

COUNTY OF UNION EMPLOYEE HANDBOOK



EDWARD T. OATMAN
COUNTY MANAGER

2024

UNION COUNTY
We're Connected to You!

A SERVICE OF THE UNION COUNTY
BOARD OF COUNTY COMMISSIONERS

DISCLAIMER

The purpose of this Handbook is to acquaint employees with Union County ("County") employment. The policies and practices contained in this Handbook are only guidelines and may be canceled or changed by the County at any time with or without notice. This Handbook is not intended to nor does it create an employment contract between the County and any of its employees.

THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT.

Except as otherwise provided by a collective bargaining agreement or applicable law, all employees are employees at-will. This means that any employee may voluntarily terminate their employment at any time, for any reason. It also means that the County may terminate any employee's employment at any time with or without good cause.

Nothing contained in this Handbook constitutes a contractual right, express or implied. No provision contained in this Handbook or any other policy or procedure may be changed by any oral statement, but must be in writing signed by an authorized representative of the County.

The County retains all rights to discharge or discipline employees. As a County employee, you agree to conform to all applicable policies, procedures, rules, regulations, statutes and collective negotiations agreements.

This Handbook is not meant to affect, or to be a comprehensive description of County, State or Federal statutes, rules or regulations, civil service, disciplinary procedures, employment benefits, workers' compensation, leaves from employment, employee compensation, the policies, practices and procedures of the County, or collective negotiations. Employees' rights and responsibilities are always governed by existing law and any applicable collective negotiations agreement or established past practice. Nothing in this Handbook provides legal rights in addition to those, if any, provided to employees under County, State or Federal statutes, rules, regulations, collective negotiations agreements or established past practice. If any part of this Handbook conflicts with County, State or Federal statutes, rules, regulations, a collective negotiations agreement or established past practice, the part of the Handbook which conflicts with a County, State or Federal statute, rule, regulation, collective negotiations agreement or established past practice will be null and void as it applies to the affected group of employees. Likewise, if at any time, any County, State or Federal statutes, rules, regulations or collective negotiations agreement should be amended, this Handbook will be deemed to have been likewise amended, even though actual changes to the Handbook have not been made.

The County recognizes that many of its employees' terms and conditions of employment are governed by collective negotiations agreements and established past practices. This Handbook does not supersede or affect any term or condition of employment that may exist in any collective negotiations agreement or that may have been established through past practice. If any part of this Handbook conflicts with any term or condition of employment expressly set forth in a collective negotiations agreement or established through past practice, that part of the Handbook will be null and void as it applies to the affected group of employees.

UNCLASSIFIED EMPLOYEES

N.J.S.A. 11A:3-5 provides that incumbents in an unclassified title serve for a fixed term or at the pleasure of the appointing authority. The laws and regulations which apply to Career Service employees (also known as Civil Service employees) do not apply to unclassified employees. The portions of this Handbook which refer to the rules promulgated by the New Jersey State Civil Service Commission (N.J.A.C. 4A:1-1 *et seq.*) do not apply to unclassified employees. However, all other County, State or Federal statutes, rules and regulations referred to in this Handbook do apply to unclassified employees.

EMPLOYEES IN COLLECTIVE BARGAINING UNITS

Many County employees have job titles where the terms and conditions of employment are governed by a collective negotiations agreement between the County and the recognized union(s). If an employee's job title is part of a recognized bargaining unit, the employee should always consult their collective negotiations agreement and the Civil Service laws and regulations, if applicable.

NON-CONTRACTUAL EMPLOYEES

An employee whose job title is not the subject of a collective bargaining agreement should consult the Union County Administrative Code and any applicable Federal, State or local statutes, rules and regulations.

SUPERVISORS' RESPONSIBILITY:

Supervisors are required to enforce the Policies and Procedures outlined in this Employee Handbook, as well as any other Policy and Procedure established or promulgated by the County of Union. Failure to do so may result in disciplinary action up to and including termination.

EMPLOYEES' RESPONSIBILITY:

All employees are expected to know and follow the Policies and Procedures outlined in this Employee Handbook. Failure to adhere to these Policies and Procedures may result in disciplinary action up to and including termination.

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OFFICE OF KIMBERLY PALMIERI-MOUEDED
County Commissioner Chairwoman

**BOARD OF
COUNTY COMMISSIONERS**

KIMBERLY PALMIERI-MOUEDED
Chairwoman

LOURDES LEON
Vice-Chairwoman

JAMES E. BAKER, JR.

JOSEPH C. BODEK

MICHÈLE S. DELISFORT

SERGIO GRANADOS

BETTE JANE KOWALSKI

ALEXANDER MIRABELLA

REBECCA WILLIAMS

EDWARD T. OATMAN
County Manager

AMY CRISP WAGNER
Deputy County Manager

BRUCE H. BERGEN, ESQ.
County Counsel

JAMES E. PELLETTIERE
Clerk of the Board

Dear Employee:

As the Chairwoman of the Union County Board of County Commissioners, I would like to officially welcome you to your new position at the County of Union. The Commissioner Board is proud of all of those who chose a career in government. It will be your dedication and hard work that keeps the County running and for that we are appreciative.

Now that you hold this role in Union County government, you are considered a public servant who works on the County's behalf, which is supported by our taxpayers and residents.

You are the direct link that connects our constituents to the County, where we offer an incredible array of services, programs and resources. While it may be challenging at times, I know you find this path fulfilling and worthwhile.

On behalf of the Board of Commissioners, we wish you much success and longevity in your new position and welcome you to our Union County team.

Sincerely,

Kimberly Palmieri-Moueded
Chairwoman of the Union County Board of County Commissioners

ADMINISTRATION BUILDING



OFFICE OF THE COUNTY MANAGER
Edward T. Oatman, County Manager

**BOARD OF
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County Manager

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Deputy County Manager

BRUCE H. BERGEN, ESQ.
County Counsel

JAMES E. PELLETTIERE
Clerk of the Board

Dear Employee:

Welcome to the County of Union. As a new government employee, you have become part of a team of dedicated, hard-working individuals that serve the residents of Union County.

More than 550,000 people reside in this county and depend on the services and programs we provide daily. The county is made up of many departments, divisions and bureaus, who work together to deliver these resources in a timely, efficient and friendly manner.

As County Manager, I am responsible for the operations of this county government and its over 2,100 employees. I answer directly to the Union County Board of County Commissioners, who are the elected officials who set the policies and direction of county government.

Now that you are an employee of the County of Union, you should be aware that you are a public servant in all of the activities and duties you perform. When you interact with the public, you are representing the county in which they live. You should always treat them with respect, professionalism and the courtesy you would expect yourself.

This handbook was put together with all of the county rules, policies and procedures. Please read it over very carefully, as you will be expected to know and understand these guidelines. If you have any questions, please do not hesitate to contact the Division of Personnel at 908-527-4160.

As Union County Manager, I welcome you to our team and to public service. I look forward to working with you in continuing the progress we have made, providing a high quality of life for all residents in Union County.

Sincerely,

Edward T. Oatman
Union County Manager

ADMINISTRATION BUILDING

Elizabethtown Plaza

Elizabeth, NJ 07207

(908)527-4200

www.ucnj.org

FOREWORD

As stewards of the public trust, County employees must perform their duties ethically and treat co-workers, supervisors and the public with courtesy and respect at all times. County employees are part of a government that values and respects diversity and builds on the strengths of its individual employees, the organization and the community. We are motivated, progressive and visionary. We challenge ourselves to improve the effectiveness and efficiency of our services by being innovative, collaborative and creative. We are well-trained and valued. We provide government services to the public with responsiveness and accountability. We work with a positive attitude, and are proud of our record of outstanding public service to the citizens of Union County.

CONFIDENTIALITY POLICY & PLEDGE

During your employment with the County of Union, you will have access to and gain knowledge of confidential information. To protect the confidential information that will be disclosed during your employment, you agree that you will hold the confidential information received in strict confidence and will exercise a reasonable degree of care to prevent disclosure to others. You agree to not:

- Disclose or divulge information directly or indirectly to others unless first authorized to do.
- Reproduce nor use information commercially or for the purpose other than the performance of your duties.

Violations of the confidential policy, can result in disciplinary action, up to and including termination of employment.

CONFIDENTIAL EMPLOYEE INFORMATION

Personnel Records: The Division of Personnel maintains official records of all County employees. The satellite offices: Division of Personnel at Cornerstone Behavioral Health Hospital and the Division of Social Services Personnel Office, maintain their own records. Subject to the New Jersey Right to Know Law, Executive Order No. 11 and other applicable laws, the County will not release employee personnel information to anyone other than to the employee and their authorized representative without a valid Court Order.

The County encourages every employee to review their personnel file. Contact the Division of Personnel, or the Personnel unit of Cornerstone Behavioral Health Hospital a Division of the Department of Human Services, or the Division of Social Services Personnel Office, for an appointment. Comments concerning the contents of an employee's personnel file may be made

on a form contained in the Division of Personnel, to be provided at the time the personnel file is reviewed. No insertions or withdrawals of any correspondence, except this form, are permitted.

Lending Institutions: The Division of Personnel will respond to a request for personnel information by a recognized lending institution for credit information purposes. Only the fact of employment will be verified by telephone. Requests for additional information must be in writing and sent to the Division of Personnel. All requests must be accompanied by a release with a signature by the employee authorizing and holding the County harmless for release of personnel information.

OTHER SOURCES OF INFORMATION

This Handbook provides a general description of employment in the County. Individual departments may adopt more specific descriptions and applications of these policies as they affect an employee's particular duties. There are established documents that contain more detailed information regarding their respective subject matter. An employee may contact the Division of Personnel to obtain a copy of the following:

State of New Jersey Public Employees' Retirement System Plan Handbook

State of New Jersey Police and Firemen's Retirement System Plan Handbook

Policy Against Workplace Discrimination and Harassment

Family Leave and Medical Leave Act Policy

Drug Abuse Policy

Workers Compensation Policy

Violence in the Workplace Policy

Computer Use Policy

Use of Internet and E-Mail Policy

Electronic Mail Management Policy

Work Product Protection Policy

Sick Leave & Workers' Compensation Leave Verification Policy

Work Made for Hire Policy

Compensatory Time Policy

Voluntary Leave

Donated Leave

Military Family Leave Policy

Union County Home Work Policy

Union County Compressed Work Week Policy

Union County Flex-Time Policy

Anti-Nepotism Policy

Conflict of Interest Policy

Repayment of Training Expenses Policy

FORM OF GOVERNMENT

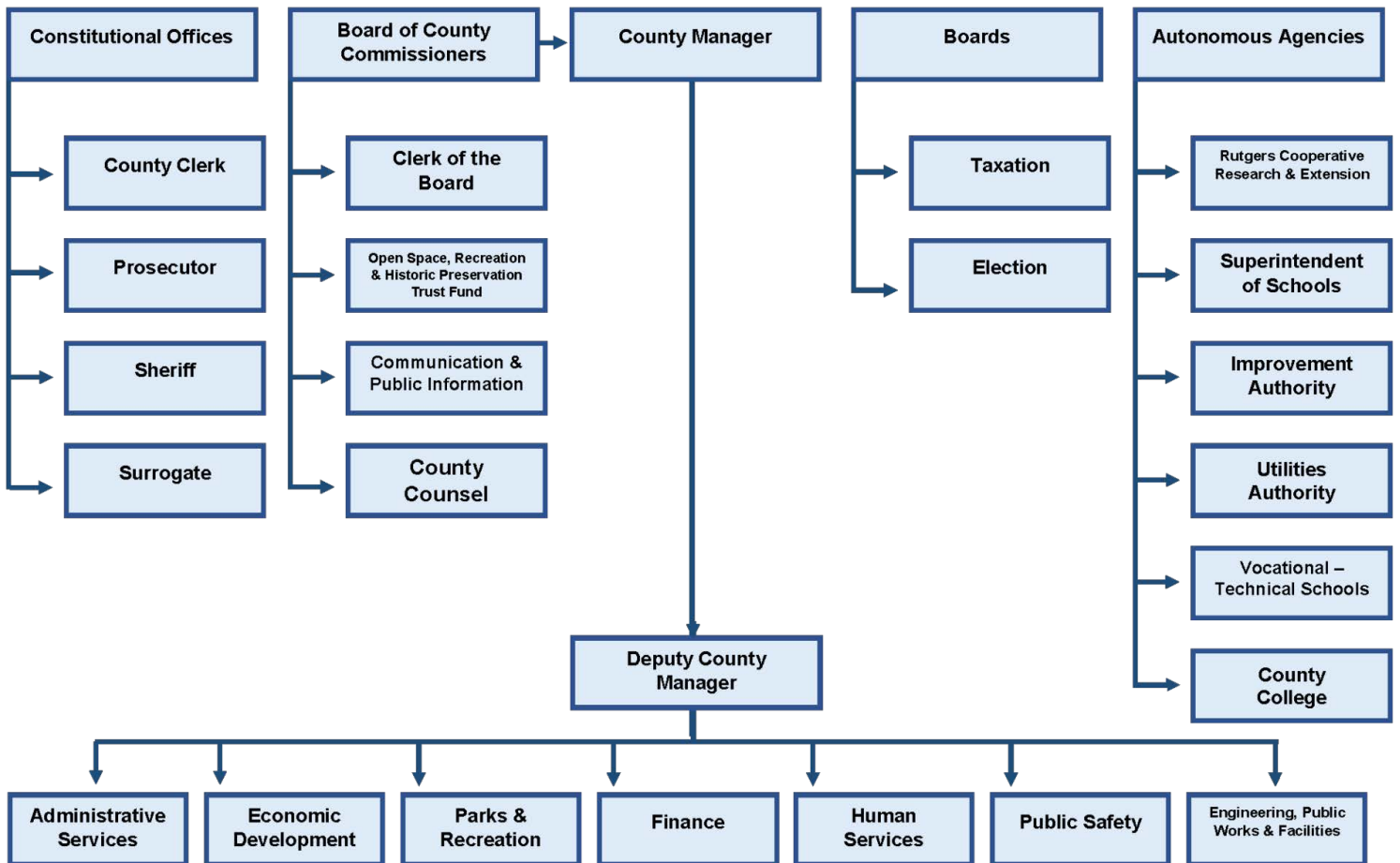
The County of Union functions under the County Manager Plan form of government as defined by statute. (*See* N.J.S.A. 40:41A *et seq.* and the Administrative Code of the County of Union ("U.C.A.C.") §1-6 *et seq.*) The Board of County Commissioners is vested with the legislative power of the County. The County Manager is responsible for the supervision, direction, and administration of all County departments. The Board of County Commissioners may interact with County employees through the County Manager. All contact with County employees and all actions and communications concerning the administration of the County's government will be through the County Manager, except as otherwise provided by law.

A County employee may appear before their duly-elected officials and engage in open communication, speech, inquiry, and discussion on matters of general or public concern. This communication may take place between the County employee and any member, group of members, or the entire Board of County Commissioners. It is an employee's constitutional right to speak freely on public issues.

The right to speak freely on matters of public concern, however, does not include the right to engage in public discussion on matters of private concern. That is, the right of open and free communication and discussion with elected officials does not extend to matters that are of

concern to an individual employee or to a small group of employees. If an employee is concerned about a particular administrative matter, the employee must proceed through appropriate supervisory channels and ultimately to the attention of the County Manager, if necessary. In this way, the necessary and proper balance between the interests of the employee, as a citizen, in commenting on matters of public concern and the interests of the County, as an employer, in promoting the efficiency of the public service it performs through its employees, will be properly maintained.

ORGANIZATION CHART



I - EMPLOYEE REPRESENTATION

A. COLLECTIVE BARGAINING ORGANIZATIONS

The County is bound by the laws of the United States and the State of New Jersey to recognize the rights of employees to organize and to negotiate with the County over terms and conditions of employment. Most employees of the County are covered by such bargaining unit representation. The Division of Personnel can provide the name of the employee's organizational representative upon request. Copies of current collective negotiations agreements are available only through bargaining representatives. Providing such agreements is not a responsibility of the County.

The employment terms set out in the Employee Handbook work in conjunction with, and do not replace, amend, or supplement any contrary terms or conditions stated in any collective bargaining agreement that a union has with the County. Wherever employment terms in the Employee Handbook differ from the terms expressed in the applicable collective bargaining agreement with the County, employees should refer to the specific terms of the collective bargaining agreement, which will control.

Union Council No. 8 N.J.C.S.A.	Represents all regularly-employed non-supervisory blue collar and white-collar employees. Excludes police, confidential employees, managerial executives, craft employees, professionals, supervisors, and non-contractual employees within the meaning of the Public Employment Relations Act (the "Act").
P.B.A. Local 73 County Police	Represents all patrolmen and detective patrolmen employed by the County Police. Excludes the chief, captains, lieutenants, sergeants, other non-uniformed personnel, and professional employees and supervisors within the meaning of the Act.
P.B.A. Local 73A Superior Officers Association	Represents all captains, lieutenants, sergeants, and detective sergeants employed by the County Police. Excludes the chief, patrolmen, detective patrolmen, non-uniformed personnel, and professional employees and supervisors within the meaning of the Act.
P.B.A. Local 108 Sheriff's Officers	Represents all Sheriff's officers and investigators at the Union County Court House and other locations under the jurisdiction of the County.
P.B.A. Local 108A Sheriff's Superior Officers	Represents all Sheriff's superior officers, sergeants, lieutenants and captains.

P.B.A. Local 199 Corrections Officers	Represents all corrections officers below the rank of sergeant employed in the Union County jail facilities.
P.B.A. Local 199A Superior Corrections Officers	Represents all superior corrections officers, sergeants, lieutenants and captains, employed in the Union County jail facilities.
PBA Local 250 Prosecutors Detectives/ Investigators	Represents all detectives, investigators, and investigator accountants employed by Union County, not holding a superior rank, who work for the Union County Prosecutor's Office.
PBA 250A Prosecutors Investigators Superior Officers Assn.	Represents all sergeants of county investigators, lieutenants of County detectives/investigators, captains of County detectives/investigators, and deputy chiefs employed by the County, but excluding the chief of County investigators.
C.W.A.-A.F.L. & C.I.O. Local 1080 Union County Social Services	Represents the following employees in Social Services: clerk, account clerk, senior account clerk, principal account clerk, supervising account clerk, clerk bookkeeper, child support specialist, child support worker, clerk stenographer, clerk transcriber, clerk typist, data control clerk, data entry machine operator, income maintenance specialist, income maintenance technician, income maintenance worker, income maintenance investigator CWA, messenger, receptionist, stenographer, telephone operator, social worker, social worker specialist, supervisor of data entry machine operations, training technician, senior building maintenance worker, accountant, paralegal specialist, principal data control clerk, supervising clerk transcriber, legal secretary, Human Services Specialist I, II and III, accounting assistant, interpreter and all bilingual titles covered by the recognition clause.
Local 68-68A&B Operating Engineers	Represents all stationary engineers, plumber/steamfitters and assistant supervising plumbers, HVAC mechanics (Low Pressure), assistant supervising HVAC mechanics, HVAC mechanic/stationary engineers, maintenance repairmen (LP) and assistant chief stationary engineers employed in the Court House complex. Excludes plumbers and maintenance repair plumbers in the Division of Facilities.

Park Maintenance Union	Represents non-supervisory employees in the County's recreational facilities, including, but not limited to, the golf courses and skating rinks. Excludes supervisory employees and foremen.
P.B.A. Local 203 Div. of Weight & Measures	Represents all weights and measures personnel excluding managerial, confidential, professional, supervisory and craft employees.
Teamsters Local 469 Union County Social Services Primary Supervisors	Represents income maintenance supervisor, social work supervisor, child support supervisor, fraud unit supervisor, assistant training supervisor and senior investigator in the Division of Social Services.
Teamsters Local 469 Secondary Supervisors	Represents administrative supervisors in income maintenance, assistant administrative supervisor of income maintenance, field office supervisor, child support coordinator, data processing coordinator, training supervisor, administrative supervisor of social work and the assistant administrative supervisor of social work in the Division of Social Services.
(HPAE) Local 5112 Health Professionals & Allied Employees	Represents registered nurses (RN's) affiliated with Cornerstone Behavioral Health Hospital.
Assistant Prosecutors Assn.	Represents the County's Assistant Prosecutors. Excludes first assistant prosecutor, executive assistant prosecutor, investigations supervisor, trial supervisor, non-professionals, all managerial and confidential.

IBEW Prosecutor's Office	<p>Represents all unit managers, social case workers, prosecutors' agents, office supervisors, senior forensic chemists, forensic chemists, forensic scientists, counselor victim witness programs, advocate victim witness programs, coordinator victim witness programs, assistant chemists, legal analysts, critical infrastructure coordinator, and assistant public information officer, employed by the Union County Prosecutor's Office. Excludes managerial executives, confidential employees, supervisors, craft employees, police employees, casual employees, prosecutors, assistant prosecutors, detectives, investigators, clerical employees (including clerk typists, property clerk/word processing, and all other employees within the Union County Prosecutor's Office).</p>
FMBA (NAGE Local R2-343/SEIU5000)	<p>Represents all hazardous materials technicians and hazardous materials responders, excluding managerial executives, confidential employees and supervisors within the Department of Public Safety, Division of Emergency Management.</p>
Union County Supervisors' Association	<p>Represents all regularly employed foremen and supervisors employed by the County of Union in the Department of Parks and Recreation and the Department of Engineering, Public Works, and Facilities Management, including supervisory mechanics, park foremen, general trades foremen, general supervisor mosquito extermination, recreation park maintenance general foremen, General Supervisor Bridge Repair, Supervising Bridge Repairer, General Supervisor Roads, Road Repair Supervisor, Supervising Building Repairer, Supervising Building Service, Supervising Heat & Air Conditioning Mechanic, Supervising Maintenance Repairer, Supervising Plumber, Supervisor Compost Project, Supervisor Mosquito Exterminator, Supervisor Traffic Maintenance, Supervising 2 {00028858;3} Painter, Tree Maintenance Supervisor, Supervising Mechanic, Supervising Welder, Maintenance Supervisor Grounds, Supervisor Trades, Yard Supervisor, Sewer Repairer Supervisor, Supervising Carpenter, Supervising Mason and Supervising Electrician.</p>
International Assoc. of EMTS and PARAMEDICS Local R2-119	<p>Represents the County's Public Safety Telecommunications Supervisors</p>

B. DEMAND AND RETURN SYSTEM

A contractual employee need not formally join a labor organization or pay dues to it. However, if an employee's job title is covered by a collective bargaining agreement, they will be represented by a bargaining representative in contract negotiations and certain other matters. An employee who is represented by recognized bargaining representatives, and who elects not to be a regular dues-paying member of an association, will be charged a representation fee in lieu of dues through payroll deductions. The representation fee will be in an amount equal to the regular membership dues, initiation fees and assessments charged by the majority representative to its own members minus the cost of benefits financed through the dues, fees and assessments available to or benefiting only its members and in aid of activities or causes of a partisan political or ideological nature only incidentally related to the terms and conditions of employment. Although it may be lower, in no event will the fee be higher than eighty-five percent (85%) of the regular membership dues, fees, and assessments charged to regular members by the association. N.J.S.A. 34:13A-5.5, as amended, requires the union to establish and maintain a "demand and return" system whereby an employee required to pay the representation fee in lieu of dues may demand the return of their "pro-rata share" of expenses related to political activities and benefits limited only to union members. Where applicable, an employee should consult the current collective negotiations agreement.

C. STRIKES/NO LOCKOUT

Pursuant to the New Jersey State Constitution, public employees do not have the right to strike or to engage in work stoppages or slowdowns of any kind. The County will not condone such activities or threats thereof by public employees, or any other such action, which would interfere with service to the public or violate the Constitution and the laws of the State of New Jersey. A County employee who engages in such activity will be subject to discipline up to and including termination of employment.

II - TELEPHONE DIRECTORY FOR PERSONNEL ASSISTANCE

Personnel Main Office (Admin Building 6 th Floor)	527-4160
	UCpersonnel@ucnj.org
Health Benefits.....	527-4021
	HealthBenefits@ucnj.org
NJDOP (Information)	527-4024
Risk Management	527-4210
Salary Administration	527-4098
Cornerstone Behavioral Health Personnel Office.....	771-5757
Social Services Personnel Office	965-3723
Health Benefits.....	791-7174/965-3727
Affirmative Action Office.....	527-4230
ADA Bureau Chief	527-4432

III - EMPLOYMENT STATUS

A. CONTRACTUAL & NON-CONTRACTUAL STATUS

The terms and conditions of employment for the vast majority of job titles within the County are covered by an established past practice. The union contract is also known as the collective bargaining agreement. Employees whose job titles are covered by a collective bargaining agreement will be referred to herein as "contractual" employees. Employees whose positions are not so represented will be referred to as "non-contractual" or "exclusionary" employees.

B. CAREER SERVICE EMPLOYEES

Additionally, most employee positions are governed by the Career Services laws and regulations of the New Jersey Civil Service Commission. These employees will be referred to herein as "Career Service," "Civil Service" or "Classified" employees. The Civil Service laws and regulations which govern Career Service employees are published in Title 11A of the New Jersey Statutes Annotated (N.J.S.A. 11A:1-1 *et seq.*) and Title 4A of the New Jersey Administrative Code (N.J.A.C. 4A:1-1 *et seq.*). Employees not governed by the Career Service laws and regulations will be referred to herein as "Unclassified" employees.

Definitions of Career Service Employee Status

Emergency Appointed	An employee appointed for a period not to exceed thirty (30) days for emergency reasons.
Full-Time	An employee who is hired to work the full, regular, work-week hours of the department.
Interim	An employee who is appointed to a specific vacant position, replacing a permanent employee who is on an approved leave of absence.
Part-Time	An employee who is hired to work for less than the full, regular work-week hours of the department. Regular hours vary by department.
Per-Diem	An employee who is hired to work on an as-needed basis. Schedules can vary significantly from week to week.
Permanent	(Competitive Division) An employee who has received successful test results from a New Jersey Civil Service Commission

examination, is selected from a certified list of eligible, and successfully completes the required working test period.

(Noncompetitive Division) An employee who receives permanent status after successful completion of the required working test period, which starts on the date of hire.

Probationary	An employee whose permanent status, after appointment from a certification list or hiring into a noncompetitive position, is pending the satisfactory completion of the required working test period.
Provisional	An employee serving in a competitive title awaiting the examination announcement and ultimately successful scoring and ranking, leading up to a permanent appointment. See above definition of permanent employee (competitive division).
Temporary (Grant Funded)	An employee who is appointed to a position for the duration of an employment program that is grant funded by a source other than the County of Union for a maximum of 12 months.
Seasonal/Temporary	An employee who is hired for up to 6 months in a 12-month period and with a maximum work week of 30 hours. However, if the position is established as a result of a short-term grant, the appointment may be extended for a maximum of 12 months.
Essential vs. Non-essential	When there is a delayed opening or an emergency shut-down declared by the County Manager, the County shall determine the manning requirements of essential personnel. Each department head may determine a list of essential positions in advance of any such emergency, but it remains in the discretion of the County to determine additional essential personnel depending upon the circumstances of a particular emergency shut-down or delayed opening.

Definitions of Changes in Career Service Employment Status

Layoff	A layoff may occur for economy, efficiency, or other reasons having a negative impact on the County.
Reassignment	A reassignment is the in-title movement of an employee to a new job function, shift, location, or supervisor.

Reinstatement	A permanent employee who has resigned in good standing, has retired, or has been voluntarily demoted, may, within three years of one of the aforementioned actions, request consideration for reemployment as a permanent employee with the previous permanent title.
Resignation	Any employee may resign in good standing by giving written notice at least 14 days in advance, unless the department head allows a shorter period of notice. If an employee resigns without a 14-day notice or without authorization to provide a shorter period of notice, they will be considered as having resigned not in good standing.
Termination	Termination includes voluntary or employee-initiated, and involuntary or employer-initiated. Voluntary terminations include resignations and retirements. Involuntary terminations are employer-initiated and involve involuntary discharge or separation from employment.
Transfer	A transfer results when an employee is moved permanently to another department. The employee must transfer with the same title and salary and with the consent of both Department Heads.

Employee Classifications

In order to determine eligibility for benefits and overtime and to ensure compliance with federal and state laws and regulation, the County classifies its employees as full-time, part-time or seasonal/temporary. In addition, employees are classified as exempt or non-exempt as shown below for overtime requirements. The County of Union may review or change employee classifications at any time. Exceptions to the below classifications are made for individuals covered by a collective bargaining agreement, for which the terms of the collective bargaining agreement shall govern.

- A. **Exempt:** Are individuals employed in a bona fide executive, administrative or professional capacity as defined pursuant to N.J.A.C. 12:56-7.1, who are exempt from the overtime requirements of N.J.A.C. 12:56-6.1 and are not entitled to overtime computation and or compensatory time for same.
- B. **Non-Exempt:** Are individuals that are eligible to receive overtime pay for overtime hours worked. Accurately recording time worked is the responsibility of every non-exempt employee. Employees are not permitted to work overtime unless the

overtime is budgeted and approved by a Supervisor. Working overtime without prior approval may be subject to disciplinary action and up to termination.

Career Service Examinations/Testing

Pursuant to N.J.A.C. 4A:1-1 *et seq.*, a career service examination may be written, oral or an evaluation based on education, training and experience. The examination may be open, competitive or promotional. In either case, a certified list will result. If an employee served in the military, they may be eligible for veteran's preference consideration when taking a Civil Service examination. Check with the Division of Personnel for details.

C. WORKFORCE INNOVATION & OPPORUNITYACT EMPLOYEES

Another category of employees is Workforce Innovation & Opportunities Act (WIOA). A WIOA employee is a temporary employee whose salary is funded 51% or more by the Federal Workforce Innovation & Opportunity Act program.

WIOA employees are not subject to the Career Service regulations. Additionally, WIOA employees may not participate in the New Jersey Public Employees Retirement System ("PERS"). However, a retirement plan maintained by Mutual of America is available for WIOA employees. A WIOA employee will be included as a participant in the plan on the first day of the month after completing one year of service on July 1st and after attaining 21 years of age. A WIOA employee must complete at least 1,000 hours of service to be credited with a year of service for eligibility. For more information, please refer to the *Union County Employee Pension Benefit Manual* or contact the Office of Workforce Development Operations at (908) 527-4894.

Additionally, a WIOA employee is eligible for a life insurance plan. A WIOA employee is eligible after working at least 20 hours per week and completing 12 months of service on July 1st. For more information, please contact the American Jobs Center at (908) 527-4812.

IV - CONDUCT OF EMPLOYEES

A. ETHICAL CONDUCT

Pursuant to the provisions of the Local Government Ethics Law:

1. No employee or member of their immediate family will have an interest in a business organization or engage in any business, transaction or professional activity, which is in substantial conflict with the proper discharge of their duties in the public interest.

2. No employee should use or attempt to use their official position to secure unwarranted privileges or advantages for themselves or others.
3. No employee should act in their official capacity in any matter wherein they are a member, a member of their immediate family, or business organization in which they have an interest, has a direct or indirect personal or financial interest that might reasonably be expected to impair their objectivity or independence of judgment.
4. No employee should undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties.
5. No employee, member of their immediate family, or business organization in which they have an interest, should solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan contribution, service, promise or other thing of value was given or offered for the purpose of influencing them directly or indirectly in the discharge of their official duties.
6. No employee will use, or allow to be used, their public employment, or any information, not generally available to members of the public, which they receive or acquire in the course of and by reason of their employment, for the purpose of securing financial gain for themselves, any member of their immediate family, or any business organization with which they are associated.
7. No employee or business organization in which they have an interest will represent any person or party other than the County in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which they serve. An employee or members of their immediate family may represent themselves in proceedings concerning the employee's own interests.
8. No employee will accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the County or any person or firm seeking to influence County decisions. Meals, coffee, drinks, and other entertainment are also prohibited.

(See N.J.S.A. 40A:9-22.5 and U.C.A.C. §1-163 *et seq.*)

B. CONFLICT OF INTEREST POLICY

It is the purpose of this Conflict of Interest Policy to provide a method of assuring the standards of ethical conduct for the County's officers and employees shall be clear, consistent, uniform, and enforceable in accordance with State law, and to provide the County's officers or employees with guidance and information concerning possible conflicts of interest which might arise in the conduct of their public duties.

1. No officer or employee or member of their immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of their duties in the public interest.
2. No officer or employee shall use or attempt to use their official position to secure unwarranted privileges or advantages for themselves or others.
3. No officer or employee shall act in their official capacity in any matter where they or a member of their immediate family, a business organization in which they have an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair their objectivity or independence of judgment.
4. No officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties.
5. No officer or employee, member of their immediate family, or business organization in which they have an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing them, directly or indirectly, in the discharge of their official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the officer in the discharge of their official duties.
6. No officer or employee shall use, or allow to be used, their public office or employment, or any information, not generally available to the members of the public, which they receive or acquire in the course of and by reason of their office or employment, for the purpose of securing financial gain for themselves any member of their immediate family, or any business organization with which they are associated.

7. No officer or employee or business organization in which they have an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which they serve. This provision shall not be deemed to prohibit one employee from representing another employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities.
8. No officer shall be deemed in conflict with these provisions if, by reason of their participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to them as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.
9. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward, or other thing of value is promised to, given to or accepted by the officer or a member of their immediate family, whether directly or indirectly, in return therefor.
10. Nothing shall prohibit any officer or employee, or member of their immediate family, from representing themselves, or themselves, in negotiations or proceedings concerning their own interests.

(See Resolution No. 2022-694, adopted 8/11/2022)

C. ANTI-NEPOTISM POLICY

“Family member or relative” includes a spouse, domestic partner, child, foster child, step-child, parent, sibling, grandparent, grandchild, parent-in-law, sibling-in-law, step-parent, step-sibling, half-sibling, sibling’s child, parent’s sibling, and first cousin.

Hiring and Supervision of Employees

No person who is a family member or relative of any Commissioner, department head, managerial executive, or supervisory employee of the County shall be considered for full-time, part-time or seasonal employment in any department, division or office if it would result in that person working in the same department, division or office as their family member or relative. This policy does not apply to present employees and shall not restrict nor prohibit the continued employment of individuals to a position or positions with the County where a relative of a

permanent employee is elected before the date of the permanent employee's start date of employment with the County.

No Commissioner, department head, managerial executive, or supervisory employee of the County shall be permitted to supervise, evaluate, or participate in any other matter concerning any County employee who is a family member or relative of such Commissioner, department head, managerial executive, or supervisory employee.

Existing Employees

No Commissioner, department head, managerial executive, or supervisory employee of the County may participate in the promotional process or any other personnel matter of any existing County employee who is a family member or relative of such individual.

Appointments

No Commissioner, department head, managerial executive, or supervisory employee of the County may participate in the appointment of any individual who is a family member or relative of such Commissioner, department head, managerial executive, or supervisory Employee to a position of any paid County professional, or any Board of Commission which has more than an advisory role and/or one in which the members receive compensation.

Purpose

The policies are not for the purpose of depriving any citizen of an equal chance for government employment, but solely to eliminate the potential for preferential treatment of the family and relatives of commissioners, department head, managerial executives, or supervisory employees of the County. These policies will not deprive any permanent employee as of date of these policies of any promotional right in the normal career development nor affect the existing status of any permanent employee.

(See Resolution No. 2022-695, adopted 8/11/2022)

D. EMPLOYEE DATING

Romantic relationships among employees frequently lead to problems in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among co-workers, or the perception that they generate such problems.

No elected official, officer or employee holding a supervisory, administrative, or managerial position and any employee having the authority to affect or recommend changes in the terms and conditions of employment of another employee, shall engage in a romantic, dating, or

intimate/sexual relationship with another employee of the County whom they supervise, or whose terms and conditions of employment they can influence. Examples of terms and conditions of employment for purposes of this policy include but are not limited to promotion, evaluation, assignment, review or allocation of work, termination, training, discipline and compensation. Violations of this policy may be met with appropriate discipline, transfer, or other appropriate personnel action as the County deems appropriate under the circumstances. No person who is currently on the payroll of the County shall be placed or continued in a position that provides supervision over someone with whom that person has a romantic or dating relationship. Further, the County reserves the right to address any workplace issues that may result from the relationship in a manner it deems appropriate.

Employees considering entering into a dating, romantic or intimate relationship with another County employee, even in circumstances not prohibited under this policy, are strongly encouraged to review and consider all the County policies regarding workplace conduct, including but not limited to policies pertaining to sexual and other forms of workplace harassment, as well as the policy on conflicts of interest and nepotism, and to be guided accordingly. Further, all employees, irrespective of their personal relationship, are expected to conduct themselves in a professional manner while at work and during the County's events and functions and refrain from overt displays of affection or emotion that are or may be perceived as inappropriate in a professional setting.

Employees may report violations of this Dating Policy to the Division of Personnel.

E. CONDUCT RELATED TO ELECTIONS

Pursuant to New Jersey law governing elections, no holder of a public office or position will demand payment or contribution from another holder of a public office or position for the campaign purpose of any candidate or for the use of any political party.

(See N.J.S.A. 19:34-42).

F. CONDUCT RELATED TO POLITICAL ACTIVITY

No person holding a position in the Career Service will directly or indirectly use or seek to use their position to control or affect the political action of another person or engage in political activity during working hours.

(See N.J.A.C. 4A:10-1.2)

No employee in the Career Service or Unclassified Services whose principal employment is in connection with a program financed in whole or in part by Federal funds or loans, will engage in any of the following prohibited activities under the “Hatch Act”:

1. Using official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
2. Directly or indirectly coercing, attempting to coerce, commanding or advising an officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or
3. Being a candidate for public office in a partisan election.

(See 5 U.S.C. §1502)

The Hatch Act is enforced by the Special Counsel of the United States Merit System Protection Board. Department heads or supervisors can advise an employee if their position is federally funded.

G. OUTSIDE EMPLOYMENT

All full-time employees shall consider the County as their primary employer. You may hold a job outside the County employment as long as it does not interfere with your job performance and your ability to work scheduled overtime, and does not result in a conflict of interest. All outside employment must be reported to your department/division director. Under no circumstances shall a County employee conduct employment activity while on duty or utilize County time, supplies, equipment or resources for outside employment activities.

H. EMPLOYEE CONDUCT AND WORK RULES

To assure orderly operations and provide the best possible work environment, the County expects employees to follow rules of conduct that will protect the interests and safety of all employees, County government and the public. The consumption of alcohol and/or the use of a controlled dangerous substance without medical authorization during working hours is strictly prohibited.

Employee’s arrest and/or incarceration: Employees who are arrested, incarcerated and/or issued a summons for any law violations, with the exception of driving offenses (not including DWI) must notify their department/division head or designated superior within twenty-four (24) hours of the arrest, incarceration or being issued the summons.

Personal Cell Phones, Smart Phones, Tablets, PC/Laptops: Usage of personal cell phones, smart phones, tablets, and PC/laptops is prohibited during working hours, unless an emergency arises. This includes, but is not limited to, receiving or placing calls, text messaging, checking voice messages, accessing/posting on social media and receiving or responding to e-mails. Videotaping and/or recording conversations without the consent of the recipient is strictly prohibited.

Headphones/Earphones/Earbuds: Any such devices may not be used if an employee's situational awareness is reduced to the extent that their health and safety is compromised (i.e. cannot hear emergency alarms, phone calls, etc.). Using a single ear-piece/earbud is permitted. Employees shall always keep the volume of any such device low enough to hear people talking and sounds that alert to hazardous conditions and so as not to distract others. These devices are prohibited for use in place of hearing protection and cannot be used under or over hearing protection. These devices are prohibited in areas of customer service, direct interaction with the public and any areas determined by their department/division.

I. EMPLOYEE DISCIPLINE

The disciplinary procedure is constructed to ensure fair treatment and protect the safety of all employees. Discipline may be in the form of documented verbal warning, written reprimand, suspension without pay, demotion or termination of employment. Discipline for Career Service (classified) employees shall be handled following all procedures set forth N.J.A.C. 4A:2-2.3.

An employee may be subject to a ***major*** or ***minor*** disciplinary action for:

1. Incompetence, inefficiency or failure to perform duties;
2. Insubordination;
3. Inability to perform duties;
4. Chronic or excessive absenteeism or lateness;
5. Conviction of a crime;
6. Conduct unbecoming a public employee;
7. Neglect of duty;
8. Misuse of public property, including motor vehicles;

9. Discrimination that affects equal employment opportunity (as defined in N.J.A.C. 4A:7-1.1), including sexual harassment;
10. Violation of Federal regulations concerning drug and alcohol use by, and testing of, an employee who perform functions related to the operation of commercial motor vehicles, and State and local policies issued thereunder;
11. Violation of New Jersey residency requirements as set forth in P.L. 2011, c. 70;
12. Other sufficient cause.
This can include, but is not limited to, items such as unhygienic personal habits; falsification of records; unauthorized use of County equipment, vehicles or facilities; failure to comply with safety requirements; fighting; loafing; idleness; theft or misappropriation; failure to report loss, theft, damage or injury; failure to abide by procedural rules and/or policies which have been duly promulgated by the County; and other serious breaches of discipline which arise during the course of the employer/employee relationship.

Major Discipline

Major discipline includes: removal, disciplinary demotion, suspension or fine for more than five (5) working days at any one time.

Hearing procedure in major disciplinary actions

Generally, an employee will be served with a "Preliminary Notice of Disciplinary Action" ("PNDA") setting forth the charges against the employee and affording a hearing opportunity at a specified date, time and location. The employee must respond with a request for a hearing within five (5) days of the receipt of PNDA; otherwise, the hearing is waived. After the hearing (or a waiver of a hearing), a decision is made and within 20 days (unless additional time is agreed to by the parties). Written notification to the employee is made by issuing a "Final Notice of Disciplinary Action" (FNDA) form.

An ***immediate suspension*** may be imposed prior to a hearing when:

1. The employee is unfit for duty or presents a hazard to any person if permitted to remain on the job or the suspension is necessary to maintain safety, health, order or effective direction of public services. However, a PNDA with opportunity for a hearing must be served in person or by certified mail within five (5) days following the immediate suspension; *or*

2. The employee is suspected/charged with an act of misdemeanor, felony or any form of malicious mischief which leads to arrest and/or incarceration. An employee's failure to notify their department/division head or designated supervisor within twenty-four (24) hours of occurrence could result in disciplinary action up to and including Termination; *or*
3. The employee has been formally charged with a crime of the First, Second or Third Degree or a crime of the Fourth Degree directly related to the employee's job.

Where a suspension is immediate, and is without pay, the employee must first be apprised either orally or in writing regarding the charges, the reason why an immediate suspension is sought, and a general description of the evidence in support of the charges. The employee will be provided an opportunity to respond to the charges before a representative of the County. The response may be oral or in writing.

Disciplinary actions that result in any type of suspension or mandatory leave of an employee, will require the employee to immediately do the following:

- Surrender their County issued identification and proxy card(s), tag(s) to their immediate supervising division and/or department head so that the Sheriff's Department can be notified accordingly. The proxy card will be deactivated during the length of the employee's suspension period.
- If the employee has control of any other County owned equipment including, but not limited to cell phones, tablets, computers, laptops, keys for access buildings, vehicles, equipment, gas facilities or tags for parking areas, the employee shall also immediately surrender same to their supervising division/department head.

Minor Discipline

Minor discipline may include a written verbal counseling, written reprimand, or a suspension of five (5) working days or less. Notification of the charges and discipline is given to the employee on the department/division's letterhead. No hearing is afforded unless expressly provided in a collective bargaining agreement.

J. GRIEVANCE PROCEDURE

An employee who wishes to initiate a grievance or complaint concerning wages, hours of work or other terms and conditions of employment, may do so pursuant to the terms of their collective bargaining agreement. A Non-Contractual employee should discuss any complaints with their immediate supervisor for the purpose of resolving the matter informally.

In general, the grievance process consists of four (4) steps:

- Step 1: Involves an informal discussion with the immediate supervisor.
- Step 2: A written grievance is filed with the department head.
- Step 3: A written grievance is filed with the County Manager.
- Step 4: Involves a written demand for arbitration to the Public Employment Relations Commission (PERC). Grievances may be settled at any step. Employees should refer to their collective negotiations agreement for the specifics concerning the grievance procedure to be followed.

However, employees concerned about County administrative matters must proceed through appropriate supervisory channels and ultimately to the attention of the County Manager, if necessary. This procedure promotes operations efficiency while protecting the privacy interests of County employees.

V - POLICIES, PRACTICES AND PROCEDURES

Supervisors are required to enforce the Policies and Procedures outlined in this Employee Handbook, as well as any other Policy and/or Procedure established or promulgated by the County of Union. Failure to do so may result in disciplinary action up to and including termination.

A. ABSENTEEISM & LATENESS

Every employee is expected to report for work on time and to adhere to their assigned work hours for the normal working day as set by the department/division. The County will not tolerate unnecessary absenteeism or lateness. Excessive absenteeism and tardiness place a burden on other employees and on the County. If extenuating circumstances arise and an employee will be late or absent for any reason, the employee **must** contact their supervisor as far in advance of the starting time as possible. It is the employee's responsibility to ensure that proper notification is provided.

Unauthorized or excessive absenteeism, lateness, extending lunch breaks, or leaving work early is disruptive and may be subject to disciplinary action up to or including termination of employment.

B. CRIMINAL BACKGROUND CHECKS AND PROCEDURES FOR CANDIDATES, EMPLOYEES AND VOLUNTEERS

Purpose of the Policy

The purpose of this policy is to create a uniform process for conducting criminal background checks for new hires and periodic background checks in those circumstances in which the County deems it to be job-related and consistent with business necessity to conduct such background checks in connection with employment in specific offices or positions. This policy allows the County to become aware of pertinent information regarding employees and candidates for employment that is job-related and consistent with business necessity, and to avoid foreseeable risks of harm to employees and the public, without discriminating against employees and candidates for employment based upon characteristics protected by state and federal anti-discrimination laws. As required by New Jersey law, (P.L. 2017, c.183), this policy is designed to assure compliance with the Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions issued by the Equal Employment Opportunity Commission (EEOC), Number 915.002, on April 25, 2012.

PLEASE NOTE: This policy does not apply to law enforcement or civilian criminal justice employees of the Sheriff's Office, Public Safety or Prosecutor's Office. These divisions/offices conduct their own background checks pursuant to state statutes and Attorney General Guidelines.

C. MEDICAL EXAMINATIONS

All job applicants are required to submit to a pre-employment medical examination, including a drug/alcohol test, once an offer of employment has been extended by the County. This requirement provides protection for the employee, fellow workers, and the County.

All job applicants applying for law enforcement positions such as County Correctional Police Officer, County Police, County Prosecutor Investigator, and Sheriff Officer, will be required to submit to a psychological evaluation in addition to the pre-employment medical examination. The applicable department/division will advise the job candidate whether this evaluation is necessary as well as the rules and regulations pertaining to this requirement.

D. CHANGE OF NAME, ADDRESS OR FAMILY STATUS

Any change in an employee's name, home address, telephone number, marital status, and number of dependents must be reported to their department/division's personnel liaison within two (2) weeks of the change. Maintaining proper records is important for processing of payroll, insurance, and other personnel matters. Failure to provide updates in a timely manner, may result in disciplinary action.

All mail sent to an employee's current home address by the County, whether sent by regular or certified mail, return receipt requested must be promptly completed and returned. An employee's failure or refusal to accept mail sent to them by the County or to provide the Division of Personnel with a telephone number at which they can be reached if absent during

their scheduled work time, or in case of emergencies, or who refuse or fail to accept calls from the County at such number without good cause, may be subject to disciplinary action up to and including termination.

All employees and retirees are required to notify the County within thirty (30) days of a qualifying event that may impact entitlement to health coverage. Qualifying events are events that would cause an individual to lose health coverage under a group health plan. Qualifying events include but are not limited to divorce or legal separation for the covered employee, a dependent child ceasing to be dependent under the requirements of the plan and/or the termination of a covered employee's employment. Failure to notify the County within thirty (30) days of such a qualifying event may result in coverage being terminated retroactively. It is the responsibility of retirees to notify the Division of Personnel of any change in family status within thirty (30) days of the event. It is also your responsibility to remove dependents who are no longer eligible for coverage. In the event of a divorce, coverage for your spouse terminates at the end of the month in which you divorce. Any covered children who will no longer be eligible dependents following the divorce must all be removed.

In the event an employee and/or retiree fails to provide adequate notice or take the proper steps to remove an individual who no longer qualifies for coverage, the employee and/or retiree may be responsible for all costs incurred by the County resulting for the retiree's and/or employee's failure.

E. DRIVER'S LICENSE/OCCUPATIONAL PERMITS

The County of Union seeks to safeguard its employees and others when driving a motor vehicle is required while conducting official business.

- All new employees who will be assigned work entailing the operating of a County vehicle will be required to submit to a New Jersey Motor Vehicle Records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.
- Annual checks of employees' drivers' licenses through visual and formal New Jersey Motor Vehicle Records checks shall be made.
- Failure to obtain or possess a valid and appropriate state driver's license, as a prerequisite for employment, may be subject to discipline, including termination.
- Any employee who does not hold a valid driver's license will not be allowed to operate a County vehicle.
- Any employee performing work which requires the operation of a County vehicle must notify their immediate supervisor in those cases where a license is expired, suspended or revoked and/or when they are unable to obtain an occupational permit/license/certification for 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 County vehicle shall be subject to possible termination.

Any information obtained by the County in accordance with this section shall be used by the County only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (DPPA).

F. PROTECTION FROM DISCRIMINATION

The County complies with all Federal and State laws that prohibit discrimination, including but not limited to Title VII of the Civil Rights Act of 1964 ("Title VII"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990 (the "ADA"), the Age Discrimination in Employment Act ("ADEA"), the Pregnancy Discrimination Act, the Equal Pay Act, the Immigration Reform and Control Act, the New Jersey Law Against Discrimination ("NJLAD"), the Diane B. Allen Equal Pay Act, and all other applicable laws and regulations.

Equal Employment Opportunity/Affirmative Action

Union County is an equal employment opportunity employer and does not discriminate against employees or job applicants on the basis of race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities, AIDS or HIV), pregnancy, political affiliation (to the extent protected by law), atypical hereditary cellular or blood trait, genetic information, veteran's status or because of the liability for service in the Armed Forces of the United States, citizenship status, or any other group status protected by law, unless required by a bona fide occupational qualification.

The County will ensure that personnel decisions are made in accordance with principles of Equal Employment Opportunity/Affirmative Action by imposing only nondiscriminatory job requirements. The County will not discriminate with regard to recruitment, employment, benefits, compensation, promotion, training, transfer or any other term or condition of employment. County-sponsored training, education, tuition assistance, and social and recreation programs will be administered without discrimination.

The County has an Affirmative Action Officer, who is assigned overall responsibility of the Affirmative Action Program, in cooperation with the Division of Personnel Management and Labor Relations. Any employee or applicant with a question or complaint should contact the

Affirmative Action Officer at the: Administration Building, 6th Floor Elizabeth, NJ 07207, (908) 527-4230.

The County expects all employees to comply with and support the County's prohibition against discrimination. Any employee who engages in discriminatory action against another employee or anyone affiliated with the County, will be subject to disciplinary action up to and including termination.

Prohibition Against Harassment

It is the County's policy to ensure all employees have a work environment free of any type of discrimination based upon a protected group status, including freedom from sexual harassment and other forms of workplace harassment. All employees are expected to maintain a productive work environment that is free from harassing and discriminatory activity or behavior. No form of harassment or discrimination will be tolerated. All complaints of harassment should be reported to the Affirmative Action Officer.

For more information, consult the County's *Policy Against Workplace Discrimination and Harassment*. All employees are responsible for understanding and complying with the County's Policy. Appropriate disciplinary action will be taken against any employee who violates this Policy.

Individuals with Disabilities

The County acknowledges its responsibility under the Americans with Disabilities Act ("ADA"), the New Jersey Law Against Discrimination ("NJLAD") and Section 504 of the Rehabilitation Act of 1973 ("Section 504") to avoid discrimination against individuals with disabilities. Section 504 prohibits discrimination against otherwise qualified individuals with disabilities on the basis of disability in a program or activity receiving federal financial assistance. The ADA prohibits discrimination against otherwise qualified individuals on the basis of disability with respect to employment or the benefits, services, or activities of a public entity.

Under the ADA and Section 504, the definition of an "individual with a disability" is a person who:

1. has a mental or physical impairment which substantially limits them in the performance of one or more major life activities such as seeing, hearing, speaking, breathing, walking, lifting, etc.; or
2. has a record of such impairment; or
3. is regarded as having such an impairment.

No otherwise qualified employee or candidate for employment will be discriminated against in recruitment, employment, benefits, compensation, promotion, training, transfer or any other term or condition of employment solely because of a disability. No candidate for employment will be required to answer a question as to whether they have a disability or the extent of such a disability. The County may inquire into the applicant's ability to perform job-related tasks.

Accommodating Employees with Disabilities and Pregnancy-Related Conditions

The County will consider requests for reasonable accommodation from any qualified employee with physical and/or mental disability, who requires a reasonable accommodation(s) in order to perform the essential functions of their job. The County also will consider requests for reasonable accommodation from any qualified employee, who is pregnant or has a pregnancy-related medical condition, and requires a reasonable accommodation(s) in order to perform the essential functions of their job.

The County may require an employee seeking an accommodation to provide documented medical evidence of a disability or pregnancy-related medical condition, the need for an accommodation, and the extent to which the employee is limited due to the disability or pregnancy-related medical condition. The County reserves its right to determine what, if any, reasonable accommodation it can/will grant in response to each request, mindful of any medical documentation received, and will discuss each request with the employee before finalizing its decision. The County will not grant a reasonable accommodation, which will cause the County to endure, incur or experience an undue hardship due to financial or operational impacts.

Action & Inclusion Solution Process

The County has adopted an internal action and inclusion solution process providing for prompt and equitable resolution of allegations of discrimination on the basis of disability. Information concerning same is available from the ADA Bureau Chief, Administration Building, 2nd Floor, Elizabeth, NJ 07207, (908) 527-4432.

G. DRESS CODE

Employee appearance contributes to the County's culture and reputation. The County requires employees to present themselves in a neat, clean and professional manner that results in a favorable impression by the public. Employees shall avoid casual or suggestive attire, hats, or other clothing that does not present a businesslike appearance. Clothing should be free from stains, rips, fraying, etc. Some departments/divisions have adopted specific dress standards or require uniforms. Employees who receive a uniform/clothing allowance are required to meet specific dress standards. Supervisors/Administrators are expected to inform employees when they are violating the dress code.

Casual Attire: Certain departments/divisions may adopt Fridays as “Dress Down Day” and employees may voluntarily wear conservative casual attire. Employees are expected to come to work looking neat and clean wearing clothing that is conducive to the safety of oneself and others, and dress in good taste for their particular work environment. If you question the appropriateness of the attire, it probably isn’t appropriate.

Employees who work with Machinery: Employees who work with machinery must be careful that clothing does not get caught in the machinery; must always wear proper safety clothing, County required equipment and remove all jewelry and keep hair neatly tied or pulled back from face and eyes by wearing a hair net or securing it with an elastic band.

Inappropriate/Unacceptable Attire: Employees are prohibited from wearing non-business attire including, without limitation, flip flops, beachwear, sleeveless shirts, athletic wear, shorts, skorts, transparent clothing and clothing/items displaying messages that advertise unprofessional and/or controversial subject matter and would be disruptive of the workplace, etc. Clothing that is inappropriate, distracting, too tight or revealing is a violation of the dress code. Employees will be expected to immediately correct the issue, including leaving work to change clothing. Employees who repeatedly violate the employee dress code policy may be subject to disciplinary action, up to and including termination.

H. DRUG FREE AND ALCOHOL-FREE WORKPLACE

The County has a vital interest in maintaining a safe, healthy and efficient working environment for its employees, free from the use of drugs, alcohol and the unauthorized use of prescription drugs. Being under the influence of drugs or alcohol, on the job, poses serious safety and health risks, not only to the user, but also to all who come in contact with the user. The use, sale, transfer, or possession of alcohol, drugs, controlled substances, drug paraphernalia, or any combination thereof, on any County premises or worksite (including in County vehicles or any private vehicles parked on County premises or worksites) is prohibited and is grounds for disciplinary action up to and including termination for the first offense.

If an employee takes an over-the-counter medication or prescription drug, they must first consult with their medical professional to determine whether this medication will have any adverse effect on their personal safety or job performance. If the effects of the medication could pose a danger to the employee’s safety, or the safety of a co-worker or citizen, the employee must inform their supervisor. Every effort will be made to adjust the worker’s duty until full, effective, and safe work activities can be resumed. If alternate duties are not available, the County may request the employee take sick leave. Failure or refusal by an employee to properly inform their supervisor may result in discipline, up to and including termination.

For more information, please refer to the County's policy regarding drug and alcohol abuse. All employees are responsible for understanding and complying with the County's *Drug and Alcohol Abuse* policy. Appropriate disciplinary action will be taken against any employee who does not comply with this policy.

The County provides an Employee Assistance Program (EAP) to employees who may have substance abuse problem.

I. DRUG/ALCOHOL TESTING RELATED TO LICENSES

Employees with Commercial Driving Licenses

Federal regulations mandate random drug and alcohol testing of employees who are required to have a commercial driver's license ("CDL") for their job. The tests will be unannounced and administered in accordance with Federal regulations and established procedures. A positive alcohol or drug test may result in the termination of employment. Employees are required to sign consent for full queries of the Federal Motor Carrier Safety Administration (FMCSA) Drug & Alcohol Clearinghouse and New Jersey Motor Vehicle Records, and register with Clearinghouse. The Clearinghouse is a centralized database that the County of Union uses to report drug and alcohol program violation, and to conduct queries. Queries must be conducted as part of a pre-employment driver investigation and at least annually for current employees.

Employees possessing Commercial Driver's Licenses are responsible for handling safety sensitive functions and must be able to do so at all times, while operating, inspecting, servicing, conditioning, or loading/unloading the commercial motor vehicle.

Employees Without Commercial Driving Licenses

It shall furthermore be a condition of employment for all employees not subject to testing under Department of Transportation requirements (employees not possessing a CDL) to submit to drug and alcohol testing under the following circumstances:

- Where there is reasonable suspicion to believe that an employee is under the influence of alcohol or is using drugs.
- When an employee is involved in an on-the-job motor vehicle accident where personal injury or damage to property occurs (please see page 47 of this handbook for accident reporting procedures).
- As part of a follow up program for treatment of drug and/or alcohol abuse.

J. EMPLOYEE ASSISTANCE PROGRAM

The County of Union contracts with ComPsych GuidanceResources Worldwide to provide confidential assessments, referrals, and short-term counseling for County employees and their families in need of assistance in dealing with life's stresses and problems. These include emotional and mental health concerns, family and marital difficulties, alcohol and substance abuse, financial and legal pressures, and vocational and educational issues. *All information is kept strictly confidential.*

This service is available to County employees and to their families, at no cost, by calling 844-427-6581, TDD: 800-697-0353, App: GuidanceResources Now, online: guidanceresources.com, Web ID: UnionNJEAP. Calls will be answered 24 hours a day, seven days a week.

K. EXIT INTERVIEWS

Prior to leaving County employment, an employee should notify their department/division at least two (2) weeks in advance (if possible). The County reserves the right to conduct an exit interview. The purpose of this interview is to (1) obtain the return of County property (*i.e.*, ID badge/prox card, parking sticker, etc.), (2) review pension information, (3) receive health insurance information (COBRA), and (4) obtain open and honest information about why the employee is leaving County government. All information is *confidential*.

L. FITNESS FOR DUTY

The County has the right to request a fitness for duty examination for reasonable cause. This may be a physical, physiological and/or psychological examination based on the County's concern regarding an employee's physical and/or mental ability to perform the duties of their job. Examinations can be required either prior to an employee's return from an authorized sick leave of absence, or during the course of employment.

M. HOURS OF WORK

Employees are expected to report for work on time, on a regular basis and prepared to commence work activities at the designated work location. Unnecessary lateness, leaving work early, or extending established rest/meal breaks, are expensive and disruptive and they place an unfair burden on the County, including other employees and supervisors. If an employee is going to be late for any reason, they must telephone the supervisor as far in advance of the starting time as possible. The employee must explain the reason for the lateness and when they expect to report for work. It is the employee's responsibility to ensure proper notification is given. Asking another employee, friend, or relative to give this notification is not considered proper, except

under emergency conditions. Any employee falsifying time sheets shall be subject to disciplinary action up to or including termination of employment.

All absences must be called in at least one (1) hour prior to the start of a normal workday, and the employee is responsible for ensuring that the message is received and acknowledged either by the shift personnel or the supervisor on duty.

Rest Breaks: It is the policy of the County to provide each employee with a fifteen (15) minute rest break for each half-day period of work. Unused break times will not be credited or accumulated. Breaks are not to be used with lunch breaks, and are to be separate, unconnected periods. Breaks are not to be taken at the beginning of a workday to avoid lateness or at the end of the day for early departure. Breaks cannot be split up, i.e. three 5-minute breaks, but are to be used as a whole-time frame, twice a day. Part-time employees will be allowed break in proportion to their hours and schedule. The schedule and duration of breaks varies by department/division.

Meal Breaks: Is an unpaid period of time as directed by the department/division or such other period as may be agreed between the employee concerned and the department/division. Meal breaks are not to be taken at the end of the day for early departure.

Work from Home Policy: Allows an eligible County employee to work from home upon written approval by a department/division head. The County employee must meet certain eligibility requirements prior to being allowed to participate in telework; twenty-four (24) hour offices are not eligible to participate. The initial duration period for telework can last anywhere from one (1) week to six (6) months; however, the County employee will have the opportunity to request an extension to the initial duration period. The County employee's ability to work from home must be a benefit conferred upon the County and the specific job function must be suitable for Telework. Interested County employees are advised to consult the *Union County Work from Home Policy* on file with the Division of Personnel Management and Labor Relations for further information. The County may terminate the agreement at any time for any reason with a two-week notice.

The Compressed Work Week Policy: Allows an eligible County employee to work any schedule that enables a full-time employee to work the equivalent of a full week in less than five (5) days. The County employee must obtain written consent from their department/division head prior to initiating a compressed work week. The employee's ability to participate in a compressed work week must be based upon a conferred benefit to the County and the specific job function must be suitable for a compressed work week. Twenty-four (24) hour offices and part-time employees are not eligible to participate in a compressed work week. Interested County employees are advised to consult the *Union County Compressed Work Week Policy* on file with the Division of Personnel Management and Labor Relations for further information.

The Flex-Time Policy: Allows an eligible County employee flexibility in setting their work hours to fit their personal needs. The employee must obtain written consent from their department/division head prior to initiating a flex-time work week. The employee's ability to participate in a flex-time work week must be based upon a conferred benefit to the County and the specific job function must be suitable for a flex-time work week. Twenty-four (24) hour offices are not eligible to participate in a Flex-Time work week. Interested County employees are advised to consult the *Union County Flex-Time Policy* on file with the Division of Personnel Management and Labor Relations for further information.

N. PROHIBITED ELECTRICAL APPLIANCES

The following electrical appliances are prohibited on County property, leased buildings or in office areas because of their potential to activate false fire alarms, create unsafe conditions due to faulty wiring, or start fires when unattended:

- Toaster Ovens
- Toasters
- Electric grills, crock pots or any form of electric hot plates
- Electric space heaters
- Household extension cords; or other electrical appliance.

Restricted Electrical Appliances: The following electrical appliances are restricted to Designated Break Areas*:

- Coffeemakers
- Microwave ovens**
- Office refrigerators***

*Designated Break Areas – are those areas specifically set aside and identified by the Division of Facilities Management as meeting the safety criteria necessary to utilize coffeemakers and microwave ovens.

**Microwave Ovens– may only be used on dedicated lines and should be administered/installed by the Division of Facilities Management.

***Office Refrigerators– may be located in individual offices as long as they are approved by the designated director/division Head and installed by the Division of Facilities Management.

The presence of any unauthorized electrical appliances should be reported by area supervisors to their department/division heads.

Any employee who violates this policy will be liable for damages caused by use of prohibited appliances and maybe subject to disciplinary actions.

(See Resolution No: 2007-223 adopted 2/22/2007)

O. IDENTIFICATION BADGE & PROX CARDS

All employees are required to wear a Union County Identification Badge issued by the Sheriff's office at all times while on duty. The badges must be worn in a conspicuous location on the employee's clothing. ID badges and Prox cards are issued Monday thru Friday, from 9:00AM to 3:00PM in the Sheriff's BCI Unit. A properly filled out authorization form signed by a department/division head is required in order for an ID Badge or a Prox Card to be issued. New employees requiring Prox Card access must also have their supervisor e-mail CountyIDs@ucnj.org with a list authorizing access to specific locations. All questions or concerns regarding ID Badges or Prox Cards should be directed to the Sheriff's Office via e-mail at CountyIDs@ucnj.org or by calling (908) 527-2630.

Lost or Stolen IDs or Prox Cards MUST be reported immediately to the Union County Sheriff's Office by contacting CountyIDs@ucnj.org or in person at the Sheriff's BCI Unit or at the Administration Building Security Desk.

Upon separation from employment from the County of Union, all IDs' and Prox Cards must be surrendered to your department/division which will then be forwarded to the Sheriff's Office.

Cornerstone Behavioral Health Hospital employees are to immediately contact (908) 771-5735 for issuance of badges and for lost or stolen badges. Lost or stolen ID badges must be reported to Personnel immediately.

P. LEGAL REPRESENTATION

An employee requiring the services of outside counsel in matters pertaining to litigation arising out of the scope of their employment, but not initiated by the employee, should notify the Office of County Counsel immediately and request a conference. This notification and request must be made *prior* to retaining such services, so that the County may determine whether the employee is entitled to legal representation as a County employee.

Q. OPEN PUBLIC RECORDS ACT (OPRA)

The Open Public Records Act (N.J.S.A .47:1A-1 et seq) attempts to strike a balance between the public's full right of access to government records and the privacy rights and security concerns that public agencies are responsible to maintaining. At the County of Union, all requests for

information from the public must be processed through the Clerk of the Board of County Commissioners. The Clerk and/or County Counsel will determine whether the requested information is accessible or exempt from public disclosure.

R. ORIENTATION - NEW EMPLOYEES

All newly-appointed employees will receive an orientation/indoctrination by a staff member in the Division of Personnel. New Jersey Civil Service Commission and County rules and regulations will be explained to new employees. Conditions that affect the employee's work in a government setting will be explained and relevant handbooks and policies will be distributed to all newly-appointed employees.

Orientation for a new employee at Cornerstone Hospital will be handled by the Cornerstone Personnel Office.

Orientation for a new employee in the Social Services Department will be handled by the Social Services Personnel Office.

S. PARKING

Upon employment, each employee will be asked to fill out a form in order to receive a parking authorization tag. No parking tags will be issued without a properly filled out authorization form signed by a department supervisor. At that time, depending upon availability, the location of parking areas and parking regulations will be explained.

Employee parking tags are issued by the Union County Sheriff's Office. All tags must be authorized by a supervisor by e-mail at CountyIDs@ucnj.org. Parking spaces are limited and available on a "first come, first parked" basis. Any employee failing to find a marked parking space within their assigned parking lot will be responsible for finding their own parking. Any vehicles parked in County lots without an employee parking tag for that area or outside the marked spaces will be issued a summons.

Upon separation from Union County employment, Parking Tags must be surrendered to your Department/Division who will forward them to the Sheriff's Office.

Accessible parking requirements in New Jersey are a combination of New Jersey statues and Americans with Disabilities Act (ADA) standards.

- Every application for the issuance or renewal of a "Person with a Disability Identification Card" required every three years, must include medical certification from a qualified practitioner that the qualifying disability continues to exist (C.39:4-205)

- The individual who holds the “Person with a Disability Identification Card” is for the sole use of the individual with the disability as is non-transferable. Abuse or misuse of this privilege will be cause for immediate revocation of the ID card, placard and plates and fines of at least \$250. (C.39:4-205)
- Permanent Placards are required to be renewed every three year and will clearly display the date on which they shall become invalid. (C.39:4-206)
- Temporary Placards can be granted for short-term mobility impairments. Written medical certification from a qualified practitioner is required. Temporary Placards are valid for six months, renewable once at the discretion of the issuing authority, and issued by the chief of police of each municipality. (C.39:4-206)
- Parking motor vehicles in accessible spaces without special vehicle identification is prohibited and punishable with an initial fine of \$250 and up to 90 days of community service. (C.39:4-197(3)c)
- Law enforcement officers may enforce accessible parking laws on both public and private property. (C.39:4-138.o)
- Eligible individuals with a disability may request law enforcement officers to arrange for the removal and storage of motor vehicles unlawfully parked in accessible parking spaces or zones. (C.39:4-207.7)

Employees who redeem the person with a disability identification card, wheelchair symbol plates, and/or disability placard must inform the ADA Bureau Chief on any updated information.

T. VISITORS TO COUNTY BUILDINGS

In order to maintain an appropriate procedure regarding visitors to our buildings and to make sure that they are authorized to visit a specific employee, department, or conference area, it is necessary to notify security in advance of any meeting with outside attendees and of the expected arrival of any individual visiting our buildings.

Those visiting our buildings should be instructed to check-in with security upon arrival where they will be asked to sign-in and will be provided with an authorization sticker to visit the specific area from which security has received prior notification.

The following of this procedure will enable us to maintain a safe environment for our employees so that visitors will not be roaming through the building not knowing where to go. If any of our visitors should ask to visit another department other than the one to which they were originally assigned when signing in, they should be instructed to report back to security where they will receive further assistance.

For more information regarding our rules and regulations concerning visitors, please contact security at your location:

Administration Building, Elizabeth.....908-527-4004
adminsecurity@ucnj.org

Ruotolo Building, Elizabeth.....908-659-7434

Sheriff's Control Center (Courthouse Complex).....908-527-4440
(Annex Building).....908-527-4005

Dispatch Center (Froehlich Building)..... 908-654-9800

Social Services (Westminster Building)..... 908-965-2736
(Plainfield Building)..... 908-791-2053
(Parker Road Building)..... 908-965-3555

Cornerstone Behavioral Health Hospital (Reception)..... 908-771-5700

U. RESIDENCY REQUIREMENTS

(See U.C.A.C. §1-62; Ordinance #225)

All persons who are employed by the County of Union in a full-time capacity in a classified or unclassified service after November 10, 1983, prior to employment, must be and thereafter remain bona fide residents of the County of Union. Upon completion of ten (10) years of service with the County of Union, the residency requirement is waived.

Waiver of Residency

Whenever a County appointing authority, with the consent and approval of the County Manager, determines that a sufficient number of qualified Union County residents cannot be recruited for an available specific position, the County will advertise for qualified applicants who will be classified and appointed according to the following preferences:

1. Residents of counties contiguous to the County of Union.
2. Residents of other counties in the State of New Jersey.
3. All other qualified applicants.

Whenever an appointing authority, through the County Manager, advises the Board of County Commissioners that there are specific positions requiring special talents or skills, which are necessary for the operations of the County, such positions or employment may be filled without reference to residency as follows:

1. The County Manager will apply to the Board of County Commissioners for a blanket waiver setting forth, with appropriate documentation, the nature of the special talent or expertise required, and the efforts made to recruit persons with special talent or expertise from within the County.
2. Thereafter, the Board of County Commissioners may, in its discretion, adopt a Resolution waiving the residency requirement and will so advise the Clerk of the Board and the New Jersey Civil Service Commission.

Whenever an appointing authority, through the County Manager, advises the Board of County Commissioners of the County of Union that there are special reasons why a particular position or title should not require the person holding the same to comply with the County's residency requirements, the Board of County Commissioners will consider the reasons and may, in its discretion, waive the residency requirements for that position or employee. The waiver, if granted, must be obtained and filed with the Clerk of the Board prior to appointment.

A non-resident appointed to a position of employment must become a bona-fide resident of the County of Union within one (1) year of appointment, unless the residency requirement has been previously waived by the Board of County Commissioners.

A full-time employee who was permanently employed prior to November 10, 1983 is exempt from the County's residency ordinance for Civil Service Promotional Examinations and internal transfer only. Such an employee is nevertheless subject to the provisions for all Civil Service Open Competitive Examinations as announced by the New Jersey Civil Service Commission, which requires residency in Union County.

V. SAFETY

The County's policy is to provide safe and healthy working conditions and to implement safe operating practices, which protect everyone. Therefore, each employee must assume responsibility for safety consciousness by maintaining safe operating conditions and by performing duties in accordance with safe work practices. Safety is a 24-hour per day responsibility and requires total commitment from every employee.

W. SMOKE-FREE WORKPLACE

Smoking & Vaping Defined

For purposes of this policy, "***Smoking***" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked.

For purposes of this policy, "***Vaping***" refers to the use of electronic nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes, e-pipes, e-hookahs and e-cigars.

Smoking and Vaping Prohibited

Smoking and vaping are prohibited in all areas of County buildings or structures, this includes but is not limited to all work areas, offices, conference rooms, hallways/vestibules, stairwells, restrooms, elevators, cafeterias, lounges, garages, parking structures, parking lots, any other areas where vehicles and/or equipment are located, and County-operated vehicles.

Smoking and Vaping are prohibited in all County-owned recreational areas/facilities including boating facilities (dock and structures), ice-skating facilities, playgrounds, running tracks, all snack bars, swimming pools, ball fields, tennis courts, Watchung Stables and restrooms which support County-owned recreational areas/facilities.

The County may prohibit smoking and vaping at County sponsored events, including concerts, fairs, festivals, movies and other such events, at the discretion of the County Manager and with the advice and consent of the Board of County Commissioners. Appropriate signage will be displayed at all such events.

Smoking Outside of County Buildings

Smoking shall not be permitted within 25 feet of ingress or egress to any County-owned or leased buildings; and within 50 feet of all County-owned recreational areas/facilities. Appropriate signage will be displayed at all affected County-owned or leased buildings, recreational areas/facilities, and including some County sponsored events to effectuate this requisite.

The time away from work for the purpose of smoking outside of County buildings and structures shall be limited to the scheduled and/or permitted rest break periods and meal breaks.

Implementation of Policy

Department/division heads and supervisors shall be directly responsible for the implementation of the policy and its enforcement within their areas of supervision and control.

Any questions pertaining to the interpretation or application of this policy should be directed to the Director of the Division of Personnel & Labor Relations.

Violations and Penalties

Appropriate disciplinary action will be taken against any employee who violates this policy. Members of the public who violate this policy shall first be ordered to comply with the policy. If the person continues to smoke or vape in violation of the policy, then a fine shall be imposed upon the person in accordance with N.J.S.A. 26:3D-56 et seq.

A person, after being so ordered, who smokes or vapes in violation of the Ordinance is subject to a fine which will be imposed and a penalty shall be recovered in accordance with the provisions of subsections c. and d. of N.J.S.A. 26:3D-62.

(See Ordinance No. 785-2017§ 128-1:7 amended 6/22/17)

X. SOCIAL NETWORKING

For purposes of this policy, a social network is defined as a site that uses internet services to allow individuals to construct a profile within that system, define a list of others users with

whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design vary from site to site. Examples of the types of internet based social networking activities include: blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting comments on the sites. The absence of, or lack of explicit reference to a specific site or activity does not limit the extent of the application of this policy.

Procedures: The use of the internet and social networking sites (Facebook, Twitter, Instagram, TikTok, Snapchat, etc.) in particular is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the County and its relationship with the community. This policy identifies prohibited activities by employees on the internet where posted information is accessible to members of the general public, including, but not limited to, public postings on social networking sites. The County reserves the right to investigate postings, private or public, that violate work-place rules, such as the prohibition of sexual harassment and other discriminatory conduct, where such postings lawfully are made available to the County by other employees or third parties.

Employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone. If you would not be comfortable with your supervisor, co-workers, or the management team reading your words, you should not write them. Recognize that you are legally liable for anything you write or present online. Employees can be disciplined for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment. You can also be sued by agency employees or any individual who views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. What you say or post on your site or what is said or posted on your site by others could potentially be grounds for disciplinary action up to and including termination. More information on this policy may be obtained from the Division of Personnel.

If employees choose to identify themselves as a County employee on their personal social media accounts and even those that do not should be aware that they may be viewed as acting on behalf of the County, as such no employee shall knowingly represent themselves as a spokesperson of the County, post any comment, text, photo, audio video or other multimedia file that negatively reflects upon the County that expresses views that are detrimental to the County's mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, genetic information, gender/sex (including pregnancy), gender identity or expression, disability (including perceived disability) atypical hereditary cellular or blood trait, veteran's status or because of the liability for service in the Armed Forces of the United States, citizenship status, or any other group status protected by law. County employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as a County employee.

If an employee identifies themselves as a County employee in any manner on the internet, comment on any aspect of official County business, or links to the County website, the employee must include the following disclaimer: *“the views expressed on this post are mine, and do not reflect the views of the County of Union or Union County Board of County Commissioners, or anyone associated with the County of Union or Union County Board of County Commissioners.”*

Employees must not reveal or publicize confidential County 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. No County employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the County. In addition, 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 County’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 County or in conjunction with law enforcement activities. Except in "emergency situations," and where an employee’s personal cell phone is being reimbursed by the County for work purposes, employees are prohibited from taking digital images or photographs with media equipment not owned by the County. For purposes of this section, collection of work-related pictures on personal cell phones should be considered County property and subject to the Open Public Records Act (OPRA).

Y. UNIFORM ALLOWANCE

An employee represented by a union or association should consult their union representative or the collective negotiations agreement applicable to their bargaining unit regarding uniform allowance.

Z. USE OF COUNTY PROPERTY

Bulletin Board and Common Area Postings: Bulletin boards and common areas such as elevators, doors etc. located in County buildings and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the County Manager or Office of Public Information may post, remove, or alter any notice.

Equipment: County equipment including, but not limited to, machinery, power tools, electrical equipment, electronics, generators, furniture, computers, facsimile machines, copiers, cell phones, and land phones, etc. will be used for *County business purposes only*. When using County property, employees shall exercise care, perform required maintenance, and follow all operating instructions, safety standards, guidelines, and laws. Improper, careless, negligent, destructive, or unsafe use or operation of equipment may result in reimbursement of damage costs. Neglect or misuse of any and all County equipment by any County employee is subject to discipline, up to and including termination of employment.

Social media applications (i.e.: Facebook, Instagram, Twitter, YouTube, TikTok, etc.) shall not be downloaded and are prohibited on County issued cell phones, computer drives and/or laptops/notebooks.

Use of Motor Pool Vehicles: In the course of employment, a need may arise for an employee to use an automobile to conduct County business and may be obtained through the Division Motor Vehicles. Employee use of any county vehicle requires authorization by their department/division head.

All employees must comply with the Division of Motor Vehicle regulations when utilizing a Motor Pool Vehicle, failure to comply or any violation will be subject to disciplinary action. Regulations are as follows:

- Drivers must have a valid driver's license and may not drive a vehicle if their driver's license has been suspended or revoked. Employees are responsible for immediately reporting to their supervisor any suspension or loss of license privilege.
- Assignment of a pool vehicle is for *official County business only*. In addition, only the employee that has completed the Motor Vehicle Authorization Request is approved to drive the vehicle.
- Pool cars are assigned on a first come, first serve basis. Be sure to reserve your vehicle early. Vehicle Permission Requests Forms are to be signed by the Director of Administrative Services and faxed to: 908-659-7499. The original signed Vehicle Permission Request Form is to be provided when obtaining the reserved vehicle.
- Operators of County-owned vehicles are personally responsible for the safe and proper operation of the vehicles assigned to or operated by them. If damages result through careless or negligent operation, misuse or abuse, the operator may be subject to disciplinary action and loss of future privileges. Also, the driver's licenses of

those employees who drive County owned vehicles will be checked by the County two times per year.

- All vehicle credentials e.g.; Registration and Insurance ID Cards are **not** to be removed at any time from the assigned vehicle, with the exception of presenting these vehicle credentials to the proper authorities when asked to do so.
- New Jersey State Law prohibits the use of hand-held devices (e.g.; cell phones or texting devices) while driving. Employees may not use cellular phones or similar devices to receive or place calls, text messages, surf the internet, check voice messages, or receive or respond to email while driving a County vehicle. Employees are required to stop the vehicle in a safe location so that employee can safely use their cell phone or similar device. Employees who violate this policy and/or is issued a summons for this type of violation will be subject to disciplinary action up to and including termination.
- Smoking is prohibited in all County-operated vehicles; when vehicle is in motion, use of seat belts and shoulder harness is required; vehicles must be locked when parked and windows must be closed; and the vehicle should not be operated unless it is in a safe condition.
- All County Motor Pool Vehicles are equipped with E-Z Pass Tags which are valid in New Jersey and New York.
- Parking meter and lot fees are the responsibility of the driver, you may file for reimbursement if an EPEC was prepared. Any parking tickets, vehicle tows, or wheel booting, are the sole responsibility of the driver, and must be reported to the department/division head and/or Motor Vehicles promptly.

Accident Reporting Procedures

- All accidents, that occur while operating an assigned vehicle, must be reported to the County Police (908-654-9800).
- ***No matter how minor the accident, it is the driver's responsibility to report all accidents.***
- Make no committals and give no information except as it is required by the investigating authorities.
- Notify your immediate supervisor.

In the event of an accident, the driver of the assigned vehicle must:

- Obtain all pertinent information with the driver of other vehicle – exchange of licenses, registration, and insurance cards; note location of the accident; name, address, and phone numbers of any witnesses; and if police responded to the accident, a copy of the police report should be provided as soon as possible.
- Report all accidents to their department /division head even if there are no apparent injuries or damage.
- The department/division head will complete and sign the accident report. Completed reports must be sent to Risk Management via email within 3-5 days. If you have any questions or concerns contact Risk Management at 908-527-4210.

If the driver of the vehicle possesses a CDL (Commercial Driver's License); or is driving a CDL vehicle; or is a *safety sensitive employee; or possesses a regular driver's license; and is involved in an accident, the driver will be subject to a drug and alcohol test as soon as possible if any of the following accident conditions are present:

- If any person requires immediate medical treatment;
- If either vehicle is towed from the scene;
- If a fatality occurs;
- If significant property damage is incurred;
- If the County driver is issued a summons for a motor vehicle violation.

*A Safety Sensitive employee is responsible for:

- All time at work, unless the County relieved the driver from work;
- All time inspecting, servicing, or conditioning a commercial motor vehicle;
- All time spent at the driving controls of a commercial motor vehicle in operation;
- All time, other than driving time, in or upon any commercial motor vehicle;

- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, or remaining to operate the vehicle;
- All time repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.

Telephones: Much of the County's business is conducted over the telephone and the lines cannot be tied up with personal telephone calls. Personal calls, both incoming and outgoing, are discouraged. Abuse will not be tolerated and will result in progressive discipline.

Internet and E-Mail: Pursuant to Resolution No. 989-2005, adopted September 29, 2005, electronic networks, including the Internet and e-mail are to be used to conduct the business of County government, to effectively communicate with others in the course of government business, and to gather information relevant to the performance of governmental duties. All information gathered via on-line resources or stored on County computers belongs solely to the County. The County retains the right to monitor all on-line communication to ensure that all employees pursue only appropriate business purposes. Installation of any unauthorized software is prohibited and may result in discipline up to including termination of employment.

Computer Use: In order to provide a viable data and communication system for the County of Union that supports the needs of all departments, security and confidentiality of the information must not be compromised. Security is a major concern throughout every office of Union County Government. This policy, procedure and regulation will apply to the day-to-day operations of all County of Union information and technology equipment, as well as mobile or portable units. Although this policy comprehensively addresses current security concerns, impending and future system developments may require additional security considerations. Every employee of the County of Union must be cognizant of the potential for civil liability inherent in the dissemination of information obtained through the County of Union information systems.

The County of Union reserves the right to prosecute, in a civil or criminal manner as well as discipline in accordance with County rules and regulations, any employee who violates any section of this policy. The Bureau Chief of Information Technologies, Telecommunications, IT Staff, County Manager, or designee have the express right to access any electronic information device utilizing any administrative or user password for the purpose of troubleshooting, supporting or maintaining the computer network or while investigating an incident or violation of this policy. All Electronic Information Devices, their contents, e-mail or electronic correspondence originating from or arriving on a device owned or authorized on the County computer network, is the property of the County of Union and is subject to entry and inspection without notice. Any data or information created or stored on the County computer network

becomes the sole property of the County of Union. Ownership of said data is forfeited and all rights to ownership are surrendered to the County of Union. In order to ensure that the County's Electronic Network is being used only for legitimate business purposes, the County reserves the right to enter or search any computer file, the e-mail system, and/or monitor computer and e-mail use. Accordingly, no employee of the County of Union should have any reasonable expectation of privacy regarding their use of a County computer or when utilizing the County's computer network, including, but not limited to, electronic mail.

This policy in its entirety can be obtained in the Division of Personnel.

Employees have no expectation of privacy in connection with their use of any County property and equipment.

Work Product Protection. In accordance with Resolution 2015-363 adopted April 30, 2015, employees acknowledge that, by reason of being employed by the County of Union (herein after the Employer) at the relevant times, to the extent permitted by law, all writings, works of authorship, technology, inventions, discoveries, ideas and other work product of any nature whatsoever (collectively referred to as Work Product) consisting of copyrightable subject matter is classified as "***Work Made for Hire***" as defined in the Copyright Act of 1976 (17 U.S.C. §101), and such copyrights are therefore owned by the Employer. Nothing contained in this handbook shall be construed to reduce or limit the Employer's rights, title, or interest in any Work Product or inventions so as to be less in any respect than that which the Employer would have had in the absence of this provision.

The Employee further acknowledges and agrees that the services to be rendered by them to the Employer are of a special and unique character; that the Employee will obtain knowledge and skill relevant to the Employer's industry, methods of doing business, and marketing strategies by virtue of the Employee's employment; and that the terms and conditions of this employment are reasonable under these circumstances. The Employee further acknowledges that the amount of their compensation reflects, in part, their obligations and the Employer's rights under this employment; that they have no expectation of any additional compensation, royalties or other payment of any kind not otherwise referenced herein in connection herewith; that they will not be subject to undue hardship by reason of their full compliance with the terms and conditions of this employment or the Employer's enforcement thereof; and that this provision is not a contract of employment and shall not be construed as a commitment by either of the Parties to continue an employment relationship for any certain period of time.

(See Resolution No. 2015-363, adopted 4/30/15)

AA. VIOLENCE IN THE WORKPLACE

The County strives to maintain an atmosphere, which to the greatest degree possible will discourage workplace violence. Violence or threats of violence towards County employees by any person will not be tolerated and will result in disciplinary action. Please refer to the County's policy regarding *Violence in the Workplace*.

(See Resolution No. 77-99, Adopted: 1/21/99)

BB. EMERGENCY NOTIFICATIONS

The County allows for emergency days during extreme weather conditions. During inclement weather or other emergency conditions in this area, please visit the County's webpage for information at www.ucnj.org for special announcements of closings or delays. The County Policy for a State of Emergency declared by the Governor that affects the County of Union employees, as it relates to sick time, vacation time, personal time and compensatory time shall be as follows:

- ~ The County of Union shall remain open;
- ~ Essential employees are to report to work regardless of inclement weather situations;
- ~ Non-Essential employees may choose to report to work;
- ~ Non-Essential employees may choose to call out and use any leave time available including (i) sick; (ii) vacation; (iii) personal or (iv) compensatory time without any disciplinary impact;
- ~ If no accrued leave time is available, a non-essential employee may choose to not report to work and take the day without pay and without any disciplinary impact;
- ~ Employees who are on an approved leave of absence prior to the declared emergency day shall not receive any credit for additional time off; and
- ~ Employees who have a scheduled day off shall not receive any credit for additional time off.

(See Resolution No. 2014-481 adopted/revised 6/12/14)

The County reserves the right to determine the status of each title as essential or non-essential. Due to the unique status of the essential employees and their role in County Government, the County requires essential employees to report for their scheduled work. Non-essential employees are to report or use accrual leave time as noted above.

- A. Essential: An employee who is indispensable to the emergency service function or their employing department or division. The individual is required to assist the department or division in meeting operational needs during severe weather

conditions, declared State of Emergencies, and other emergencies that may require changed hours of operation and/or reporting times. The Correctional Facility, County Police and Cornerstone Behavioral Health Hospital will continue to operate in a twenty-four (24) hour capacity in emergent weather conditions.

- B. Non-essential: An employee who is not necessary to the emergency service function of their department or division and is not required to report to work.

The County encourages all employees to sign-up to receive any or all emergency and informational alert notifications thru First Alert. More information on this topic is explained in the *Emergency Alert UC First Alert* section below.

EMERGENCY ALERT UC FIRST ALERT

The County of Union has established an employee-only notification system to which all County employees are encouraged to subscribe. As part of the broader County service, *UC First Alert* is a subscription service that is not available to the public.

The County of Union uses the UC First Alert Network to immediately contact employees during a major crisis or emergency. The UC First Alert Network delivers important emergency alerts, notifications, and updates to employees via their work and/or personal e-mail accounts, and mobile devices. When an incident or emergency occurs, authorized senders will instantly notify employees. The UC First Alert Network is an employee's personal connection to real-time updates, instructions on where to go, what to do, or what not to do, who to contact and other important information.

To register to this subscription, please contact the County's designated First Alert Administrator or your Personnel Liaison.

If an employee does not have access to an official County e-mail account, the employee must provide their personal e-mail address. This information will be kept confidential.

VI - COMPENSATION

A. SALARY

Compensation for Contractual Employees. For most contractual classifications or job titles, a salary range has been established in conjunction with the collective negotiations process. The established range may provide for annual increments until the employee reaches their respective maximum salary. No employee will be paid less than the minimum or more than the maximum for their classification. A contractual employee should refer to the collective negotiations

agreement for more specific information concerning compensation, including holiday pay, shift differential, and longevity.

Compensation for Non-Contractual Employees. A classification and compensation system has been established for non-contractual employees. All non-contractual positions recognized by this program have an assigned grade level designated with an established minimum and maximum salary range. The non-contractual employee compensation plan provides a formula for calculating salary increases, whether promotion or merit based, for non-contractual employees. The County reserves the right to adjust the salary grades.

(See Resolution No. 968-92)

B. COMPENSATORY TIME (NON-CONTRACTUAL EMPLOYEES)

Compensatory Time Policy. All non-contractual employees, who are exempt from the overtime pay requirements of the Fair Labor Standards Act and/or the New Jersey Wage and Hour Law (excluding elected officials) below the position of Department and Division Head shall be entitled to the benefits of a compensatory time program. For purposes of this Policy, Department Head shall include the County Manager, the Deputy County Manager, and the Clerk of the Board of Chosen Commissioners. All such employees who are presently compensated for authorized overtime work performed shall continue to receive such compensation in accordance with existing policies and practices. All employees who are not presently compensated for authorized overtime, and who are required to work beyond their normal working hours for a minimum of at least one hour shall be entitled to receive compensatory time at the rate of one and one-half hours for every hour of eligible time in excess of forty (40) hours in a week. The maximum amount of compensatory time permitted to be accrued is 100 hours, subject to approval of the Department Head. The County Manager may permit lower accrual limits based upon requests from Department Heads. Said compensatory time must be taken within the calendar year of the accrual of the compensatory time except that time earned during the last three (3) months of the calendar year which may be used within the first three (3) months of the following calendar year. The Department Head shall have discretion in scheduling such time with due consideration to the needs of the department and the wishes of the employee.

(See Resolution No. 263-09)

Furthermore, these same employees may be able to accrue compensatory time off for "volunteer" work at County activities outside their normal work week. Opportunities for volunteering will be posted by the department needing assistance. In order to participate in any program where compensatory time will be earned, written approval by the employee's Department/Division Head must be obtained **prior** to the event in question. No employee will be utilized by another department without having this approval. It will be the responsibility of each "volunteering" employee to obtain documentation of the hours they have worked and present same to the

employee's Department or Division Head. Each department will be responsible for maintaining compensatory records for its own employees and monitoring its use.

C. DEDUCTIONS

Payroll deductions include mandatory deductions in addition to electives. The chart below identifies each deduction and its respective abbreviation. Each employee's payroll check stub will indicate the amounts deducted and for what purpose. It is the responsibility of the employee to notify the Department of Finance of any changes that occur in voluntary deductions and in the employee's family situations, which are claimed for income tax purposes, including any change in marital status.

MANDATORY DEDUCTIONS

FIT	Federal Income Tax
FICA SOCIAL SECURITY	Social Security – Old Age Survivors Disability
FICA MEDICARE	Social Security – Medicare
NJ Family Leave Ins.	New Jersey Family Leave Insurance
SIT	State Income Tax
SUI	State Unemployment Insurance (Does not include State Disability Insurance)

OTHER DEDUCTIONS / VOLUNTARY DEDUCTIONS

BACK PEN	Back Pension Amount
CI ADJ	Contributory (Pension Insurance Adjustment)
COPE	CWA 1080 (donation to COPE Organization)
CR UN	Credit Union
DIR DEP	Direct Deposit- 2 nd Account
DIS INS	Temporary Disability Insurance
EIC	Earned Income Credit
GARN/LEVY	Garnishee/Levy/Child Support
GRP LIFE	Group Life Insurance (Pension)

DENTAL CH. 78/DENTAL UPGRADE	Dental Premium Costs
EMPOWER	Deferred Compensation (Voluntary)
MEDICAL	Health Insurance Premium Cost
JTPA LOAN	JTPA Pension Loans
PEN ADJ	Pension Adjustments (PERS)
PERS ARRS	P.E.R.S. Arrears
PERS BKCI	Pension Back Contributory Insurance (PERS)
PERS CI	P.E.R.S. Contributory Insurance
P/T CI	P.E.R.S. Contributory Insurance Part time
PERS LOAN	P.E.R.S. Loan
PERS PENS	Public Employee Retirement System, Pension
P/T PENS	Part timer Public Employee Retirement System
PERS SA	P.E.R.S. Pension Supplemental Annuity (Voluntary)
P&F ARREA	Police & Fire Pension Arrears
P&F LOAN	Police & Fire Pension Loan
P&F PENSI	Police & Fire Pension
P&F SA	Police & Fire Supplemental Annuity (Voluntary)
UN DUES	Union Dues
UPGRADE	Health Insurance Upgrade
VEH FRING	Vehicle Fringe Benefit

D. DIRECT DEPOSIT

All employees have the option to participate in the direct deposit of their payroll check to a financial institution. For further information, please contact the Payroll Unit of the Department of Finance (908) 527-4082 or go to <https://ucnj.org/intranet/finance/>.

E. PAY DAY

Effective as of January 1, 2016 employees are paid on a semi-monthly basis, on the 15th and the 30th day of each month or 24 pays per year. When a holiday falls on a scheduled payday employee will be paid the day before the holiday.

F. PROMOTIONS

The County offers a wide range of positions, which extend to each employee the opportunity for advancement. Employees should review any applicable collective negotiations agreement and the rules and regulations of the New Jersey Civil Service Commission in connection with opportunities for advancement.

G. PERFORMANCE EVALUATION

The County is committed to encourage and reward employees who demonstrate outstanding performance. Conversely, poor performance may have an adverse impact on an employee's salary and compensation. Any written reprimand or disciplinary action will automatically disqualify an employee from an increment. An employee evaluation system has been established for employees in certain bargaining units. Contractual employees should review the applicable collective negotiations agreement.

H. RETURN TO PAY STATUS FROM LEAVE

Upon return from leave without pay, an employee must notify their department/division personnel liaison in order to reactivate pay and other benefits which may have been affected by the leave. Failure to do so may result in a delay to full pay status and may cause unnecessary hardship for the employee.

VII- ABSENCES FROM WORK

All employees are required to inform their Department/Division Heads in writing with a request to take paid time off, for use of any vacation, personal accrued time, or any prescheduled use of sick time. Seasonal, or temporary employees are paid for hours actually worked.

A. AUTHORIZATION

The County, in its discretion, may grant an unpaid leave of absence to an employee for a period up to one (1) year. (*See, Personal Leaves Without Pay Policy below*).

B. ABSENCE WITHOUT PERMISSION

(See N.J.A.C. 4A:2-6.2)

Any employee who is absent from duty for five (5) or more consecutive business days without the approval of their Supervisor will be considered to have abandoned their position and will be recorded as having resigned not in good standing.

Similarly, an employee who has not returned to duty for five (5) or more consecutive business days following the expiration of an approved leave of absence will be considered to have abandoned their position and will be recorded as having resigned not in good standing.

C. SICK LEAVE WITH PAY

(See N.J.A.C. 4A:6-1.3)

Amount of Leave

A full-time employee will be entitled to annual paid sick leave as follows:

1. A new employee will receive one (1) working day for the initial month of employment if they begin work on the first (1st) through the eighth (8th) day of the calendar month and one-half working day if they begin on the ninth (9th) through the twenty-third (23rd) day of the month. After the initial month of employment, and up to the end of the first calendar year, an employee will be credited with one (1) working day for each month of service.
2. At the beginning of each calendar year thereafter, in anticipation of continued employment, an employee will be credited with fifteen (15) working days as unearned sick time.

A part-time employee will be entitled to a proportionate amount of paid sick leave.

Use of Leave

Sick leave may be used by an employee who is unable to work because of:

1. Personal illness or injury;
2. Exposure to contagious disease;
3. Care, for a reasonable period of time, of a seriously ill member of the employee's immediate family (spouse, domestic partner, civil union partner, child, step-

children, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and relatives residing in the employee's household);

4. Death in the employee's immediate family, for a reasonable period of time;
5. Sick leave may also be used by a disabled employee for absences related to the acquisition or use of an aide for the disabled when the aide is necessary to function on the job. In such cases, reasonable proof may be required by the County.

Notice

When an employee anticipates an absence from work for any of the reasons stated above, the employee must notify their supervisor of the impending absence within a reasonable time prior to the absence and of the reason for the absence. This procedure is required to assist the employee's department in planning for coverage during the employee's leave of absence. Failure to notify the supervisor will not be tolerated and may result in disciplinary action.

Medical Certification

Any employee who is absent on sick leave for three (3) or more consecutive working days is required to produce a physician's certificate of illness as evidence substantiating the illness. A department head may also require proof of illness of an employee on sick leave whenever such a requirement appears reasonable or warranted. This certificate will also indicate that, upon the employee's return to work, they are able to resume regularly assigned work duties. If a medical certification identifies restrictions/limitations, it must be processed via the reasonable job accommodation process.

Sick leave will extend from the date at which the employee's physician certifies that the employee is unable to work due to the disabling effects of the injury or illness until that date which the employee's physician certifies that the employee is able to resume work. Requests for sick leave must contain both anticipated commencement and return to work dates. These dates may be adjusted or extended upon application from the employee combined with medical certification of necessity.

The County reserves all rights to challenge any application for sick leave and to require an employee to be examined by a County-designated physician prior to the granting of sick leave or prior to permitting the employee to return to work.

Any employee who accrues fifteen (15) or more absences in any one (1) calendar year consisting of periods of less than three (3) day absences in any one block of time may be required to submit

acceptable medical certifications of illness for any additional request for sick leave in that calendar year. If the cause for the absences is an illness of a chronic or recurring nature requiring an employee's absence from duty of one (1) day or less on repeated occasions. The employee will need to file for FMLA and/or NJFLA.

Temporary Reassignment

The County may, as a reasonable accommodation, grant an employee's request for temporary reassignment to another position within the employee's department. This provision applies only to an employee who provides medical certification that temporary reassignment is necessary due to medical reasons and only if such reassignment does not present an undue burden on the employee's department. In general, however, the County has the discretion to preclude an employee from working if the employee cannot perform the essential functions of their job. If the employee's essential functions have the potential to cause the employee injury the County has the right to reassign the employee to lighter duty.

Separation of Employee

An employee who has resigned or was dismissed, or who has otherwise separated from employment, will be paid for any earned, unused vacation days for the current year pro-rated upon the number of months actually worked in the calendar year in which the separation becomes effective, in addition to any unused vacation days due for the previous year. Employees will not be paid for any unused sick or personal time.

Sick Leave Payback

If an employee leaves the County's employment for any reason before the end of the calendar year they will be required to pay back any sick leave that was taken but not yet earned.

An employee who is retiring on a pension-based length of service will be prorated their sick time allowance for the calendar year.

Nonaccrual During Leave or Suspension

An employee on a leave of absence without pay or on suspension, except for military leave, furlough extension leave or voluntary furlough, does not accrue vacation or sick. Paid sick days will not accrue during a leave of absence without pay or during a suspension.

Abuse of Sick Leave

Abuse of sick leave, in the form of excessive or chronic use of sick leave, using more than you have accrued for the year, or the use of sick leave to extend authorized time off, weekends or holidays, will be cause for disciplinary action.

D. CANCER SCREENING

Employees will be granted four (4) hours of paid leave each year to use for cancer screening. An employee must submit a medical certification verifying that the employee was absent from work for the purpose of cancer screening. Employees **may not** break this block of time into smaller hourly increments.

(See Resolution No. 1623A-99 adopted 12/9/99)

E. DONATED LEAVE PROGRAM

Purpose: The intent of this program is to permit County employees to donate earned sick time and vacation time on a voluntary basis to another County employee who is suffering from a catastrophic health condition or injury, or to care for a member of the employee's immediate family suffering from a catastrophic health condition or injury which compels their prolonged absence from work. Approvals regarding eligibility will be made on a case-by-case basis subject to the approval of the committee established by the County Manager..

Recipient Eligibility: A Union County employee may be eligible to receive donated sick or vacation leave from other County employees if the employee meets all the following criteria:

1. Employee or immediate family member must be suffering from a catastrophic health condition or injury which necessitates the employee's prolonged absence from work and for which the employee has no available paid leave.
2. Must produce acceptable medical verification from a physician or other licensed health care provider. The medical verification must indicate the nature, severity, and anticipated duration of the disability resulting from the serious health condition or injury involved.
3. Must have completed at least one year (1) of continuous service with the County of Union.
4. Must have exhausted all accrued paid leave time including compensatory time off, sick leave and vacation leave.

Donor eligibility. To be eligible to donate leave to another employee, an employee must meet the following criteria:

1. Must have at least fifteen (15) days of accrued sick leave remaining to their credit after making any donations.
2. Must not have solicited nor accepted anything of value from anyone for the donation.
3. Only whole days may be donated.

Program Procedures

1. Any employee may request to participate as a recipient in this program by contacting the director of the employee's department. The director will provide the proper forms to the eligible employee and will require acceptable medical documentation concerning the nature, severity and anticipated duration of the employee's condition. The request must be made prior to the employee's exhaustion of all accumulated sick and vacation time. The Director of the employee's Department must first approve the request and, if approved, it will then be forwarded for review and approval by the donated leave committee established by the County Manager. If the request is approved, all Union County employees will then be eligible to donate sick and vacation time on a voluntary basis. If the request is not approved, the employee can appeal the decision to the County Manager, whose decision is final. Decisions and approvals regarding eligibility will be made on a case-by-case basis.
2. Once a recipient is approved for the program, the Division of Personnel will post on employee bulletin boards, or communicate by other appropriate means, the name(s) of eligible employee(s) who will have exhausted all earned paid leave time by a designated date. The posting will be done only with the recipient's consent. If the employee is unable to consent, the employee's family may consent on behalf of the employee. Notice will be provided to all appropriate bargaining representatives.
3. A County employee may donate only whole days of either sick leave or vacation leave, or a combination thereof, within the prescribed limitation.
4. The donor and the recipient (or family representative) will fill out the required forms. No one will directly or indirectly intimidate, threaten or coerce, or attempt to intimidate or coerce, any other employee for the purpose of interfering with any

right which such employee may have with respect to contributing, receiving or using paid leave under this program. This includes promises to confer any benefit (such as appointment, promotion or compensation) or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion or compensation). An affidavit to this effect will be signed by the donor. Any employee who engages in the above-described prohibited conduct will be subject to disciplinary action.

5. The donor's leave time will be reduced by the number of sick or vacation days, which are donated.
6. The eligible recipient may receive up to 180 donated days during the employee's employment with the County.
7. Should an employee return to work, or otherwise terminate the use of leave with donated time remaining, that time will be returned to the donor(s) on a prorated basis in whole days.
8. The recipient employee, while using donated leave, will continue to earn sick and vacation leave. If the earned sick leave is unused when the employee returns to work, all such earned time will be retained by the recipient employee and credited to the employee's accrued sick leave time.
9. If the recipient employee retires, they will not be granted supplemental compensation for any unused sick days, which they received through the donated sick leave program.
10. The recipient employee who utilizes donated time will be treated as a County employee on a leave of absence with pay.
11. Once the sick and/or vacation leave has been donated, it may not be revoked by the donor.
12. Donations may not be used on a retroactive basis.

If the employee's prolonged absence extends beyond the expiration of the donated leave time, the employee may make application for a leave of absence without pay. The employee should consult the County's *Family Leave and Medical Leave Act Policy*.

This information is presented to familiarize the employee with the contents of this program in summary form. Further information and questions concerning this program should be directed to the Division of Personnel.

F. VACATION (ANNUAL LEAVE)

An employee in a bargaining unit subject to a collective negotiation agreement should consult that agreement as to vacation entitlement, payment for unused vacation leave, and other matters regarding leave. The following is a general description of annual leave benefits

Amount of Leave

Generally, except for personnel hired by the Department of Human Services, Division of Social Services prior to July 1, 1990, paid vacation time is granted as follows:

During the first calendar year of employment, an employee will earn one (1) vacation day for each month of service during the calendar year following the date of employment.

An employee with one (1) to eight (8) years of service will be entitled to thirteen (13) working days vacation each year.

An employee with eight (8) completed years to ten (10) years of service will be entitled to fourteen (14) working days vacation each year.

An employee with ten (10) completed years to fifteen (15) years of service will be entitled to seventeen (17) working days vacation each year.

An employee with fifteen (15) completed years to twenty (20) years of service will be entitled to nineteen (19) working days vacation each year.

An employee with twenty (20) completed years to twenty-five (25) years of service will be entitled to twenty-two (22) working days vacation each year.

An employee with twenty-five (25) completed years or more of service will be entitled to twenty-seven (27) working days vacation each year.

An employee with 26 to 30 or more completed years will be entitled to the following:

26 years	28 Days
27 years	29 Days
28 years	30 Days
29 years	31 Days
30 year or more	32 Days

A part-time employee will receive vacation credit allowances on a pro-rated basis in accordance with the above.

Social Services Division Employees

A full-time employee of the Division of Social Services prior to July 1, 1990 is granted vacation leave as follows:

One (1) working day for each month or major fraction thereof of employment during the first calendar year of employment.

Twelve (12) working days after the first calendar year up to and including five (5) years of employment.

Fifteen (15) working days after the first five (5) years of employment and up to and including ten (10) years of employment.

Twenty (20) working days after ten (10) years of employment and up to and including fifteen (15) years of employment.

Twenty-two (22) working days after fifteen (15) years of employment up to and including twenty (20) years of employment.

Twenty-six (26) working days after twenty (20) years of employment up to and including twenty-five (25) years of employment.

Twenty-eight (28) working days after twenty-five (25) years of employment.

Scheduling

The department head has the exclusive right to determine when an employee's vacation will be scheduled, giving reasonable consideration to an employee's wishes in this regard. Where conflicts in choice of dates occur, preference will be governed by seniority insofar as effective staffing requirements permit. Vacations must be taken during the current calendar year unless the Department Head determines that it cannot be taken due to excessive workload in which case unused vacations may be carried forward into the next succeeding year only. NJ State Statute requires that if such a determination is made, an employee may only carryover one (1) additional year's vacation time. No employee may start a new year with more than two (2) years' worth of vacation time.

Unused Leave

An employee, who has resigned, has been dismissed, or who has otherwise separated from employment, will be paid for any earned, unused vacation days in accordance with any applicable collective bargaining agreement.

An employee who is retiring on pension based on length of service will be entitled to the full vacation for the calendar year in which they retire in accordance with any applicable collective bargaining agreement.

Upon the death of an employee, any annual vacation leave credits will be calculated based on the deceased's present salary rate, and will be paid to their estate in accordance with any applicable collective negotiations agreement.

Nonaccrual During Leave Without Pay

An employee on a leave of absence without pay or during a suspension, except for military leave, furlough extension leave, or voluntary furlough, does not accrue vacation benefits.

Vacation Payback

If an employee leaves the County's employment for any reason before the end of the calendar year, after having taken a vacation allowance for the year, they will be charged with the unearned part of their vacation. The amount owed will be deducted from their final paycheck.

Vacation Purchase Program

This program, at the discretion of the County Manager, provides an opportunity for County employees to request the purchase of additional vacation time. Employees are eligible to purchase up to 3 weeks of their individual average work week. For example, a full-time employee may purchase vacation days according to the following schedule:

- The value of three (3) days pay for five (5) days vacation
- Six (6) days pay for ten (10) days vacation
- Nine (9) days pay for fifteen (15) days vacation

Part-time employees are eligible to purchase up to 3 weeks as well, based on their individual average work week. The Payroll Department may be contacted to discuss specifics, and to answer any questions.

To be eligible, for the Vacation Purchase Program, employees must have at least one (1) full year in a permanent status and not work a 24/7 schedule. Approval to participate in this program and the maximum amount of time that an employee can purchase is at the discretion of each department head. Time purchased will be credited to the employee when payments are complete. One (1) full year of earned vacation time must be utilized in that year prior to the use of any purchased vacation time.

(See Resolution No. 1225-04)

G. HOLIDAYS

The following days are paid holidays, as listed by the day of the week and calendar date of the appropriate year on which they fall. An employee in a bargaining unit subject to a collective bargaining agreement should consult that agreement.

New Year's Day
Martin Luther King's Birthday*
Lincoln's Birthday
Washington's Birthday*
Good Friday
Memorial Day*
Juneteenth**
Independence Day
Labor Day
Columbus Day*
Election Day
Veterans' Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

* As required by Federal and State Law.

**3rd Friday of June

Holidays falling on a Sunday will be observed on the following Monday. Holidays falling on a Saturday are observed on the Friday before the holiday. Holidays occurring during vacation or sick leave are not counted as a day of vacation or sick leave. An employee must be with pay status on their last scheduled workday prior to the holiday and the first scheduled workday after the holiday to receive holiday pay.

H. PERSONAL LEAVE

An employee may take personal leave for personal, business, or religious reasons.

Personal Leave Entitlement

All full-time employees shall receive one (1) personal leave day after each completed four (4) consecutive months of employment prior to the January 1 after their date of hire.

All full-time employees shall be granted three (3) personal leave days at the beginning of each calendar year in anticipation of continued employment. Full-time Social Services employees hired prior to July 1, 1990, who have completed five (5) years of continuous employment shall be granted four (4) personal leave days at the beginning of each calendar year in anticipation of continued employment.

Part-time employees receive pro-rated personal leave benefits. Temporary and seasonal employees are not eligible for personal leave benefits.

Personal leave must be taken in full, half and quarter day increments.

Limitations on Usage

No personal leave will be applied for, approved, or granted immediately before or after any vacation period, holiday period, or weekend, except under extraordinary circumstances.

Accrual of Personal Leave

Employees must take personal leave in the calendar year in which it is earned. Personal leave days cannot be accumulated from year to year.

Any employee who exhausts all of their personal leave in any one (1) year shall not be credited with additional paid personal leave until the beginning of the next calendar year.

Separation of Employee

An employee who has resigned, was dismissed or has otherwise been separated from employment will not be paid for any unused personal time.

Unionized Employees

Unionized employees shall receive personal leave benefits in accordance with their respective collective bargaining agreements.

I. JURY SERVICE

An employee who is required to be present for jury service in any court of New Jersey, any court in another state, the United States District Court of New Jersey, or any other Federal District Court during their scheduled working hours or during their scheduled work shift will be excused and granted leave with pay. Those employees who work a midnight shift (11:00PM-7:00AM, or 12:00AM-8:00AM) will be granted release time on the day before the day that they are to report for Jury Duty.

The County requires employees to:

1. Submit a written request for leave with a copy of the summons to their Division Head within three business days after receipt of the summons;
2. Inquire about the anticipated length of service and inform the Division Head of the expected duration in advance of accepting service;
3. Notify the Division Head as soon as possible if the length of jury duty has been extended beyond the original return date;
4. Report for work at any time as their presence as a juror is not required;
5. Provide the County with an appropriate certification or order from the assignment judge, clerk of the court or such other officer as appropriate setting forth the period of jury duty service; and
6. Reimburse the County for any payments or fees received as a result of such jury service upon receipt of such compensation.

J. DEATH IN THE FAMILY

Full-time and part-time employees will be granted up to five (5) consecutive working days of paid leave commencing on the day of death or the day of the funeral in the event of the death of a spouse, civil union partner, domestic partner, step-child or child.

Full-time and part-time employees will be granted up to three (3) consecutive working days of paid leave commencing on the day of death or the day of the funeral in the event of the death of the employee's parent, step-parent, sibling, grandparent, parent-in-law, grandchild, relative residing in the employee's household or person who raised the employee in loco parentis

Employees should notify their Division Head of their intent to take bereavement leave as soon as possible. The County may require that the employee produce reasonable proof of death.

Employees in a bargaining unit shall be entitled to bereavement leave in accordance with their respective collective negotiation agreements.

Temporary and seasonal employees are not entitled to paid bereavement leave.

Any extension of absences under this policy, at the employee's option and with the consent of the Division Head, may be charged against available vacation, sick or personal time.

K. CONVENTION LEAVE

Convention Leave will be granted in accordance with New Jersey statute, the Administrative Code at N.J.A.C. 4A:6-1.13, and/or the employee's collective negotiations agreement.

L. MILITARY LEAVE

The County of Union recognizes that a strong, ready Reserve and National Guard are essential to the defense of this nation in time of national emergency, disaster, domestic violence, or foreign aggression. The County also encourages its employees to serve in the Reserve or National Guard and recognizes the great personal and economic sacrifices of those patriotic people who may be called to duty in time of crisis.

Military leave with pay will be granted to an employee in accordance with N.J.A.C. 4A:6-1.11, N.J.S.A. 38:23-1, N.J.S.A. 38a:4-4 and the Uniformed Services Employment and Reemployment Rights Act ("USERRA").

Organized Militia

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

A full-time temporary officer or employee who has served under such temporary appointment for less than one (1) year will receive military leave without pay but without loss of time.

New Jersey Organized Militia

Any permanent or full-time officer or employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which they shall be engaged in State or Federal active duty, up to ninety (90) work days in any calendar year. Any leave of absence for such duty in excess of ninety (90) work days will be with differential pay and without loss of time for the duration of the mandatory activation.

A full-time temporary officer or employee who has served under such temporary appointment for less than one (1) year will receive military leave without pay but without loss of time.

Procedure

In all cases involving military leave, the employee must, as soon as possible, provide the Division Head with notice of the call to military duty prior to beginning the military leave, unless giving notice is impossible, unreasonable, or precluded by military necessity. The Division Head will forward the request and supporting documentation if any to the Department of Personnel by the end of the next working day. The Department of Personnel will respond to the request in writing to the employee and the Division Head in accordance with N.J.A.C. § 4A:6-1.11 within five days.

Health Insurance and Pension Benefits – Mandatory Activation

Health benefits for the employee and eligible dependents, if applicable, continue as if the employee were actively on the job for the duration of the mandatory activation.

Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system for the duration of the mandatory activation. Employees are required to pay the employee portion of the pension contributions to receive credit.

Seniority and Accrual of Paid Leave

Employees on military leave will continue to accrue seniority, sick and vacation time for the duration of the mandatory activation as if they were on the job. Upon return from leave from active duty only, the employee's department director may allow payment of vacation. The maximum allowable payment is one year's accrual for the affected employee based upon the employee's actual rate at the time of return.

Reinstatement

To be reinstated by the County without loss of privileges or seniority, the employee must report for duty with the County within the time required by law following release from active duty under honorable circumstances. Pursuant to the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), 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. The County does not provide differential pay and benefits for any transition period following the end of the mandatory activation and the employee's reinstatement by the County.

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

- Provide the County with notice of the leave as soon as possible by providing the Department Director with notice of the call to military duty prior to beginning the military leave;
- Provide the County with proof of active duty, its duration and the compensation received;
- Apply for reinstatement within the time required by law;
- Have five years or less of cumulative service in the uniformed services while employed by the County;
- Have a creditable military record including completion of all required training and full-time service and be discharged under honorable conditions.

Upon return from a military leave of absence, the employee will be reinstated as required by law. Failure to comply with the requirement enumerated above or as required by law will jeopardize an employee's reemployment rights.

Job Protected Military Leave

Pursuant to the Family and Medical Leave Act of 1993 (the "FMLA"), County employees may be eligible for unpaid, job-protected leave:

1. Because of any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation ("Qualifying Exigency Leave");
2. To care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the service member ("Military Care Giver Leave").

Employees should consult the County's *Military Family Leave Policy*.

M. PERSONAL LEAVES OF ABSENCE

Employees who want to take a leave of absence for a reason not covered by the FMLA or NJFLA, or beyond the leave time provided under the FMLA or NJFLA, may be granted an unpaid personal leave of absence for up to one year at the sole discretion of the Department Director or their designee, if the leave does not cause undue operational disruption. In exceptional circumstances, leave may be extended beyond one year. (N.J.A.C. § 4A:6-1.1(a)(2)). The leave of absence must include the use of any accrued personal, vacation and, sick leave time regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of personal, vacation and, if applicable, sick leave will be without pay.

To Request a Leave of Absence: An employee must submit their request in writing, relaying all facts bearing on the request, including the reason, the beginning date, and the expected date of return to their division head. The division head will send the employee's request to the department director within two (2) working days along with a recommendation to approve or deny the request. The Department Director will consider each case on its merits and, without establishing a precedent, make such decision as their judgment dictates. The Department Director will approve or deny the leave within two (2) weeks of receipt of the written request. The approval or denial will be in writing to the employee and the Division Head.

If an employee wishes to extend a leave without pay beyond one (1) year, they must submit a written request to their Department Director and to the Division Head stating the reasons for the extension and the inclusive dates of the additional leave. The County must request approval from the New Jersey Civil Service Commission if it wishes to grant such an extension.

Notification: The request for the leave must be submitted thirty (30) days in advance of the desired commencement of the leave. If the request is for an extension of a leave taken under the FMLA and/or NJFLA, where the employee has/will take(n) the maximum amount of leave permitted under the FMLA and/or NJFLA, the request for continuation of the leave must be submitted thirty (30) days in advance of the expiration of the FMLA or NJFLA leave. The

Department Director can waive these notice requirements in their sole discretion and without precedential effect, depending upon the circumstances for the request for the leave.

Reasons for a Leave of Absence: Personal leaves of absence may be granted for medical or educational reasons, family circumstances, or other good cause. An employee requesting a leave of absence due to personal illness or to care for a family member should refer to the County's *Family and Medical Leave Act Policy*.

Personal leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees must use leaves of absence for the purpose it was granted. The failure to use a leave of absence for the purpose for which it was granted may provide grounds for disciplinary action up to and including termination of employment.

Employees who are on an approved leave of absence may not engage in any form of self-employment or perform work for any other employer during that leave, except when the leave is for military or public service or when the employment has been approved by the County under its Outside Employment policy and the employee's reason for leave does not prevent the outside employment.

Accrual of Leave Time: Employees will accrue paid time off (i.e., personal leave, vacation leave, sick leave) while using accrued time toward a personal leave of absence. Employees who have exhausted all of their available time do not accrue leave time during unpaid leave. An employee on leave of absence without pay for a full calendar month will not accrue any sick, vacation, or other leave time for that month. Employees, who maintain paid status for some portion of a calendar month, will receive prorated paid time for that month. If you used more paid time off than you accrued, your negative balance will remain until you return from your leave. The first paid time off you earn will be credited against your negative balance. Health benefits may also be impacted. An employee on a leave of absence without pay should contact their department/division personnel liaison for information regarding medical benefits during such leave.

<u>Unpaid Workdays in Month</u>	<u>Accrued for Month</u>
Up to 6	1 month
7 to 16	½ month
>17	0

**The same proration will be applied for employees on an intermittent unpaid status.*

Confirmation of Return to Work

An employee granted a leave of absence without pay must, in writing, either confirm the date of return or request an extension. For leaves of six (6) months or more in duration, written

notification of intent must be submitted four (4) weeks before the leave expires. For leaves of less than six (6) months, written notification must be submitted on the date agreed upon at the time the leave was granted.

Consequences of Failing to Return to Work

A personal leave is granted with the understanding that the employee intends to return to work for the County. If the employee fails to return within five (5) business days after the expiration of the leave, the employee shall be considered to have voluntarily resigned.

N. FEDERAL FAMILY AND MEDICAL LEAVE ACT & NJ FAMILY LEAVE ACT

The County provides family and medical leaves in accordance with applicable law, including the Federal Family and Medical Leave Act of 1993 and the New Jersey Family Leave Act. Please consult the County's *Family and Medical Leave Act Policy* or contact the Division of Personnel for more information.

Nonaccrual of time during Leave

Employees do not earn/accrue sick leave, personal time nor vacation time during an unpaid family or medical leave.

(See Resolution No. 2018-993 Adopted: 11/28/2018)

O. NJ SAFE Act

Employees may be eligible for leave under the New Jersey Security and Financial Empowerment Act (NJ SAFE Act), which provides protection for employees and their family members (as defined by the NJFLA) who have been the victim of domestic violence or sexual assault. The NJ SAFE Act provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed twenty (20) days calendar days in a 12-month period, to address circumstances resulting from domestic violence or sexually violent offense. To be eligible, an employee must have worked 1,000 hours during the immediately preceding 12-month period.

Reasons for Leave

An eligible employee may take leave for the purposes of:

- Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's relative;

- Obtaining services from a victim services organization for the employee or employee's relative;
- Obtaining psychological or other counseling for the employee or the employee's relative;
- Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or employee's relative from future domestic or sexual violence or to ensure economic security;
- Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's relative including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or
- Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's relative was a victim.

Amount of Leave

Under the SAFE Act, an eligible employee is entitled to 20 days of unpaid leave during the 12-month period following an incident of domestic violence or sexual assault for any of the reasons stated above. An eligible employee is also entitled to 20 days of unpaid leave for any subsequent incidents of domestic violence or sexual assault, but no more than 20 days of leave may be taken during any 12-month period. Leave under the SAFE Act may be taken intermittently in intervals of no less than a day.

Please contact the Division of Personnel for more details.

P. FURLOUGH (VOLUNTARY LEAVE OF ABSENCE WITHOUT PAY)

The purpose of a voluntary furlough program is to lessen the need for reductions in force by allowing an employee to take unpaid leave with accrual of leave time, anniversary dates, and seniority as if the employee were in pay status. Any employee wishing to take a voluntary leave of absence without pay may take such a leave for up to three (3) consecutive weeks (fifteen working days) with the approval of their Department Head. Any exception to this policy requires the approval of the County Manager's Office. These leaves of absence will include the maintenance of certain benefits not generally available for unpaid leaves:

1. All health, dental, vision and prescription insurance coverage;
2. Maintenance of all seniority rights;
3. Accrual of all sick, vacation and personnel time; and
4. Maintenance of all pension benefits through buy-back of time deductions made in the weeks succeeding the leave period.

Q. RETURN TO PAY STATUS FROM LEAVE

Upon return from leave without pay, the employee should check with appropriate individuals in order to confirm activation of pay and all other related benefits, which may have been affected by the leave. Failure to do so may result in a delay to full pay status and it may cause unnecessary hardship for the employee.

VIII - HEALTH BENEFITS

A. OVERVIEW

Availability of health benefit plans is subject to any applicable specific collective bargaining agreement. Additionally, each employee should carefully review plan literature and payroll deduction schedule for specific information about each plan.

Eligibility: An employee becomes eligible to participate in the health benefits program on the first day of the first month following the completion of sixty (60) days of employment. Employees hired on or before December 31, 2016, must work a minimum of twenty hours per week, fifty-two weeks of the year, to be considered eligible for benefits. Employees hired on or after January 1, 2017, must work a minimum of thirty hours per week, fifty-two weeks of the year, to be considered eligible for benefits.

All plan enrollment forms must be completed by each employee at the time of hire. The health benefits program provides health benefits for an eligible employee, their spouse, and dependent children. An employee should exercise careful consideration as to their family's specific medical needs and thoroughly review plan literature prior to the election of a health benefits plan.

Changing and updating benefit elections: Once a health benefits plan is selected, the employee must remain in that plan until the next scheduled Open Enrollment period. Information as to the exact dates of open enrollments can be obtained from the Health Benefits Unit of the Division of Personnel.

When an employee has a change in their family status due to marriage, death, divorce, birth/adoption of a child, a child reaching the plan maximum age limit for coverage, or any other change in family status that could impact employee and dependent insurance coverage or COBRA benefits, ***it is necessary to report the event within thirty days (30) of the occurrence on the correct enrollment/change form to the Division of Personnel.*** Please also refer to plan literature regarding specific reporting requirements. Failure to do so could result in a loss of coverage until the next scheduled open enrollment period. Identification cards and plan information will be forwarded to an employee at the time of eligibility.

Health Insurance Contributions: Employees enrolled in health benefit plans are required to make contributory payments for the coverage. For more information regarding contribution amounts, employees can contact their division's Personnel Liaison or the Health Benefits Unit in the Division of Personnel. Additionally, contractual employees may also reference their bargaining unit's collective bargaining agreement.

Contributions are deducted from an employee's semi-monthly paycheck for each enrolled benefit plan. Employees that are on an unpaid leave of absence should refer to section "*Benefits While on a Leave of Absence*" on page 78 to obtain information regarding payment responsibilities while in an unpaid employment status.

Health Insurance Benefits in Retirement: Employees that retire from the County of Union and meet the requirements for retirement health insurance benefits are provided medical and prescription insurance coverage for their lifetime. Employees must add all eligible family members that they want to be covered by the insurance plans at the time of retirement. Once the retiree insurance plans are active, additional family members are not allowed to be added, only removed.

Retirees may waive their retirement healthcare benefits. By waiving the insurance coverage, a retiree is opting out of their coverage at that time, but maintains the eligibility to enroll in the healthcare insurance plans in the future. The retiree must contact the Health Benefits Unit in the Division of Personnel to process the change. A retiree may waive or enroll in the insurance coverage at the time of their retirement, within 30 days of a qualifying life event, or during an Open Enrollment period.

Upon the death of a retiree, family members enrolled on the retiree's insurance plans may be eligible to continue their coverage. The surviving spouse of a retiree may continue to be enrolled under the health insurance coverage that was maintained as a retirement benefit by their spouse prior to the retiree's death.

It is the responsibility of the surviving spouse to contact the Health Benefits Unit in the Division of Personnel to provide the death notification within 30 days of the occurrence to begin the process of transferring the healthcare insurance policy into the surviving spouse's name. Upon the completion of the enrollment, the surviving spouse is then entitled to maintain the insurance coverage for their lifetime.

The entitlement does end if the surviving spouse terminates coverage for any reason, including involuntary termination due to non-payment of insurance premiums. The surviving spouse may enroll dependents that were enrolled in the retiree health insurance coverage prior to the death of the retiree, but new dependents may not be added.

B. MEDICAL INSURANCE PLANS

A County employee may select from several comprehensive health benefit options for their medical coverage. All plans offered provide a comprehensive range of benefits, including hospital, surgical, diagnostic and out-patient services. Physician access and networks vary from plan to plan. General outlines of the plans and specific details are available from the Health Benefits Unit of the Division of Personnel. Employees may keep their dependents covered under their medical benefits up until the end of the month in which the dependent child reaches the age of twenty-six (26). Upon termination of employment, medical insurance coverage ends on the last day of the month in which the termination occurs.

C. MEDICARE

The Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) requires that an active employee, age 65 and over be given the opportunity to select either the employer's group health coverage or the Medicare program as the primary coverage. The Deficit Reduction Act of 1984 (DEFRA), effective January 1, 1985, modifies TEFRA by expanding the scope of the working aged provision. Under DEFRA, the spouse of an employee, age 65 and over, also has a choice between the group's regular health coverage or the Medicare program as the primary coverage. Unless otherwise specified by the employee, it is the County's customary practice to designate the employee/spouse as TEFRA/DEFRA eligible, thereby maintaining the County's group plans as the primary health benefits provider.

Medicare and Retirement: When an employee who is age 65 or over retires, or retires under age 65 and becomes Medicare eligible due to age or a disabling condition, the Medicare program becomes the primary coverage. This also applies to dependents of retirees who qualify for Medicare. Three months before retirement, the employee and/or the eligible dependent must go to their local Social Security Office and sign up for Medicare Parts A and B. Please note that the health plan will process claims for Medicare eligible retirees and covered dependents as if Medicare is in place.

D. PRESCRIPTION INSURANCE PLAN

The County of Union provides to an eligible employee, their spouse, and dependents to age 26 years, prescription drug benefits. A detailed co-payment schedule can be obtained in union contracts or from the Division of Personnel. Upon termination of employment, prescription coverage ends on the last day of the month in which the termination occurs.

Mail Order Program. For enhanced prescription drug benefits, the County offers its employees and dependents the advantage of mail order service. The mail order program is ideal for those individuals who take prescription medication on an on-going basis. The mail order advantage is a

lower co-payment for the prescription and provides a 90-day supply. For additional forms or more information contact the Health Benefits Unit of the Division of Personnel.

E. DENTAL INSURANCE PLANS

Availability of dental plans varies based on the employee's specific collective bargaining agreement. Plans also vary according to dental networks and certain plan selections require payroll deductions from the employee. To review dental networks, verify availability of plans under specific collective bargaining agreements or determine the amount of payroll deduction contact the Health Benefits Unit of the Division of Personnel.

Employees may maintain dental coverage for a spouse, as well as eligible dependents up until the end of the month in which they reach the age of twenty-three (23). Upon termination of employment, dental coverage ends on the last day of the month in which the termination occurs.

F. VISION INSURANCE PLAN

Eye care coverage, which includes a yearly exam with a certified ophthalmologist and funds toward eyewear, is provided. Dependents may be added during a qualifying event, or during the yearly open enrollment for a semi-monthly payroll deduction. Employees may maintain vision coverage for a spouse, as well as eligible dependents up until the end of the month in which they reach the age of twenty-three (23). Upon termination of employment, vision coverage ends on the last day of the month in which the termination occurs.

G. TEMPORARY DISABILITY

Temporary Disability Plans: The County does not participate in the temporary disability portion of the New Jersey State Unemployment Insurance Program. Contractual employees should refer to their collective negotiation agreements pertaining to temporary disability plan offerings. However, all employees may choose to purchase disability insurance through a voluntary based plan. Please see the **Optional Employee Benefits** section on page 84 for more information.

Benefits While on Leave of Absence: Employees on approved leave of absences **with pay** continue to have their health benefits without interruption.

In accordance with the Chapter 2 P.L. 2010 & Chapter 78, P.L. 2011, employees shall be responsible for paying their semi-monthly healthcare deductions calculated using their current salary when on an **unpaid** legally required leave such as: FMLA, FLA, and/or Worker's Compensation. Employees granted an **unpaid** Personal, Sick, Military, or Suspension leave shall be required to pay the full premium costs of their healthcare benefits. If payment is not received by the County for all applicable health benefits, the coverage for the benefits will be **terminated**

effective the end of the month from the last date of payment without any further notification.

When employees return to full employment, health benefits are reinstated effective the date the employee returned from a leave of absence without pay.

It is the responsibility of the employee to inquire and become aware of the cost of health benefits while on any leave without pay, as well as the process for making payments for any health benefits that the employee elects to maintain during the granted leave period. Please review any applicable collective negotiation agreement, and contact the Health Benefits Unit of the Division of Personnel for additional information concerning your health insurance while on leave without pay.

IX - MANDATORY EMPLOYEE BENEFITS

A. CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

(See 29 U.S.C. §1161 et seq.)

The County of Union complies with COBRA and all applicable amendments. Covered employees and their dependents who lose insurance coverage for any of the following reasons are eligible to continue their coverage through COBRA: termination, reduction in working hours, divorce or legal separation, death of the employee, eligibility for Medicare or loss of dependent child status under the insurance plan. All administrative rules and processes as well as changes in plan benefits and premiums apply to those on continuation coverage.

In the event of divorce or legal separation, or the loss of dependent child status under the plan, a covered employee or dependent must notify the Division of Personnel within sixty (60) days to maintain the right to continue coverage. At that time, the Division of Personnel and/or the County's COBRA Administrator will provide enrollment materials to the employee or covered dependent within fourteen (14) days of such notification.

The covered employee or dependent has sixty (60) days to elect continuation of coverage from either the date that coverage would ordinarily have ended under the plan by reason of a qualifying event or the date of notification, whichever comes later. Election of continuation of coverage is established by completing and returning enrollment materials to your Department/Division Personnel Liaison.

COBRA premiums will be billed by our COBRA Administrator, and the first premium will be due within forty-five (45) days of the date of election. Subsequent premiums must be received

within the terms set forth by the provider. Failure to make timely payments will result in termination of coverage without notice.

The law requires that an employee be afforded the opportunity to maintain continuation of coverage for three (3) years unless the employee lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is eighteen (18) months, unless the Social Security Administration determines that the employee was disabled at the time of termination or reduction of hours and the employee informs the Division of Personnel before the end of the eighteen (18) month period, in which case coverage may be extended up to twenty-nine (29) months. If during the eighteen (18) months another event takes place that also entitles the employee to coverage, coverage may be extended. The total amount of continued coverage is limited to thirty-six (36) months. COBRA continuation coverage will end for any of the following reasons: The County of Union discontinues its insurance plan, the premium payment is not made in a timely fashion, and the person who elected continuation of coverage becomes covered under another insurance plan or Medicare.

B. HEALTH INSURANCE AND PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)

The County of Union is committed to protecting the privacy of individual health information in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the regulations promulgated thereunder. HIPAA also prohibits discrimination in enrollment and premiums against employees and their dependents based on health status, and provides for the strict confidentiality of all medical information as it is considered Protected Health Information (PHI). The County, therefore, has adopted a policy that protects the privacy and confidentiality of Protected Health Information (PHI) whenever it is used by the County as a plan sponsor of its self-insured group health plan.

Complaint & Investigation Procedure: Any employee who believes their HIPAA privacy rights have been violated may file a complaint regarding the alleged privacy violation with the County's HIPAA Compliance Officer (HCO), Horizon Blue Cross and Blue Shield of New Jersey, or the appropriate Office of Civil Rights (OCR) Regional office. Complaints submitted to the County's HCO will be documented, reviewed, and acted upon, if necessary.

The individual wishing to make a complaint pursuant to this policy may utilize the HIPAA Privacy Complaint Form. The form can be obtained and submitted to the HCO in the Division of Personnel. Individuals must file complaints in writing, either paper or electronically. A complaint must be filed 180 days from when the individual knew or should have known of the circumstance that led to the complaint, unless this time limit is waived for "good cause" shown.

The complainant must complete the form in its entirety and name the entity that is the subject of the complaint and describe the acts or omission believed to be in violation of the HIPAA requirements.

Depending on the nature of the complaint, the complaint may not be investigated by the HCO and the complaint or complainant may be referred to Horizon Blue Cross Blue Shield of New Jersey.

If the HCO investigates the complaint, the HCO will determine if a breach of privacy has occurred by a County employee. If the HCO determines that a violation occurred, the HCO will apply appropriate sanctions based on any failure to comply with the privacy policies and procedures and decide on corrective action, if necessary. The HCO will document any sanctions imposed.

OCR may prescribe additional procedures for the filing of complaints, as well as the place and manner of filing.

Individuals will not be retaliated against in any manner for filing a complaint pursuant to this policy. For more information contact the HIPPA Compliance Officer (HCO):

Claudia Martins, Director
Division of Personnel Management & Labor Relations
10 Elizabethtown Plaza, 6th Floor
Elizabeth, NJ 07207
Telephone: 908-527-4289
E-mail: cmartins@ucnj.org

For more information please contact the Division of Personnel.

C. PENSION - PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

Mandated by the State Pension System, it is a **condition** of employment that the employees join the retirement system if:

1. The employee has permanent or unclassified status, or
2. The employee is on the payroll for one year (12 continuous months) with a temporary or provisional status. A temporary or provisional employee who is receiving a salary for one (1) year **must** enroll.

The only exceptions to this enrollment policy are:

1. Newly elected officials as of 7/1/07 are ineligible for PERS membership. They must enroll in the Defined Contribution Retirement Program (DCRP). Additionally, appointed individuals are to be enrolled in DCRP. The office or position must have compensation of at least \$5,000.
2. Seasonal employees.
3. Provisional or temporary employees covered by Civil Service with less than twelve (12) months of continuous service.
4. Employees who earn less than \$1,500 annually (applies to employees enrolled *prior to* July 1, 2007 or were eligible to enroll *on or after* July 1, 2007 and *prior to* November 2, 2008).
5. Employees who earn less than a minimum salary annually (applies to employees enrolled *on or after* November 2, 2008 and *on or before* May 21, 2010). The current minimum salary for employees enrolled between these dates is \$8,400. Enrollment in DCRP is mandatory for those earning \$5,000 or more.
6. Employees enrolled after May 21, 2010 and who work less than the minimum requirement of at least thirty-two (32) hours per week. Those working at less than 32 hours who are permanent or have 12 months continuous service and earn \$5,000 or more must enroll in DCRP.
7. A Workforce Investment Act employee.
8. A PFRS {Police & Fire Retirement System} eligible employee.

All enrollment applications are filed online by the County. An employee will receive a Division of Pensions Certification of Payroll Deductions. The Certification will list both the enrollment date and date that deductions will begin. There are transfer rules and regulations for employees who come to the County with active Pension accounts.

Enrollment rules and regulations are described in general terms in the *State of New Jersey Public Employees' Retirement System Plan Handbook and the Police and Firemen's Retirement System Plan Handbook*. These handbooks may not cover all situations. If you have specific questions please refer to the State of New Jersey Pension's website at <https://www.nj.gov/treasury/pensions/>, or contact the Department of Finance, Pension Administrator at (908) 527-4058.

If any information described herein conflicts with any official literature from the New Jersey Division of Pensions and Benefits, the State information will control.

D. LIFE INSURANCE-PERS, PFRS & DCRP

Upon enrollment into the Public Employees Retirement System ("PERS"), eligible employees are insured for what is called Non-Contributory Group Life Insurance. Non-Contributory Group Life Insurance is free, and valued at 1½ times the annual salary of the member in the event of death while actively employed.

In addition to the Non-Contributory insurance, there is Contributory Life Insurance; which is also valued at 1½ times the annual salary. It is compulsory to participate in the Contributory portion of the Group Life Insurance plan for a period of one (1) year from date of pension enrollment. After the first twelve (12) months, the employee may discontinue the Contributory Insurance coverage by completing the appropriate form. The benefits of Non-Contributory Life Insurance and Contributory Life Insurance currently offer a combined death benefit of three times a participant's annual salary.

The calculation for this Contributory Insurance deduction is based on a flat rate of .50% (.0050) of salary, paid for by the employee, through semi-monthly payroll deductions.

PFRS members have a non-contributory life insurance valued at 3 ½ times final compensation.

Certain DCRP members have a non-contributory life insurance valued at 1 ½ times final compensation.

The rider for life insurance policies are mailed directly to the member by the New Jersey Division of Pensions at approximately the same time pension deductions begin. The rider will indicate the employee's estate as beneficiary, and to designate beneficiaries employees must create an online Pension Account with Member Benefit Online Services (MBOS) at the

following website: www.nj.gov/treasury/pensions. DCRP members do not have MBOS and should visit www.nj.gov/treasury/pensions and click on the DCRP links to complete a designation of beneficiary form.

If any information described herein conflicts with any official literature from the New Jersey Division of Pensions and Benefits, the State information will control.

E. SOCIAL SECURITY

Social Security deductions are listed on the paycheck stub as “FICA SOCIAL SECURITY” (Old Age Survivor Disability Insurance) and the Medicare portion of Social Security as “FICA MEDICARE.” All deductions are paid directly to the Social Security Administration.

Every three (3) years, an employee should obtain a historical printout of eligible Social Security earnings. This printout will date back to the first year of work. It will allow an employee to see if their account has been properly credited. Call the local office of the Social Security Administration for necessary forms.

F. UNEMPLOYMENT COMPENSATION

The County participates in the New Jersey State Unemployment Insurance Program. Each employee must contribute at the rate established by the New Jersey Unemployment Board. If an employee becomes totally or partially unemployed, they should file a claim for benefits at the nearest Unemployment Insurance Claim Office on the first working day following unemployment. Eligibility requirements are determined by the State of New Jersey, not the County of Union. **Please note:** The County of Union **does not** participate in the temporary disability insurance of the New Jersey State Unemployment Insurance Program. However, it does participate in the family leave insurance pursuant to the New Jersey Paid Family Leave Insurance. To obtain more information or to apply online, please refer to the state website at <https://www.nj.gov/labor/myleavebenefits/>.

X - OPTIONAL EMPLOYEE BENEFITS

Union County offers eligible employees a voluntary benefits package to help round out and fill in gaps in core coverage, as well as providing protection during difficult times in life. These voluntary benefits are customized to suit the employee’s needs and can be taken with the employee when the employee leaves or retire from Union County. Employees can elect to have the payments for these benefits to be deducted from their semi-monthly paycheck. All payments that are collected from employee paychecks are provided to the benefit provider on behalf of the employee. To review information regarding available benefits, go to the webpage for the Health Benefits Unit using the following URL: www.ucnj.org/intranet/personnel/health-benefits/.

A. ADULT DAY CARE

Union County offers its employees information about adult day care services, some at reduced rates, at various centers throughout the County. For more information, please contact the Department of Human Services, Office of the Director, at (908) 527-4890.

B. CHILD CARE

Union County offers its employees information about an assortment of state licensed childcare services, at various centers throughout the County. Services vary from newborn day care to after school care, according to agency. For more information, please contact the Department of Human Services, Office of the Director at (908) 527-4890.

C. ANNUITY PROGRAM

All contributing members to the public pension systems (PERS or PFRS) are eligible to participate in the Supplemental Annuity Program, and may do so at any time throughout employment by completing the appropriate form. Supplemental Annuity Collective Trust ("SACT") is a mutual fund, which is administered and controlled by the State Investment Council through the Division of Investment. Interested parties may contact the Department of Finance, 5th floor, Administration Building.

D. CREDIT UNION

The Union County Federal Credit Union is operated for the benefit of its members. Its objective is to meet the members' financial needs at the lowest possible cost, and to avoid unnecessary risk while serving the borrowing needs of its members. The Credit Union, located on the 15th Floor of the Tower Building (Old Courthouse), is open for walk-in business and phone calls.

Hours of Operation:

Monday, Tuesday, Thursday and Friday 10:00 a.m. to 3:00 p.m.

Wednesday 8:00 a.m. to 3:00 p.m.

Contact Information:

Main Phone Line: 908-527-4014

24/7 Automated Phone Line: (855) 475-4899

Website: www.unioncountycreditunion.com

E. DEFERRED COMPENSATION

An eligible County employee may join, on a voluntary basis, the Union County Deferred Compensation Plan from EMPOWER. This plan is supervised by the National Association of Counties (NACO).

This plan allows an employee to defer part of their income until retirement. The deferred portion of an employee's salary will be deducted from each paycheck. These employee contributions are deducted on a pre-tax basis. The Federal Income Tax (FIT) will not apply to this portion of salary until retirement and/or withdrawal. For more information, please contact the Department of Finance at (908)527-4085.

The withholding funds may, at the employee's option, be deferred into a guaranteed interest fund or into one of several equity funds, which will be explained fully to the employee upon application to participate in the plan. For more information, please call the Finance Department at (908) 527-4088, or EMPOWER at 866-816-4400.

F. FLEXABLE SPENDING ACCOUNTS

The County offers employees the opportunity to enroll in two types of flexible spending accounts (FSA): Medical and Dependent Care. A Medical FSA allows the employee to set aside "pre-tax" dollars to pay for unreimbursed medical expenses for medical, dental, vision, or hearing expenses for the employee and their dependents. An FSA can also be used to purchase any FSA-approved products. However, an employee who is enrolled in an HSA medical plan cannot participate concurrently in the Medical FSA. The Dependent Care FSA reimburses the employee with "pre-tax" dollars for dependent daycare expenses. For more information, please contact the Health Benefits Unit in the Division of Personnel.

G. DIRECT DEPOSIT

The County offers employees the opportunity to have their semi-monthly paycheck directly deposited into private accounts. For more information, please contact the Payroll Unit of the Department of Finance at (908) 527-4082.

H. EDUCATIONAL PROGRAMS

In accordance with the County of Union, Tuition Reimbursement, general eligibility requirements are subject to sufficient funds allocated annually by the Board of Chosen Commissioners. Approval of tuition reimbursement is NOT AUTOMATIC and is considered on an annual basis. Employees must be in good standing with satisfactory performance record and receive approval from their division head and the County Manager. Employees may apply for reimbursement of tuition expenses incurred for training or college courses directly related to the

employee's job. The County may reimburse active, full time employees scheduled to work at least 35 hours per week at the start of coursework, permanent, employees who have served at least twelve months with the County to be considered. Tuition reimbursement will be applied *after* all other financial aid that covers tuition only, including state grants, scholarships and other sources of award, have been applied.

Employees, if approved, will be reimbursed per academic semester or session up to 100 % as follows:

A (A+/A/A-) or "Pass" grade (pass/fail course) = 100%

B (B+/B/B-) = 75%

C (C+/C) = 50%

Grades below a C or a "Fail" grade are not eligible for reimbursement.

The course must be job related and must be attended on the employee's own time at an accredited institution approved by the County Manager. An interested employee must submit a written request for approvals and authorization prior to registration for course work. The request must be presented to the employee's division head for initial approval and the County Manager for final approval and authorization. An employee will be notified of the eligibility or reason for ineligibility of their application.

Within thirty (30) days after completion of the course(s) evidence of satisfactory grade along with the course name and number, an itemized receipt for tuition per academic semester or session, and proof of payment is required for processing and reimbursement.

Employees must fill out all appropriate forms, available on the County Website:

<https://ucnj.org/intranet/personnel/tuition-reimbursement/>

I. REPAYMENT OF TRAINING EXPENSES

Reimbursed expenses for training sessions, training, academies, conventions, conference, classes, webinars, meetings of professional associates, and/or similar events (collectively, "non-mandatory training"). The policy shall not be applicable to any County mandatory training or to Statutory Officials or Officials required to maintain professional licensure to hold their position; County Commissioners, County Manager, County Clerk, County Prosecutor, Sheriff, Surrogate, County Counsel, Clerk of the Board, County Finance Officer, County Treasurer, Qualified Purchasing Agent, or Superintendent of Public Works. Additionally, all mandatory training, such as harassment, CDL or safety seminars shall be excluded.

In the event an employee is terminated for cause or voluntarily separates from the County within two (2) years of attendance at a non-mandatory training paid for by the County, the employee shall be required to reimburse the County all amounts the County expended for the employee's attendance at such non-mandatory training.

This policy shall further apply to the County's payment for non-mandatory training if the employee is no longer employed prior to or during the training.

Reimbursement in full is due within thirty (30) days from the date the employee is no longer employed, unless within the time period the employee contacts the County's Finance Department and makes written payment arrangements. The first payment shall be made within thirty (30) calendar days from the date the employee is no longer employed and on the same date for each successive month thereafter until the County has been reimbursed in full.

J. LOANS

After being a contributing member in PERS or PFRS for a minimum of three years, an employee may be eligible to borrow from the pension system. Members may request a loan through MBOS. Payment is via direct deposit information the member provides on their application. Members can request two loans per year.

PERS Long Term Disability for Tier 4 and 5 members only and certain DCRP members

Long Term Disability is available to eligible PERS Tier 4 and 5 members and DCRP members. There is a disability benefit and a total disability benefit. The total disability benefit replaces the Disability retirement benefit for tier 4 and 5 members. For further details, contact the Division of Pensions or County Pension Certifying Officer at 908-527-4058.

K. REIMBURSEMENT FOR UNUSED SICK LEAVE AT RETIREMENT

An employee who retires with at least twenty-five (25) years of service solely with Union County and who has at least one hundred accumulated sick days to their credit upon the effective date of retirement may be eligible for this benefit. Employees may review the complete regulations relative to this benefit in the Division of Personnel.

An employee represented by a union or association should consult their union representative or the collective negotiation agreement applicable to their bargaining unit.

L. REIMBURSEMENT FOR UNUSED VACATION LEAVE AT RETIREMENT

An employee who is retiring on a pension based on length of service will be entitled to the full vacation for the calendar year in which they retire. An employee represented by a union or association should consult their union representative or the applicable collective negotiations agreement.

XI - OCCUPATIONAL INJURIES AND ILLNESSES

A. WORKERS' COMPENSATION

All employees are covered by workers' compensation insurance provided by the County, for medical care and disability benefits if an employee is disabled, either through injury or illness, as a result of or arising from employment.

B. ACCIDENT REPORTING PROCEDURES

When an employee suffers an injury or illness arising out of and during the of employment, the employee is to immediately notify their Supervisor or Superior that they have sustained a workplace injury/illness. The Supervisor should report the injury immediately to the managed care provider. The managed care provider will refer the injured employee to one of the County's approved workers' compensation care providers. An employee who is injured during the course of employment or who suffers an occupationally related disease must receive medical treatment from an approved workers' compensation care provider. All Injuries **must** be reported.

Once injury/illness has been reported to the managed care provider, a First Report of Injury is generated and submitted by First Managed Care Option.

In the event of an **emergency** or if an approved workers' compensation medical facility is not conveniently located, and in the best judgment of the Supervisor the employee needs immediate medical care, the employee should be sent to the nearest hospital. Again, the employee should advise the emergency center that they are a County of Union employee and that the employee is requesting treatment for a work-related injury.

The County of Union Accident Investigation Report and Employee Accident Form must be completed in detail by the employee and the employee's Supervisor and submitted to the Division of Personnel.

The names of witnesses should be provided at the time the injury/illness is reported to the managed care provider. If a witness has been named, the witness will be required to complete and sign a Witness Statement Form.

The workers compensation medical facility will complete an Injury Visit Report Form. This form will indicate information regarding medical treatment provided, follow-up care (if necessary), and any limitations on the employee's work ability. The employee will receive the original copy of this form. The assigned Nurse Case Manager will generate a work status report, including noted restrictions, which will be sent to the Division of Personnel as a notification of employee's return to work. The Employee's Department should keep a copy of this form for its records.

If the employee's Supervisor has any concerns with an employee's return to work status and/or modified light duty activities, the Supervisor may contact the assigned Nurse Case Manager regarding any concerns with an employee's return to work status and/or modified/light duty restrictions. Any questions regarding an on-the-job accident and/or medical treatment provided should be referred to the Division of Personnel.

When an employee is scheduled for with a workers' compensation authorized medical provider during the employee's regular hours of work, the employee's attendance will not be charged to the employee's sick leave accumulation, provided that upon completion of the visit, the employee returns to work if there is still time remaining in the regular hours of work.

C. FOLLOW UP VISITS

Follow-up visits must be scheduled at the beginning or end of the employees work day. Appointments scheduled outside these hours must receive approval from the Division of Personnel.

After every visit to the doctor or hospital, the employee will receive a medical report. The original copies of all medical reports must be turned in to the employee's supervisor and promptly forwarded to the Division of Personnel. It is imperative that an employee keeps all scheduled appointments. All time lost from work due to occupational injury/illness including consecutive or broken time must be reported to the Division of Personnel. It is especially important to immediately advise when the status of an injured employee changes (*e.g.*, light duty to full duty). Prompt notification will ensure that workers' compensation payments due to the employee will commence without undue delay.

Additionally, when an employee is medically authorized by the treating physician to return to work following occupational injury, their supervisor must notify the Division of Personnel within twenty-four (24) hours of the authorization.

Please note that an employee must have written medical authorization for change in work status and/or return to work. An employee on light duty cannot return to full duty without medical authorization. In addition, an employee cannot be released from treatment and case cannot be "closed," until the employee submits medical discharge papers from either the treating physician or from the managed care provider to their Department.

An employee must receive written medical authorization from treatment facility and/or the managed care provider for any changes in work status and/or return to work.

By State statute, an employer is to provide medical treatment to an occupationally injured employee. As such, the employee is treated by the County's workers' compensation medical providers. This remains unchanged even when treatment has been completed and the employee has returned to work, but subsequently experiences a recurrence of similar injury (weeks or even months later). Further treatment must be requested by contacting the Division of Personnel. The Division of Personnel will make the request of the County's insurance carrier. The County will not pay for unauthorized physicians, hospitals, diagnostic centers, physical therapy and similar medical providers and services with the exception of an emergency situation as described in this Policy. Should any problem arise, or should there be any questions as to procedure, the Supervisor should immediately call the Division of Personnel at (908) 527- 4319.

D. WORKERS' COMPENSATION PAYMENT

If the County's workers' compensation carrier does not dispute the causal relationship between employment and an injury or illness, employees shall be entitled to benefits when medically authorized as follows:

1. Injury not involving a third party: An employee will receive their full pay for the first ninety (90) calendar days following the date of injury.
2. Injury inflicted by a third party: An employee will receive their full pay for the first one hundred eighty (180) calendar days following the date of injury if the injury has been inflicted on the employee by any person or persons arising out of the employee's employment.

If an employee is not required to immediately cease working due to the injury but later must be absent for treatment, surgery, or other reason such that the employee cannot work due to the work-related injury, the employee will receive the benefit set forth above so long as the need for the absence occurs within the first (1) year from the date of the injury.

In either case, no charge will be made to the employee's sick leave accumulation provided the employee turns over to the County any checks received for temporary compensation benefits from the County's workers' compensation carrier.

Failure to turn over workers' compensation checks will cause the employee's sick leave to be charged and will further result in the County taking such action as it deems appropriate to recover said monies.

After the first ninety (90) calendar days or first one hundred eighty (180) calendar days as defined above, and if the employee remains absent under authorized medical treatment, the employee will have the option of retaining a workers' compensation check (less than full pay), not receiving any additional monies from the County, and not have any charge made to sick leave accumulation. Employees choosing this option will be responsible to continue payment of their Chapter 78 contribution amount if applicable.

Alternatively, if the employee wishes to receive full pay, they may request that their sick time accumulation be charged; provided the employee turns over to the County any workers' compensation checks received from the County's workers' compensation carrier.

E. MODIFIED OR LIGHT DUTY

The County of Union has established a Modified and Light Duty Program for employees who sustain on-the-job injuries and who, after a medical examination, are determined to be unable to perform their regular duties but can perform duties with restrictions. In certain instances, these temporary assignments could involve "out-of-title" work for a period not to exceed 90 working days or the equivalent of up to 3 months. Modified or light duty assignments are not permanent.

Modified or light duty assignments are authorized at the discretion of the employee's Department Head or designated agent. In all cases, efforts will be made to place an employee in a modified or light duty assignment status within an employee's own Department or Division. Preference will be given to assignments within an employee's classification, followed by assignments in other classifications.

If the employee and/or the employee's Supervisor believes that a modified or light duty assignment cannot be performed due to a medical reason related to the workers' compensation illness or injury, a medical reexamination will be scheduled. The examining physician will have the final decision on the employee's medical ability to perform a modified or light duty assignment. If the employee and/or the employee's Supervisor believes that a non-medical circumstance exists which prevents an employee from placement in modified or light duty assignment, the final decision on the employee's ability to perform the duty will rest with the employee's Department Head and the Division of Personnel.

An employee assigned to a modified or light duty assignment will be considered to be working in a temporary assignment. The workdays and hours will conform to the position assigned in the respective area. Should an employee be assigned to work in another area, it will be the employee's responsibility to provide transportation to that work site. The employee will be compensated at the employee's regular rate while in the modified or light duty assignment and still accrue benefits and seniority accordingly.

Any time off taken while on modified or light duty will be charged accordingly (*i.e.*, vacation, sick, personal business, etc.).

If an employee requests a sick day due to the work-related injury while on modified or light duty, they must contact their supervisor and the treating care facility immediately. The medical facility will reexamine the employee at that time to determine if there is any additional medical problem.

Should the examining physician determine that the current illness is work related, time off will be charged to workers' compensation. If the illness is not work related, the employee will be charged accordingly.

If an employee does not visit the care facility when required and scheduled, the absence will be charged to the employee's sick time and the employee may be subject to disciplinary action. Follow-up visits and/or other treatment, relative to the work-related injury, will be scheduled early morning or late afternoon in order not to interfere with an employee's work schedule. Any time lost due to these appointments will *not* be charged against an employee's time.

Employees are prohibited from engaging in any outside employment for which they are expected to perform functions that interfere with their restrictions, whether or not the employee is on light or modified duty, or determined to be incapacitated by the medical provider. An employee is required to disclose to their department head or designee any secondary employment. The employee will be informed as to whether or not the employee can continue such employment while on workers' compensation. An employee's failure to follow this procedure may jeopardize the employee's worker's compensation claim.

(Resolution No: 2017-556 adopted June 22, 2017)

**POLICIES RELATED TO
SEASONAL & TEMPORARY EMPLOYEES**

A. PAID SICK LEAVE POLICY

As of October 29, 2018, all seasonal and/or temporary employees shall accrue one (1) hour of paid sick leave for every thirty (30) hours worked to a maximum of forty (40) hours of sick leave in any calendar year. Employees can start using these sick leave benefits as of February 25, 2019, however, employees who had sick leave benefits prior to this date may continue using those benefits, and any unused sick leave benefits will be combined into a new bank of accrued sick leave.

Employees using sick leave will be paid for the same number of hours of leave as they would have worked on the day of absence. For example, if an employee is absent a day when they are scheduled to work six (6) hours of sick leave, provided they have at least six (6) hours of accrued, unused sick leave available.

Employees may use sick leave for any of the following reasons:

- When the Governor of the State of NJ has declared a State of Emergency.
- If the employee is sick or otherwise needs to care for their own health, including doctor and dental appointments;
- To care for a sick family member or a family member who is the victim of domestic or sexual violence;
- To attend school-related meetings, conferences or functions regarding the employee's child's education or care provided to the child in connection with the child's health conditions or disability.

For purposes of this policy only, a "Family Member" shall include an employee's child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent, and those of an employee's spouse, domestic partner or civil union partner, as well as any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship. Employees may not use earned sick leave for any other purposes and may be subject to discipline for doing so.

Employees must give up to seven (7) days advance notice of their intent to use sick leave for foreseeable sick leave absences. If a sick leave absence is not foreseeable, including emergency situations, employees should notify their supervisor of their absence as soon as practicable, preferably prior to or within the first hour of the start of each regularly scheduled workday. An employee, who is absent for three (3) or more consecutive days on sick leave, must provide reasonable documentation signed by a doctor or other health care professional indicating that the employee used the sick leave for one of the reasons stated above.

The County will notify each employee of how much, if any, accrued, unused sick leave they have remaining at the end of the calendar year. Employees may not carry over more than forty (40) hours of unused accrued sick leave from any year to the next. Also, employees cannot accrue or use more than forty (40) hours of paid sick leave in any calendar year.

Employees will not be paid for accrued, unused sick leave upon termination of employment.

Resolution No. 2024-41

Adopted: 01/04/2024

THE UNION COUNTY BOARD OF COUNTY COMMISSIONERS



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