occur, the Authority will pay the cost at the time of registration. In accordance with the Authority's reimbursement policy, employees will be reimbursed for approved costs associated with attendance in courses required by the Authority, e.g., transportation, accommodations, meals, etc. Refusal to attend and/or unsatisfactorily complete a required course may jeopardize an employee's rating, future compensation or continued employment.

EXPENSE REIMBURSEMENT

The Authority's reimbursement policy applies to full-time staff and the Authority's Commissioners only. Part-time employees are not eligible for reimbursement. The Authority will reimburse expenses for legitimate business-related or educational activities/travel, subject to the following:

- Activities and/or travel must be deemed eligible *in writing* by either the Executive Director (when applied to staff) or the Authority's Commissioners (when applied to Commissioners). Approval from the Executive Director and/or the Authority's Commissioners must be received prior to undertaking the activities/travel.
- The Authority will normally reimburse conference registration fees for approved activities, up to \$100.

- The Authority will reimburse tuition up to \$1,000 per course/program, per staff member/Commissioner, per year.
- The Authority will reimburse hotel accommodations for an approved trip only for the length of the conference or business activities. Any additional days/nights at the hotel will be the responsibility of the individual.
- The Authority will reimburse hotel costs up to a maximum of \$150 per night. Any exceptions must be approved in writing by either the Executive Director (for staff) or the Authority's Commissioners (for Commissioners).
- The Authority will reimburse up to \$150 per diem for food/drinks and transportation expenses related to the conference, for the duration of the approved activities. Reimbursement must supported by itemized receipts. All other charges will be the responsibility of the individual.
- Staff and Commissioners, who are on approved travel, should use their own credit cards and submit receipts to the Authority for reimbursement.

USE OF PRIVATELY OWNED VEHICLE

When an employee uses his/her privately owned vehicle on authorized business of the Authority, the employee will be reimbursed for such use as directed by the Executive Director. Payment shall be made by the Authority only upon receipt of a signed voucher setting forth the date, time, purpose and beginning and ending odometer reading for each use.

Acknowledgment of Receipt and Review					
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and Procedures Manual and that I read it, unthe North Hudson Sewerage Authority has administer, change, modify, or delete this proposed supervisor or manager or any other employed policy. Changes can only be made if approauthority authorized to do so. I also understated Authority to enforce any work policy or rule Authority's right to do so in the future communication by a management represent intended in any way to create a contract of employment agreement signed by an authority employed at will and this policy does not be employment agreement signed by an authority this policy conflicts with the terms of my employment agreement will control.	nderstood it, and a the maximum policy at any time, whether oral oved in writing and that any delawill not constitute. I understand tative or any of employment. I worth Hudsomodify my at-yized North Mudsomodify my at	d agree to c discretion me. No st or written, by person ay or failure ute a waiver that neith ther employ I understan on Sewerage vill employ son Sewera	permitted by law attement or represent supplement of the North Huder of the North Huder of the North Huder this policy rece, whether oral at that, unless I lee Authority represent status. If I ge Authority represent status are permitted by the North Huder this policy rece, whether oral at that, unless I lee Authority represent status. If I ge Authority represents the North Huder this policy represents the North Huder this policy represents the North Huder th	inderstand w to intersentation or modify Ison Sewe Ison	I that rpret, by a y this erage erage other en, is ritten I am ritten e and
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