

NEW JERSEY COUNCIL OF COUNTY COLLEGES (NJCCC)

DISCLAIMER

THE CONTENTS OF THIS PERSONNEL POLICY MANUAL ARE PRESENTED AS A MATTER OF INFORMATION ONLY. THE PLANS, POLICIES AND PROCEDURES DESCRIBED ARE NOT CONDITIONS OF EMPLOYMENT. NJCCC RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE ANY OR ALL SUCH PLANS, POLICIES OR PROCEDURES IN WHOLE OR IN PART, AT ANY TIME WITH OR WITHOUT NOTICE. THE LANGUAGE WHICH APPEARS IN THIS HANDBOOK IS NOT INTENDED TO CREATE NOR IS IT TO BE CONSIDERED TO CONSTITUTE A CONTRACT BETWEEN THE NJCCC AND ANY ONE OR ALL OF ITS EMPLOYEES. ALL EMPLOYEES ARE EMPLOYEES AT-WILL EXCEPT AS OTHERWISE PROVIDED BY A CONTRACT OR APPLICABLE LAW. THIS MEANS THAT ANY EMPLOYEE MAY VOLUNTARILY TERMINATE HIS OR HER EMPLOYMENT AT ANY TIME, FOR ANY REASON. IT ALSO MEANS THAT THE NJCCC MAY TERMINATE ANY EMPLOYEES EMPLOYMENT AT ANY TIME WITH OR WITHOUT GOOD CAUSE.

THE PERSONNEL POLICIES AND PROCEDURES CONTAINED IN THIS MANUAL ARE NOT INTENDED TO VOID, REPLACE, OR CONFLICT WITH NEGOTIATED CONTRACTS. TO THE EXTENT A NEGOTIATED CONTRACT CONFLICTS WITH THESE PERSONNEL POLICIES AND PROCEDURES, THE NEGOTIATED CONTRACT SHALL SUPERSEDE AND/OR MODIFY THESE PERSONNEL POLICIES AND PROCEDURES.

PERSONNEL POLICIES

1. **Equal Opportunity Employment Policy:** The New Jersey of County Colleges (“NJCCC”) maintains a strong policy of equal employment for all employees and applicants for employment. NJCCC hires, trains, promotes and compensates employees on the basis of personal competence and potential for advancement without regard for race, religion, color, sex (including pregnancy, gender identity, and sexual orientation), parental status, national origin, age, disability, family medical history or genetic information, political affiliation, military service, other non-merit based factors as well as other classifications protected by applicable federal or state laws.

This equal employment opportunity philosophy applies to all aspects of employment with NJCCC, including recruiting, hiring, training, promotion, job benefits, pay, dismissal, educational assistance and social and recreational activities.

2. **Anti-Discrimination.** NJCCC is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker’s Fairness Act (LAD). Under no circumstances will the NJCCC discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV

infection), pregnancy (including pregnancy related medical conditions), childbirth, breastfeeding, liability for service in the United States armed forces, gender identity or expression and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer the President and/or his/her designee except that complaints against the President shall be presented by an employee or prospective employee to the Chairperson of the Council.

3. Americans with Disabilities Act and New Jersey Pregnant Worker's Fairness Act. In compliance with the Americans with Disabilities Act ("ADA"), the ADA Amendments Act and the New Jersey Law Against Discrimination ("LAD") as amended by the New Jersey Pregnant Worker's Fairness Act, the NJCCC does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The NJCCC will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines as well as the ADA Amendments Act.

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

NJCCC shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area for the employee to express breast milk for the child.

All decisions with regard to reasonable accommodation shall be made by the President and/or his/her designee. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The ADA does not require NJCCC to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

4. Anti-Sexual Harassment. NJCCC is committed to an environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a collegial and professional atmosphere that promotes equal opportunity and prohibits sexual harassment. Sexual harassment is prohibited under federal and state laws. NJCCC prohibits sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. NJCCC prohibits sexual harassment from occurring in the workplace or at any other location at which

NJCCC sponsored activity takes place. Sexual harassment of non-employees by our employees is also prohibited. The purpose of this policy is not to regulate personal morality or to encroach upon one's personal life, but to demonstrate a strong commitment to maintaining a workplace free of sexual harassment. The President is hereby designated as the sexual harassment officer. The President shall designate an alternate sexual harassment officer. Persons who, by reason of the circumstances, are uncomfortable directing a complaint to the President may report same to the alternate officer.

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

- (i) Submission to conduct of a sexual nature that is made either explicitly or implicitly a term or condition of an individual's employment;
- (ii) Utilizing submission to or rejection of conduct of a sexual nature as the basis for employment decisions affecting an employee; or
- (iii) Conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

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

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

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

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

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

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

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

A claim of sexual harassment shall be presented and determined pursuant to the NJCCC's Grievance Procedure.

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

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

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

In accordance with the State law, the employee must bring the violation to NJCCC's attention. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form. Under the law, the employee must give NJCCC a reasonable opportunity to correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy.

6. Grievance Procedure. A grievance is any formal dispute concerning the interpretation, application and enforcement of any NJCCC personnel policy or procedure. These limitations do not apply to employee complaints made under the Anti-Discrimination Policy, the Anti-Sexual Harassment Policy or the Whistle Blower Policy. The NJCCC will have a grievance procedure for its employees set forth in Attachment B.

7. Full-Time Employment, Work Week, and Employee Classification Defined. Full-time employment is defined as a work week of not less than 35 hours per week not including time taken for a lunch recess.

Employee Classifications are defined as:

(i.) Supervisory Employee:

Have a primary duty of managing the business or a recognized department of the business, direct the work of one or more employees, make, or at least influence, hiring and firing decisions. These employees are excluded from overtime regulations, and other rights and protections afforded non-supervisory employees, and are compensated on a salary basis.

(ii.) Non-Supervisory Employee:

Have a primary duty of supporting the running of the business, or a recognized department of the business. These employees may be paid overtime for any time worked beyond 35 hours in a given week, and are compensated on a salary basis.

(iii.) Hourly Employee:

Have a primary duty of providing as needed administrative support and work less than 35 hours per week. These employees may be paid overtime for any time worked beyond 35 hours in a given week, and are compensated at an hourly rate of pay.

(iv.) Grant Employee:

Have a primary duty of supporting the overall effort specific to a grant. These employees will be either non-supervisory or hourly employees hired in connection to a specific grant for a defined period of time. At the time of hire, grant employees will be informed the date the job will end, subject to grant renewal.

8. Overtime. If a supervisor requires and authorizes work to be scheduled and performed beyond 35 hours per week, a full-time non-supervisory employee and an hourly employee is entitled to be paid time and one-half of the employee's hourly rate for the hours worked in excess of 35 hours per week. Supervisory employees shall not be entitled to overtime pay.

9. Expense Reimbursement. Employees shall be reimbursed for reasonable expenses incurred for travel within New Jersey or authorized travel outside of New Jersey as per New Jersey, Office of Management and Budget Travel Regulations Circular, provided that (i) the expense was required in order to discharge responsibilities of the employee's position that could not have been performed at the NJCCC offices, (ii) the NJCCC President or Vice President deems the expenses to be necessary and reasonable, and (iii) the written reimbursement request is supported by appropriate

documentation of the expenses incurred. The approval of the NJCCC President shall be required prior to business travel outside of New Jersey as a condition for reimbursement of expenses for business travel outside of New Jersey.

10. Attendance. All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday. The normal working hours for administrative are __9:00 a.m. to 5:00 p.m., unless otherwise stated or as altered by supervisory personnel from time to time. These provisions apply to in-office and virtual work.

11. Sick Leave. Full-Time employees shall earn paid sick leave at the rate of one day per month of employment not to exceed 12 sick days per year. In accordance with the New Jersey Earned Sick Leave Law (N.J.S.A. 34:11D-1), hourly employees accrue 1 hour of paid sick time for every 20 hours worked, not to exceed 84 hours (12 days) per year. Unused sick leave may be carried over to succeeding employment years, but unused sick leave shall not be compensable upon termination of employment.

Permitted uses of sick leave:

- (i) Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury, or other adverse health condition, or for preventative medical care for the employee;
- (ii) Time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury, or other adverse health condition, or during preventative medical care for the family member;
- (iii) Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member; medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal proceeding related to the domestic or sexual violence;
- (iv) Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others; or
- (v) Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function, or other event requested or required by a

school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health condition or disability.

Where the employee's need to use sick leave is foreseeable, the employee must make a reasonable effort to schedule the use of earned sick leave in a manner that does not unduly disrupt NJCCC's operations. The needs to use earned sick leave shall be considered "foreseeable," when the employee is able to predict or know in advance that he or she will need to use earned sick leave, such as a scheduled doctor's visit, a regularly occurring medical treatment, or regularly scheduled therapy appointment. Where the employee's need to use earned sick leave is not foreseeable, NJCCC requires an employee to provide notice as soon as practicable, of the employee's intention to use the leave and its expected duration. An example of a need to use earned sick leave that is "not foreseeable," is when an employee wakes up in the morning with a fever and does not feel well enough to report for work that morning.

Where the employee uses earned sick leave for three or more consecutive days, NJCCC may require the employee to provide reasonable documentation that the leave is being taken for a permissible purpose.

12. Paid Holidays. The NJCCC office will be closed December 24th through January 1st. In addition, the following paid holidays shall be provided to full-time employees:

- Martin Luther King Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving

In the event that Independence Day falls on a Saturday, it shall be observed on Friday. In the event that the holiday falls on a Sunday, it shall be observed on Monday.

13. Paid Time Off. New employees will accrue paid time off at a rate of 1.5 days per full month worked, during their first twelve (12) months of employment. After twelve (12) months of employment, employees will be entitled to twenty-seven (27) days of paid time off, which will be prorated accordingly. Paid time off includes vacation time, personal time, and two (2) floating holidays. The employee's supervisor must approve the scheduling of paid time off in order to ensure the orderly operation of the NJCCC and its affiliated entities. To the extent consistent with the orderly operation of the NJCCC and its affiliated entities, paid time off scheduling requests will be granted at times desired by the employee. Full-time employees will be allowed to carry over up to fifteen (15) unused paid time off days to the next employment year. Unused paid time off leave not to exceed 25 days shall be compensable upon termination of employment except that unused paid time off shall not be compensable for discharge from employment for good cause.

14. Jury Duty. An employee required to render jury service shall be entitled to be absent from work during that service. The employee shall inquire about the anticipated length of service and shall inform his or her Department Head of the expected duration of service. The employee must provide NJCCC with an appropriate certification or order from the assignment judge, clerk of the court or

such other officer as shall be appropriate setting forth the period of such jury duty service.

15. Insurance Benefits¹. The NJCCC will maintain group health, dental, and disability insurance coverage for full-time employees. In addition, the employee may make application for and purchase an individual life insurance policy from an insurance carrier designated by the NJCCC. It is the responsibility of the employee to complete the life insurance application process resulting in issuance of the individual policy to the employee through the NJCCC designated broker. The NJCCC will pay the cost of individual term life insurance, not to exceed a death benefit of 3 ½ times the employee's salary.

The NJCCC contributions to health and dental insurance premiums shall be computed after reduction for employee premium contributions as required by this policy. Employees provided with health and dental coverage under the NJCCC group plan shall contribute to health and dental insurance premiums by way of a percentage salary deduction as established by the NJCCC. Employees electing to waive health and/or dental coverage will be paid a waiver incentive equal to twenty-five percent (25%) of the employer's share of the premium cost (after deduction of the amount the employee would be required to pay by statute) except if the employee is Medicare age eligible in which case that employee will not receive such waiver.

16. Retirement Benefit Plan. Annually the NJCCC shall contribute eight percent (8%) of the full-time employee's annual salary to a pension or retirement plan designated by the NJCCC for the benefit of its full-time employees. Full-time employees will be automatically enrolled to contribute four percent (4%) of their annual salary to the same retirement plan, unless the employee opts out in writing.
17. Tuition Reimbursement. With the prior approval of the NJCCC President, the NJCCC shall provide tuition reimbursement for courses taken by a full-time employee at an accredited institution of higher education in fields of study related to the employee's position. The tuition reimbursement shall not exceed six (6) credits per semester and shall not exceed the tuition rate charged by Rutgers University. Tuition reimbursement shall be paid within thirty (30) days after presentation of evidence of receipt of a passing grade for the course.
18. Hourly Employees Not Eligible for Benefits. Hourly employees shall not be entitled to the fringe benefits or paid leaves of absence available to full-time employees under this policy.
19. Paid Leave Credited to Statutory Leave. Use of paid leave or vacation under the foregoing policies shall be credited against the entitlement of the employee to unpaid leave under the Family and Medical Leave Act or similar federal or state statute.
20. Bonus Authorization. Based upon performance evaluations and funds available, the NJCCC President shall present for approval by the Executive Committee recommended annual bonuses, if any.

¹ In accordance with the New Jersey Small Employer Health Benefits Program Act (N.J.S.A. 17B:27A-17 et seq), full-time is defined as 25 hours per week. Any hourly employees working 25 hours or more per week are eligible to receive health benefits only.

21. Authorization Required for Outside Employment

(i) The term “Sponsored Entity” means an association, consortium, or entity that is organized under the auspices of the NJCCC and whose operating funds are deposited in one or more bank accounts maintained by the NJCCC.

(ii) The primary work obligation of a full-time employee of the NJCCC is to the NJCCC. No full-time employee of the NJCCC shall engage in outside employment unless the NJCCC President first determines that the outside employment does not:

(iii) Constitute a conflict of interest;

(iv) Occur at a time when the employee is expected to perform his or her assigned duties;

(v) Diminish the employee’s efficiency in performing his or her primary work obligation to the NJCCC.

All continuing outside employment of a full-time employee must have the prior and continuing written approval of the President of the NJCCC or his/her designee.

22. Dissemination to Employees. A copy of these Personnel Policies shall be provided to each employee of the NJCCC.

23. Code of Ethics. All employees are required to comply with the Code of Ethics for Employees of New Jersey NJCCC of County Colleges set forth in Attachment C.

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

Prohibited conduct includes:

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

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

25. Workplace Safety. NJCCC will provide a safe and healthy work environment and shall comply with Occupational Safety and Health Act (“OSHA”). NJCCC is equally concerned about the

safety of the public. Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action. Any occupational or unsafe condition, practice, procedure or act must be immediately reported to the supervisor or President and/or his/her designee. Any on-the-job accident or accident involving NJCCC facilities, equipment or motor vehicles must also be immediately reported.

26. Drugs and Alcohol. NJCCC recognizes that the possession or use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is observed by a supervisor or department head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor will immediately report any reasonable suspicions to the President and/or his/her designee.

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

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

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

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

Employees using prescription drugs that may affect job performance or safety must notify their supervisor or the President and/or his/her designee who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with the Health Insurance Portability and Protection Act. NJCCC personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.

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

27. Access to Personnel Files. The official personnel file for each employee shall be maintained by the Business Manager. Personnel files are confidential records that must be secured in a locked

cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

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

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

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

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

28. Change of Address. All employees must promptly report any change of their address, telephone number, marital status, etc. to the Finance/Payroll Office, within (30) thirty calendar days of a change. Forms are available upon request in the Finance/Payroll Office. Employees should also promptly inform the Finance/Payroll Office of any changes that may affect your paycheck or health benefits, such as marital status, number of dependents, etc. Forms are available upon request in the Finance/Payroll Office.

29. Job Descriptions. A job description including qualifications shall be maintained for each position, which may be amended from time to time. All job descriptions must be approved by the President.

30. Annual Employment Evaluations. Every year, each employee will receive a performance evaluation, revisions to job descriptions, and raise determinations made, if any.

31. Communication and Social Media. NJCCC's Communication Media is the property of NJCCC

and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by NJCCC, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax. Employees are restricted from accessing or using the NJCCC's Communication Media for personal purposes during work time on NJCCC equipment without the prior authorization from the Business Manager to do so.

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

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

Nothing in this social media policy prevents employees from using his/her own personal Communication Media during the employee's non-working hours to engage or participate in protected concerted activities pursuant to the National Labor Relations Act. Protected concerted activities include when an employee addresses group concerns with the employer; forms, joins or helps a labor organization; initiates, induces or prepares for group action; or speaks on behalf of or represents other employees. Nevertheless, employees are encouraged to resolve workplace grievances internally by discussing issues with their supervisor and/or the President, and are asked to refrain from posting comments or materials on Communication Media that can be viewed as malicious, obscene, threatening, intimidating, or that could create a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law if the employee chooses to address their grievances using Communication Media.

Employees can only use NJCCC's Communication Media for legitimate business purposes. Employees may not use NJCCC's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances. Further, discriminatory remarks, harassment, bullying, threats of violence and similar behavior that is not

tolerated in the workplace are also not acceptable through Communication Media, whether same is performed on NJCCC's equipment or on the employee's own personal Communication Media.

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

Information security is necessary to protect NJCCC's information (data and software) from accidental or intentional unauthorized disclosure, modification, or loss. Information security is managed under guidelines dealing with identification, authentication, authorization, production environment, and ability to audit. All employees should be familiar with such security measures adopted by NJCCC.

All employees may access only data for which NJCCC has given permission. All employees must take appropriate actions to ensure that NJCCC data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized. All NJCCC data must be stored centrally as required by NJCCC. This provides greater security, and ensures backup of all NJCCC data is performed.

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

Employees may not install, modify, or remove ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from NJCCC. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of NJCCC, or licensed to NJCCC. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized. Workstation settings and configurations and network settings must not be modified by unauthorized employees. Internet security settings (where applicable) must not be changed. The foregoing includes but is not limited to the systems Network ID (or Computer Name), IP Address, Gateway and DNS addresses etc.

Only those Employees directly authorized by the President may engage in social media activity during work time through the use of NJCCC's Communication Media, as it directly relates to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential NJCCC 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 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 Business Manager. 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 NJCCC'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 Business Manager. Except in "emergency situations, "Employees are prohibited from taking digital images or photographs with media equipment not owned by NJCCC. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to NJCCC's Communication Media. If such situation occurs, employee agrees that any images belong to NJCCC and agree to release the image to NJCCC and ensure its permanent deletion from media device upon direction from NJCCC.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about NJCCC or on behalf of NJCCC, through the use of NJCCC's Communication Media may be issued unless it has first been approved by the President or his/her designee. Specifically, employees are forbidden from using the NJCCC's Communication Media to impersonate the employer; to make statements on behalf of the employer without authorization; and/or to make statements that can be construed as establishing what the employer's official position or policy is on any particular issue. In addition, employees are prohibited from placing or posting on the Internet through NJCCC's Communication Media or the employee's own personal media, either during working or non-working hours, any employer-related confidential, sensitive or other employer information of a proprietary nature, including but not limited to employer records or documents, trade secrets, internal reports, tips based on inside information that may be considered insider trading, screenshots of computer stations, pictures of monitors and/or actual documents of the employer, any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incidents or occurrences.

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

All users are personally accountable for messages that they originate or forward using NJCCC's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by NJCCC is prohibited.

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

If employees choose to identify themselves as an NJCCC employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on

behalf of NJCCC, as such no employee shall knowingly represent themselves as a spokesperson of NJCCC, post any comment , text, photo, audio, video or other multimedia file that negatively reflects upon NJCCC, expresses views that are detrimental to NJCCC’s mission, or undermines the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. NJCCC employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as NJCCC employees.

To the extent that employees use social media outside their employment while engaging in protected concerted activities as defined above, employees will not be subject to discipline or retaliation for expressing views, opinions, and/or facts surrounding NJCCC’s policies. For all other communications by employees on personal social media sites in which matters related to the Borough are discussed, employees must add a disclaimer on the front page stating that the posting does not express the views of NJCCC, and that the employees are expressing their own personal views. For example: “**The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer.**” The disclaimer must be placed in a prominent position and repeated for each posting that is expressing an opinion related to NJCCC or NJCCC’s business, with the exception of postings and social media communications by employees engaging in protected concerted activities. Employees are advised that if they post information on social media that is in violation of either the terms and conditions of the within social media policy, or in violation of federal, state, or local laws, the disclaimer will not shield them from disciplinary action. However, no retaliation or discipline will result if and when employees are engaging in protected concerted activity, and/or choose to report inappropriate social media activities to the Business Manager.

Nothing in these policies is designed to interfere with, restrain, or prevent social media communications by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the National Labor Relations Act. All NJCCC employees have the right to engage in or refrain from such activities.

32. Internet Use. NJCCC provides Internet access to its employees in order to make available a vast array of information resources and to allow participation in and access to increasing county and state resources.

Employees must comply with all policies adopted by NJCCC, including but not limited to policies regarding prohibition of discrimination and harassment and all applicable federal, state and local laws, including laws governing the transmission and dissemination of information while accessing the Internet. Employees who are using Internet may not:

- Use the network to make unauthorized entry into other computational, informational or communication services or resources;
- Distribute unsolicited advertising;
- Invade the privacy of others;
- Make any attempt to damage computer equipment or software;
- Engage in any activity that is harassing or defamatory;
- Use the Internet for any illegal activity, including violation of copyright or other rights of third parties, or in a manner inconsistent with NJCCC’s tax-exempt status or its proper operation; and/or

- Download unauthorized software, fonts, templates or scripts.

As stated in the Communication Media Policy above NJCCC reserves the right to monitor the employee's Internet usage. In addition, NJCCC has the right to restrict access to specific types of prohibited content through the use of a content filtering system.

33. Employee Resignation. An employee who intends to resign must notify their immediate supervisor in writing at least (2) two weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last (2) two weeks, the employee should not use paid time off except paid holidays. NJCCC will discuss benefits including COBRA options, appropriate retirement issues and pay due with the employee. A COBRA notification letter will be sent to the employee's home address. The President may conduct an exit interview with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return all NJCCC's property (i.e., identification cards, keys, and equipment).
34. Revision of the NJCCC Personnel Policies. These personnel policies shall receive a full and complete review and revision every five (5) years.

LAST REVISED: MARCH 22, 2021.