

CITY OF CAMDEN

**Municipal Personnel Policies**

<b>Table of Contents</b>
<b>INTRODUCTION</b>
<b>Chapter I - GENERAL EMPLOYMENT POLICIES</b>
I.1. Equal Employment Opportunities
I.2. Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace
I.3. Employment Application Process
I.4. Change of Address and Other Pertinent Data
I.5. Driver’s Licenses
I.6. Working Test Period
I.7. Permanent Status
I.8. Employee Relations
I.9. Your Supervisor
I.10. Employee Evaluations – Performance Assessment Review (PAR)
I.11. Salaries
I.12 Exempt and Non-Exempt
I.13. Pay Day
I.14. Pay Advances
I.15. Attendance/Absenteeism
I.16. Punctuality
I.17. Lateness
I.18. Decorum
I.19. Dress Code
I.20. Sick Days
I.21. Vacation Time
I.22. Flex Time
I.23. Over Time
I.24. Comp Time
I.25. Holidays

I.26. Donated Leave
I.27. Promotions
I.28. Seniority
I.29. Transfer
I.30. Discipline
I.31. Resolution of Problems and/or Complaints
I.32. Grievances
I.33. New Jersey Civil Service Commission Appeal
I.34. Resignation
I.35. Workplace Violence Policy
<b>Chapter II- EMPLOYEE BENEFITS POLICIES</b>
II.1. Health Benefits
II.2. Pension/Life Insurance
II.3. Injured On Duty
II.4. Jury Duty
II.5. Leave of Absence
II.6. Death In Family
II.7. Family Medical Leave Act and New Jersey Medical Leave Act
<b>Chapter III - GENERAL POLICIES &amp; PRACTICES</b>
III.1. Phone Policy
III.2. City Property
III.3. No Smoking
III.4. Rest Break
III.5. Employees Expenses
III.6. Travel Expenses While on City Business
III.7. Public Information
III.8. Discussion of matter with Attorneys, Investigators, or Litigants
III.9. Substance Abuse
III.10. Drug & Alcohol Screening
III.11. Political Activities
III.12. Solicitations
III.13. Training Program, including Seminar or Conventions

III.14. Special Licenses and Membership Fees
III.15. Credit Unions
III.16. Open Public Records Act (OPRA)
III.17. E-Mail and Internet Code of Conduct
III.18. Information Technology Resources
III.19. Vehicle Usage Policy
III.20. Family Members and Guests
III.21. Customer Service Standards
III.22. No Tips Or Gratuities
III.23. Use of Time Cards and the Attendance System
III.24. Retaliatory Action Prohibited
<b>Chapter IV - EMERGENCIES</b>
IV. 1. Procedure in Case of Fire
IV. 2. All Emergencies
IV. 3. Command Center - Fire
IV. 4. Fire Drills
IV. 5. Command Center - Bomb Threat/Explosive
IV. 6. Employee Responsibilities (Bomb)

## **INTRODUCTION**

### **CHAPTER I – GENERAL EMPLOYMENT POLICIES**

#### **I.1 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

Equal Employment Opportunity, regardless of race, color, national origin, affectional or sexual orientation, religion, age, creed, marital status or ancestry is the law as embodied in Executive Order No. 61 and Executive Order No. 11246. The City ensures the equality of opportunity for all employees and for all applicants seeking employment. Equal Employment Opportunity includes, but is not limited to, the areas of recruitment, selection, hiring, training, promotion, transfer, layoff, return from layoff, compensation and fringe benefits. It includes policies, procedures, programs for recruitment, employment, training, promotion and retention of minority and disabled persons and women. The City will explore innovative personnel policies to enhance the effort to ensure equal employment opportunity and where appropriate, will implement such personnel policies to the full extent of its authority to do so.

To overcome the effects of any past discrimination, affirmative action will be taken. Employment practices will be reviewed to determine whether the protected classes are receiving fair and equal consideration for job opportunity. Affirmative Action will be taken to encourage minorities and women to apply for positions within the city from which they may have been previously excluded.

Steps will be taken to ensure that promotion decisions are based only on valid requirements. Promotional decisions will be made to further the principle of equal employment opportunity.

All personnel actions, such as compensation benefits, transfers, layoffs, returns from layoff, training, education, tuition assistance, social and recreational programs, will be administered without regard to race, color, national origin, affectional or sexual orientation, religion, age, creed, marital status, ancestry, disability, political affiliations, arrest or other non-job-related personal criteria.

In recognition of the fact that all employees have a grave responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure the proper performance of business and service, no city employee's conduct which violates these standards will be condoned. Sexual harassment is a form of employee misconduct, which is prohibited.

This Equal Employment Opportunity and Affirmative Action Policy will be distributed among Administrators, Department Head, Supervisors and all other employees of the Department. All Department employees are accountable for ensuring compliance with this policy and the policy and laws of the State of New Jersey and the Federal Government. Good faith efforts will be made to meet employment and policy goals as adopted.

## **I.2 POLICY PROHIBITING DISCRIMINATION, HARASSMENT OR HOSTILE ENVIRONMENTS IN THE WORKPLACE**

The City of Camden is committed to providing every employee with a workplace free from unlawful discrimination. All forms of unlawful employment discrimination based upon race, creed, color, national origin, ancestry, age, sex marital status, familial status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability are prohibited and will not be tolerated. Sexual harassment is a form of unlawful gender discrimination and, likewise, will not be tolerated.

Unlawful discrimination/harassment undermines the integrity of the employment relationship, compromises equal employment opportunity, debilitates morale and interferes with work productivity.

This policy applies to all employees and applicants for employment. The City will not tolerate harassment or discrimination by anyone in the workplace including supervisors, co-workers, or nonemployees.

This policy applies to conduct which occurs in the workplace and also extends to conduct which occurs at any location that can be reasonably regarded as an extension of the workplace, such as any field location, any off-site business-related social function, or any facility where city business is being conducted and discussed.

This policy also applies to third party harassment. Third party harassment is unwelcome behavior of a sexual, racial or derogatory nature regarding any protected category that is not directed at an individual but is a part of that individual's work environment. Third party harassment based upon any of the aforementioned protected categories is prohibited by this policy.

This policy pertains to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, compensation, fringe benefits, working conditions and career development.

**PROHIBITED RACIAL, GENDER, NATIONAL ORIGIN OR ANCESTRY, AGE, RELIGIOUS, DISABILITY, AFFECTIONAL OR SEXUAL ORIENTATION, MARTIAL STATUS, FAMILIAL STATUS, ATYPICAL HEREDITARY CELLULAR OR BLOOD TRAIT, GENETIC INFORMATION, LIABILITY FOR SERVICE IN THE ARMED FORCES OF THE UNITED STATES DISCRIMINATION OR HARASSMENT**

It is a violation of this policy to engage in any employment practice or procedure which treats an employee less favorably based upon a person's race, gender, national origin or ancestry, religion, age, disability, affectional or sexual orientation, marital status, familial status, atypical hereditary cellular or blood trait, genetic information, or liability for service in the Armed Forces of the United States. It is also a violation of this policy to use derogatory or demeaning slurs to refer to a person's race, gender, age, religion, disability, affectional or sexual orientation, or ethnic background which have the effect of harassing an employee or creating a hostile work environment. Harassment or the creation of a hostile work environment can occur even if there was no intent on the part of an individual to harass or demean another.

Examples of Behaviors That May Constitute Prohibited Workplace Discrimination, Hostile Work Environment and Harassment Include, But Are Not Limited To:

- Discrimination against an individual with regard to terms and conditions of employment because of that individual's race, gender, age, religion, disability, affectional or sexual orientation, place of origin, or his/her ancestor's place of origin.

- Treating an individual differently because of race, gender, age, religion, disability, affectional or sexual orientation, place of origin, or his/her ancestor’s place of origin, or because an individual has the physical, cultural or linguistic characteristics of a racial or national origin group.
- Treating an individual differently because of marriage to or association with persons of a racial, religious or national origin group; or due to membership in or association with an organization identified with the interests of a racial, religious or national origin group; or because an individual’s name or spouse’s name is associated with a racial, religious or national origin group.
- Calling another by an unwanted nickname which refers to one or more of the above characteristics, or telling ethnic jokes which harass an employee or create a hostile work environment.
- Using derogatory references regarding any of the above characteristics in any job-related communication.
- Engaging in threatening, intimidating, or hostile acts, in the workplace, based on the foregoing classifications.
- Displaying or distributing material in the workplace that contains language or images that are derogatory or demeaning, based upon any of the foregoing classifications.

## **I. SEXUAL HARASSMENT**

It is a violation of this policy to engage in sexual harassment of any kind.

For the purposes of this policy, sexual harassment, with or without sexual conduct, is defined, as in the Equal Employment Opportunity Commission

Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- Sexual Harassment generally falls into two categories: quid pro quo and hostile work environment harassment:

A. Quid Pro Quo Sexual Harassment is a form of harassment that may include unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct based on the gender of the affected employee when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions.

It shall be a violation of this policy for any person to use his or her authority to make any sexual advance toward an individual over whom the person is authorized to make, recommend or otherwise to influence personnel actions; to grant, recommend, or refuse to take personnel

action on the basis of an employee's gender or sexual orientation or in exchange for sexual favors; or to take or fail to take a personnel action as reprisal against any employee for rejecting or reporting a sexual advance. Sexual advances or requests for sexual favors can be in the form of either expressed or implied comments, writings, or actions.

- B. Hostile Work Environment Sexual Harassment is a form of harassment that may include unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Gender-based harassment may give rise to a claim of a hostile environment whether or not sexual activity or language is involved, if it has the purpose or effect of abusing, devaluing or subordinating the members of one sex and it adversely affects an individual's employment opportunities.

- C. Third party harassment is unwelcome behavior of a sexual nature or based on sex that is not directed at an individual but is a part of an individual's work environment.

Examples of Prohibited Behaviors That May Constitute Sexual Harassment:

Behavior that may constitute sexual harassment include but are not limited to:

- Generalized gender-based remarks and comments.
- Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another’s body or impeding or blocking movement. Verbal or written sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mail, invitations, gestures or inappropriate comments about a person’s clothing.
- Visual contact, such as leering or staring at another’s body, gesturing, displaying sexually suggestive objects, cartoons, posters, magazines or pictures of scantily-clad individuals.
- Explicit or implicit suggestions of sex by a supervisor or manager in return for a favorable employment action such as hiring, compensation, promotion, or retention.
- Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluations or promotional opportunity.
- Continuing to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

## **II. EMPLOYEE RESPONSIBILITIES**

Any employee who believes that she/he has been subjected to any form of prohibited discrimination/harassment, including sexual harassment, or who witnesses other being subjected to such harassment or discrimination is encouraged to promptly report the incident(s) to either their supervisor or directly to their respective department head or the Equal Employment Opportunity/Affirmative Action Officer or to any other persons designated by their department head to receive workplace discrimination complaints. All employees are expected to cooperate with investigation undertaken pursuant to Paragraph VI of this policy. Failure to cooperate in an investigation may result in disciplinary action, up to and including termination.

## **III. SUPERVISOR RESPONSIBILITIES**

Supervisors should make every effort to maintain a work environment that is free from any form of prohibited discrimination/harassment. Supervisors are expected to take all allegations of discrimination/harassment, including sexual harassment, seriously, and to immediately refer the matter to the individual(s) responsible for receiving such complaints. Those individuals should include persons reference in this Policy Manual and the Affirmative Action/Equal Employment Opportunity Complaint Procedure. All complaints will be reviewed and prompt and appropriate remedial action will be taken to address any substantiated claim. All supervisors receiving complaints of unlawful discrimination/harassment must immediately advise

the department head or the Equal Employment Opportunity/Affirmative Action Officer of the complaint.

#### **IV. COMPLAINT PROCESS**

The City of Camden will make every effort to maintain a secure working environment for every employee; however, there is a shared responsibility for early action. The City of Camden will proactively attempt to identify areas of concern and take immediate action to strengthen each identified weakness. The employee is responsible for initiating action regarding discriminatory or harassing practices that he or she finds within the City of Camden.

Any employee who believes he/she is a victim of sexual harassment should immediately bring the matter to the attention of their immediate supervisor. The supervisor shall notify the Business Administrator or the City Attorney or the complaint notwithstanding the fact that the complaint may have been resolved. The Business Administrator shall immediately refer the complaint to an independent investigator for investigation. The independent investigator will be experienced or trained in conducting investigations of employee misconduct. These investigators will be responsible for handling entire investigations, preserving confidentiality, and effectuating a timely follow through.

If an elected official, the Business Administrator, or the City Attorney is the source of the complaint, the complaint may be brought to the Mayor, Business Administrator or City Attorney as appropriate. If the supervisor is

the source of the sexual harassment, the complaint may be brought directly to the Business Administrator or the City Attorney. The employee should report offensive behavior, both verbally and in writing, keeping a duplicate copy of the written complaint.

Regardless of who is first made aware of any such complaint, the City of Camden is committed to the following:

1. The complaint will be investigated promptly and thoroughly, and if found to have merit, immediate steps will be taken to end the harassment and appropriate disciplinary action will be taken.
2. The complaint and the complainant's identity will be kept confidential except to the limited extent necessary to investigate the allegations.
3. The complainant will, under no circumstances, be subject to retaliation for having registered the complaint.

When a complaint is made of alleged sexual harassment, the designated independent investigator shall take immediate and appropriate steps to investigate the complaint. The independent investigator will:

1. Conduct an interview with the employee who made the claim within three (3) business days;
2. Obtain any facts and/or documentation pertaining to the alleged incident;
3. Ensure that the matter will be kept confidential except to the limited extent necessary to investigate the allegations.
4. Notify the immediate supervisor of the employee and the City Attorney of the alleged incident.

5. Conduct a thorough and prompt investigation of the claim, including:
  - A. Checking personnel files of the involved parties for previous complaints or problems;
  - B. Examining the work records of all involved parties;
  - C. Keeping the identify of an alleged offender confidential from any third-party witnesses;
  - D. Interviewing the allege offender and any witnesses to the alleged incident.
6. After a thorough investigation is made, the designated independent investigator will prepare detailed written reports of all investigations, and shall submit such reports to the Business Administrator.
7. The Business Administrator shall review the reports and make a final determination of whether there is a basis for a claim of sexual harassment. If there is no basis to the claim, the Business Administrator shall so advise the complainant. If the investigation reveals that there is a basis for the claim of sexual harassment, the Business Administrator shall direct the appropriate department head to promptly institute disciplinary action against the alleged harasser. The following disciplinary actions should be taken in accordance with established disciplinary procedures:
  - A. Reprimand and counseling together with demotion and/or reassignment; or
  - B. Reprimand and counseling together with suspension; or

C. Termination.

D. Such other action as is deemed appropriate.

8. The Business Administrator will prepare a file of the detailed written reports of all investigations. A copy of all reports will be sent to the City Attorney.

9. The complainant will not be informed of the nature of the discipline imposed, except to the extent that the matter has been investigated, action has been taken, and that the City expects no reoccurrence.

## **V. PROHIBITION AGAINST RETALIATION**

Retaliation against any employee who alleges that she/he was the victim of discrimination/harassment, or against any employee who provides information in the course of an investigation into claims of unlawful discrimination/harassment in the workplace is prohibited by this policy. Any employee bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy will not be subjected to adverse employment consequences based upon such involvement or be the subject of retaliations.

Retaliation in any form against a complainant who exercises his or her right to make a complaint under this policy is strictly prohibited, and will itself be cause for appropriate disciplinary action. In addition, the failure by a department head, to promptly initiate disciplinary action after having been directed to do so by the Business Administrator will also be cause for appropriate disciplinary action.

## **VI. FALSE ACCUSATIONS AND INFORMATION**

If any employee knowingly makes a false accusation of unlawful discrimination/harassment or knowingly provides false information in the course of an investigation of a complaint, such conduct may be ground for discipline. Complaints made in good faith, however, even if found to be unsubstantiated, will not be considered a false accusation.

## **VII. CONFIDENTIALITY**

All complaints and investigations shall be handled, to the extent possible, in a manner that will protect the privacy interests of those involved. To the extent practical and appropriate under the circumstance, confidentiality will be maintained throughout the investigatory process. In the course of an investigation it may be necessary to discuss the claims with the alleged harasser and other persons who may have relevant knowledge. It therefore may be necessary to disclose information to persons with a legitimate need to know about the matter. All persons interviewed will be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with the confidentiality directive may result in disciplinary action.

## **VIII. DISCIPLINARY ACTION**

Any employee found to have violated this policy may be subject to appropriate disciplinary action which may include: reprimand, suspension, reassignment, or termination of employment. Referral to another authority

for review for possible violation of State and Federal statutes may also be appropriate.

## **IX. TRAINING**

All departments should make efforts to provide employees with information regarding the prevention of unlawful discrimination/harassment and the complaint procedure to be followed in filing complaints when unlawful harassment/discrimination has occurred. All departments should make efforts to provide supervisors and managers with training that will inform them of the appropriate steps to be taken to address complaints of unlawful discrimination/harassment.

### **I.3 EMPLOYMENT APPLICATION PROCESS**

All job openings and promotional announcements are posted on bulletin boards located outside of the Personnel Office on the 4<sup>th</sup> floor, room 405, of City Hall.

All prospective applicants applying for positions which do not require testing by the Civil Service Commission, must submit a completed City employment application directly to the City Personnel Office. Applications are kept on file for three years.

All New Jersey Civil Service (CSC) Open-Competitive and Promotional applications must be sent directly to the Civil Service Commission, as per the directions on the application, and NOT to the City Personnel Office.

All prospective employees are required to pass a criminal background check and physical examination which will include a drug and alcohol test. Individuals applying for entry level Public Safety positions, i.e., Police and Fire, and Public Safety Telecommunicator (911) positions, must also pass a psychological examination. In the

event a prospective employee is disqualified from hire, (in a non-public safety title), as a result of failure to pass the drug and/or alcohol test and wishes to reapply to the City for employment, the applicant must repeat the employment process and be responsible for the (non-refundable) cost to the City of the drug and/or alcohol test in advance of testing.

#### **I.4 CHANGE OF ADDRESS AND OTHER PERTINENT DATA**

All employees must promptly report in writing any change of their address, telephone number, marital status, etc. to the City Personnel Office, within fifteen (15) calendar days of a change.

You should also promptly inform the payroll office of any changes that may affect your paycheck or health benefits, such as marital status, number of dependents, etc. Failure to supply the City Personnel Office with this information may result in incorrect information in the personnel file.

#### **I.5 DRIVER'S LICENSES**

The purpose is to establish a policy for the requirement of a valid New Jersey State Driver's License by employees whose jobs routinely involve driving City vehicles.

Any employee whose work requires that he or she drive a City vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. Such checks shall be processed by the Chief of Police. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

## **I.6 WORKING TEST PERIOD**

Every employee hired or promoted from a Civil Service certification list, or hired permanently in a non-competitive title, is required to successfully complete a Three Month Working Test Period (Probationary Period) as mandated by the Civil Service Commission.

The Three Month Working Test Period is considered a continuation of the examination process and enables the City of Camden to evaluate the employee's performance, behavior, and ability to perform the duties of the title.

Failure of a new hire to successfully complete the Three Month Working Test Period will result in termination of employment. In the case of a promotion, the employee who fails to successfully complete the Working Test Period will be returned to their last permanent title.

Any permanent employee who is terminated, or returned to their last permanent title due to their inability to successfully complete the Three Month Working Test Period will be notified of their appeal rights to the Civil Service Commission.

Periodic checks of employees' driver's licenses through visual and formal Department of Motor Vehicles review checks shall be made by the Risk Manager's Office. Any employee who does not hold a valid driver's license in his or her name will not be allowed to operate a City vehicle.

Any employee performing work, which requires the operation of a City vehicle, must notify his or her immediate supervisor in those cases where his or her license is expired, suspended or revoked and/or who is unable to obtain an occupational permit

from the State Department of Licensing. If an employee fails to report such an instance, and he or she continues to operate a City vehicle, shall be subject to termination.

#### **I.7 PERMANENT STATUS**

After an employee successfully completes the (mandatory) Civil Service Three Month Working Test Period, he/she becomes a permanent employee.

All full-time employees shall be assigned to a thirty-five (35) hour work week.

Part-time employees shall be assigned and paid at the rate for a maximum of twenty (20) hours per week.

A permanent employee has job security, subject to good behavior, satisfactory job performance, attendance and the availability of funds, and cannot be removed from his/her position except for “just cause”. For more information on “just cause”, please refer to the section on DISCIPLINE.

Temporary and provisional (new hire) employees should be aware that they can be terminated at any time.

#### **I.8 EMPLOYEE RELATIONS POLICY**

Recognizing the fact that all of us spend a good portion of our daily lives at work, we want to make your work experience as pleasant and as rewarding as possible.

To accomplish this, we realize that the best interests of both the City and the employees are served when there is open and direct communications as both parties need to be aware of and responsive to the needs and desires of the other.

Accordingly, each department head is charged with the responsibility of administering the elements of the City's personnel policies in a fair and equitable manner and to maintain an open line of communication with his or her employees.

## **I.9 YOUR SUPERVISOR**

Your supervisor wants to help you in your surroundings. Ask for assistance. If you have questions on city policy, your supervisor is the first person you should see for assistance.

In addition, your supervisor has complete charge of his or her department and is responsible for assigning work. Your supervisor is also responsible for maintaining disciplinary procedures and actions for accomplishing department objectives as efficiently as possible.

You can assist your supervisor in the performance of his or her job by reporting absences, work problems or safety problems promptly. Your suggestions are always appreciated and welcomed.

It is only natural during your course of employment that questions will arise about your job and City policies and procedures. Your questions deserve thoughtful and proper answers. In most cases, your supervisor will be able to help you, but in some instances, your supervisor may refer you to our City Personnel Office.

Feel free to contact the City Personnel Office at any time. Your questions and concerns will be treated with the utmost courtesy and confidentiality.

## **I.10 EMPLOYEE EVALUATIONS**

### **PERFORMANCE ASSESSMENT REVIEW (PAR)**

- A. All Department/Divisions/Bureaus are to ensure the timely completion of the Progress Review at the six (6) month period and the Final Assessment at the end of one (1) year. Failure of a supervisor to complete a PAR on an employee will result in an Unsatisfactory rating on the Supervisor's PAR.
- B. All supervisors are to have at least three (3) formal meetings per year with each individual employee that reports to her/him to discuss the PAR program. This meeting should include a discussion about Supervisor's expectations, the employee's past performance, employee's strengths and perceived areas that need improvement.
- C. It is the responsibility of the supervisor to close out all PARS of employees that are transferred.
- D. It is the responsibility of the supervisor to open a PAR on a newly transferred employee for the remainder of the 6 month or 1 year period.
- E. It is the responsibility of the employee's immediate Supervisor and the Supervisor's immediate Supervisor to develop an Improvement Plan for any employee that receives an Unsatisfactory or Below Satisfactory rating.
- F. In the event that an employee receives an Unsatisfactory or Below Satisfactory rating on their Final Assessment, the employee will be placed on an Improvement Plan for a period of 90 days.
  - G. Failure of an employee that has been placed on an Improvement Plan to raise his/her rating to at least a Satisfactory rating during the 90 day

period may subject the employee to disciplinary action up to and including termination.

### **I.11 SALARIES**

Title classifications, established by the Civil Service Commission (CSC), have a minimum and maximum salary, developed by the City of Camden and Council #10, whereby employees advance over a period of seven (7) years to the top of the salary range.

The salary range is also affected by increases awarded through contract negotiations.

### **I.12 EXEMPT AND NON-EXEMPT**

You will frequently see and hear the terms exempt and non-exempt referred to in reference to pay and benefits of the City. Your position is classified according to duties and skill requirements as exempt or non-exempt from overtime pay under the provision of the Fair Labor Standards Act (FLSA). You will be informed if your position is non-exempt and eligible for overtime pay. Otherwise, you hold an exempt position which does not receive overtime pay.

### **I.13 PAY DAY**

Employees of the City of Camden are paid on a biweekly (every 2 weeks) basis, and the following mandatory payroll deductions are made:

Federal Withholding Tax

F.I.C.A. (Social Security)

N.J. State Employment Insurance

N.J. State Income Tax  
State Temporary Disability (Attachment through Legal Action where applicable)  
P.E.R.S. (Pension Plan)  
Life Insurance (Optional after 1 year mandatory enrollment)

Optional deductions are:

U.S. Savings Bonds  
United Way Contributions  
Credit Union  
Deferred Compensation

If you are a Union member and authorize it, arrangements will be made by the Payroll Office to deduct Union dues from your pay.

If you are not a Union member, but your job title falls within the unit represented by a Union, an amount will automatically be deducted from your pay as a “service fee” to the Union for the various services it renders.

#### **I.14 PAY ADVANCES**

The purpose is to establish a uniform policy for City employees regarding pay advances.

Requests for paychecks in advance of the regular pay date cannot be granted except for vacation pay.

An employee leaving on vacation may request an advance on payroll by:

1. Providing his/her Department Director with a written request.
2. Department Director will approve or disapprove request. Approved requests will be forwarded to the City Personnel Office for the Business Administrator’s approval.

Those who are away on the regular pay date may have their checks mailed to them upon request. In the absence of specific instructions, checks will be held in the safe by the Payroll Clerk until the employee returns to work.

Pay advances for vacation pay may be granted provided the City Business Administrator is provided with sufficient notice prior to the beginning of the vacation.

Payment for accrued benefits will be made only upon termination of employment or consistent with the applicable labor agreement.

#### **I.15 ATTENDANCE/ABSENTEEISM**

A. It is the policy of the City of Camden to minimize absenteeism and chronic absenteeism.

B. An employee who has been absent for five (5) or more consecutive working days is required, upon returning to work, to present a note from a licensed physician indicating the nature of the employee's medical condition and any limitations to the Office of Risk Management.

Employee absent due to a non-work related illness or injury may be required to undergo a physical examination or functional capacity examination before returning to their regular duties as determined by the Risk Manager.

Should the return to work date for an employee who has been absent for five or more consecutive working days due to non-work related illness or injury occur on a non-regular workday (i.e., after hours, weekend, holiday), it is the responsibility of that employee to present the Office of Risk Management prior to their scheduled return to work date/time with the appropriate

physician's note. Again, the Office of Risk Management will determine whether or not a physical or functional capacity examination is necessary and schedule accordingly.

- C. Unsatisfactory attendance includes but is not limited to, abuse of sick leave, early departures, lateness, or unexcused absences that precede or follow regularly scheduled days off, holidays or sick and vacation leave.
- D. Three unapproved early departures in any two consecutive pay periods, or a total of 8 in a calendar year, regardless of cause, could be considered excessive.
- E. All unauthorized and/or unreported absences shall be considered Absences Without Leave, (AWOL), subject to disciplinary action and the employee shall not be paid for such period of absence. Furthermore absence without leave for five or more consecutive days (unauthorized) shall be grounds for instituting the following disciplinary policy;
  - (a) Any employee who is absent from duty for five or more consecutive business days without the approval of his or her supervisor shall be considered to have abandoned his or her position and shall, after Civil Service Commission procedures are followed, be recorded as a Resignation Not in Good Standing.
  - (b) Any employee who has not returned to duty for five or more consecutive business days following an approved leave of absence shall be considered to have abandoned his or her position and shall, after Civil Service Commission procedures are followed, be recorded as a Resignation

Not in Good Standing.

- F. It is also the policy of the City of Camden that required time clock and/or swiping/signing in/out procedures be utilized as a means to verify attendance and absenteeism. Employees not following established procedures will be subjected to disciplinary action.
- G. It is the responsibility of the employee to notify his/her supervisor of any absence. Any employee who does not expect to report for work because of personal illness or for any other reasons shall notify his/her immediate supervisor, by telephone or personal message within one half ( ½ ) hour of the regularly scheduled starting time. Failure to provide the required notice of an absence may result in disciplinary action.

In the event there is a conflict between this policy and the Collective Bargaining agreement, the Collective Bargaining Agreement will prevail.

**Procedure:**

- A. Absences of five or more occurrences in two consecutive pay periods except approved leave other than sick leave, or a pattern of continued absence over a period of time, is considered excessive. Employees exceeding this standard may be subject to disciplinary action as indicated in “E”.
- B. If an employee is absent due to illness for five (5) or more consecutive working days, the employee shall upon returning to work submit a licensed physician’s note indicating the nature of the illness and length of time the employee will be absent.

An employee who has been absent on sick leave for more than 15 days in a calendar year shall have his or her sick leave record reviewed and thereafter may be required to submit acceptable medical evidence for any additional sick leave in that year. In cases where an illness is of a chronic or recurring nature causing recurring absences of one day or less, only one submission of such proof shall be necessary for a period of six months.

- C. Absences of three or more days out of any five consecutive scheduled weekends for employees in City divisions operating on a 24-hour continuous schedule is considered excessive. Employees exceeding this standard shall be sent a letter requiring a doctor's certificate for all subsequent absences.
- D. Each department is to maintain accurate attendance records. These records should be examined regularly to ensure that absenteeism problems do not go unnoticed.
- E. Disciplinary action shall be administered in accordance with progressive Disciplinary Procedure:
  - i. Documented Verbal Warning
  - ii. Warning Letter
  - iii. Minor suspension of five (5) days or under
  - iv. Request to the Personnel Office to process a Major Disciplinary Action form (DPF-31A) arranging an internal hearing where further disciplinary action is sought which can include suspension (greater than 5 days), fine, demotion and/or possible termination.
- F. Prior to any suspensions all disciplinary actions should be reviewed with the Personnel Officer for compliance with the City of Camden procedures.

## **I.16 PUNCTUALITY**

All employees are required to report to work on time, return promptly from lunch and/or breaks, and work diligently and steadily during working hours, with a minimum of time loss.

An employee shall be considered late for work when reporting AFTER the prescribed starting time for his or her department. An unacceptable record of tardiness will result in disciplinary action.

The usual work week for office employees is Monday through Friday, 8:30 a.m. to 4:30 p.m. Some departments have shift schedules and work accordingly.

Your Department Director or Supervisor will explain your hours and work week to you. Your Supervisor will also tell you when you are scheduled to take a lunch period.

## **I.17 LATENESS**

The definition of lateness is reporting to work (swiping in) anytime after the individual employee's scheduled start time or reporting back from lunch more than one hour from the start of lunch. For example: An employee who is scheduled to report to work at 8:30 am will be considered late if the time displayed/registered on the Kronos system is 8:31 am or later. While employees are not to swipe/punch in and out for their lunch break, if an employee reports back from lunch more than one (1) hour from the start of the lunch, the employee will be late. If an employee is late more than six (6) times in a one hundred thirty (130) work day period, the employee may be subject to disciplinary action as provided herein. Whenever an employee is delayed in reporting for scheduled work hours, he/she shall endeavor to contact a supervisor in advance, if

possible. An employee who has a reasonable excuse and is less than thirty (30) minutes late shall not be denied the opportunity to work the balance of his/her scheduled shift. After thirty (30) minutes the employee may be directed to return home with loss of a vacation day. If the employee has no vacation days remaining, the employee will be docked a day's pay.

**DOCKING:**

Docking for lateness may begin after six (6) minutes are accumulated during any one pay period. Docking will be calculated in one (1) minute increments, including the first six (6) minutes. For example, if late for an accumulated seven (7) minutes during any one pay period, the employee may be docked for seven (7) minutes, not one (1) minute.

In lieu of docking the Department Director and/or supervisor may at his/her discretion allow the employee to make-up the time in question during the employee's lunch hour or after normal working hours.

Docking will not preclude the City of Camden from pursuing disciplinary action against the employee as outlined below.

**DISCIPLINARY ACTION:**

- 1st Occurrence: Informal meeting with employee advising lateness is not acceptable and review the policy with the employee.
- 2nd Occurrence: Official verbal warning.
- 3rd Occurrence: Written warning.

If there is no change in behavior, a two (2) day suspension will be in order. An employee will be advised by his/her Director in writing that further disciplinary action will follow if there is no change. The number of suspension days will increase up to the maximum for a minor disciplinary action of five (5) days. If there is no change, a major disciplinary action will be issued, which ranges from a six (6) day suspension up to and including termination of employment.

A six (6) month review with the employee will occur in order to evaluate their status since the last disciplinary action for lateness. If no further disciplinary action has occurred for lateness for six (6) months from the last lateness occurrence, the employee's personnel file will be expunged.

This policy will not apply if the employee has requested and received written authorization from his/her supervisor, director or designee to report late.

This policy does not supersede provisions allowed by the State and Federal Family/Medical Leave Act.

#### **I.18 DECORUM**

The way an employee deals with other associates and the public is important. Because good relations start with YOU and filters to your department through you.

How you conduct yourself reflects not only on you, but the City generally.

This is particularly true for those employees who have contact with the general public.

At all times when dealing with the public, you should be courteous, helpful and non-argumentative.

If the situation becomes one where, in spite of your best efforts, it cannot be resolved, please ask your immediate supervisor for assistance.

#### **I.19 DRESS CODE**

The City of Camden requires all employees to maintain appropriate standards of grooming and dress that are in keeping with the professional stature of the work place. Personal appearance should reflect a professional, business like image. Though it is understood that dress and appearance is often a matter of personal taste, all employees must bear in mind that a professional image must be reflected at all times.

- A. It shall be the policy of the City of Camden that employees report to work properly attired in accordance with their job duties. Uniformed personnel must be dressed in accordance with contract requirements and law.
- B. Whether it is Monday through Thursday or Casual Friday, clothing must be clean and neatly worn.

Under this policy, the following are considered examples of inappropriate (but not limited to) attire at all times: low-cut fronts or backs, halter tops, midriff tops, beach wear, lingerie-like clothing, anything spandex, high splits in skirts, shorts, muscle shirts, concert t-shirts, excessively baggy pants, or extremely tight clothing of any type.

#### **Exceptions to This Policy:**

**Inclement weather:** In the event of heavy rain or snow, employees will be permitted to report to work in casual attire.

**Work site:** Casual attire will be permitted if your job duties require you to work outside, e.g. Inspectors. Twenty-four hour operations with no contact with the public, e.g. Police Communications.

Special Assignments or Events: Casual attire will be permitted as required by any special assignments or event, e.g. cleaning up your work area or office, moving files, etc. Casual attire will not be allowed if a meeting is scheduled outside of the office or with the public.

**Religious or Ethnic reasons:** Employees will be permitted to wear appropriate apparel for Black History Month, St. Patrick's Day, Christmas etc. Those employees whose religion requires them to wear certain apparel will be permitted to do so.

**Casual Friday:** Casual business wear will be allowed for office workers on Friday. Casual business wear is clothing that allows you to feel comfortable at work yet is appropriate for the office environment.

**NOTE:** Incidents of non-compliance may result in disciplinary action in accordance with Personnel procedures. This policy will be subject to amendment when necessary.

## **I.20 SICK DAYS**

New employees shall only receive one working day sick leave for the initial month of employment if they begin work on the 1st through the 8th day of the calendar month and one-half working day if they begin on the 9th through the 23rd day of the month, no sick leave accrues to that employee for that month.

After the initial month of employment and up to the end of the first calendar year, employees shall be credited with one working day for each month of service. Thereafter, at the beginning of each calendar year in anticipation of continued employment, employees shall be credited with 15 working days sick leave.

If any such employees require none or a portion of such allowable sick leave for any calendar year, the amount of such leave not taken shall accumulate to his/her credit from year to year, and he/she shall be entitled to such accumulated sick leave with pay if and when needed.

Permanent part-time employees earn sick on a prorated basis. The amount of sick leave which you have accumulated is posted annually. Sick leave may be used for genuine illness or accidents which prevent you from working.

If an employee is absent for five (5) consecutive working days, the appointing authority shall require acceptable evidence on the form prescribed. The nature of the illness and length of time the employee will be absent should be stated in the doctor's certificate.

An employee who has been absent on sick leave for a period totaling more than fifteen (15) days in one calendar year consisting of periods of less than five (5) days shall have his/her sick leave record reviewed by the respective appointing authority and thereafter may be required to submit acceptable medical evidence for any additional sick leave in that year.

Note: The City may require an employee who is absent because of personal illness, as a condition of his or her return to duty, to be examined by a physician. Such examination is capable of performing his/her normal duties and that such return will not jeopardize the health of other employees.

It is to your advantage to accumulate your sick leave. Not only will you have a "bank" upon which to draw if you should become ill, you may also obtain partial

payment for unused time when you retire. Upon retirement, employees are entitled to receive fifty percent (50%) of sick time as additional severance pay.

Please refer to ABSENTEEISM for abuse of Sick Time.

## **I. 21 VACATION TIME**

Full time employee (including regular per diem employee) in City service shall be entitled to vacation with pay.

- A. New employees shall only receive one working day for the initial month of employment if they begin work on the 1st through the 8th day of calendar month and one-half working day if they begin on the 9th through the 23rd day of the month.

After the initial month of employment and up to the end of the first calendar year, employees shall be credited with one working day for each month of service. Thereafter, employees shall receive paid vacation leave as follows:

- After 1 year and up to 10 years of service – 15 days vacation
- After 10 years and up to 15 years of service – 18 days vacation
- After 15 years and up to 20 years of service – 20 days vacation
- After 20 years and up to 23 years of service – 23 days vacation
- After 23 years of service, additional working days vacation per year not to exceed 30 working days vacation total. (Part-time permanent employees are entitled to pro-rated vacation.)

- B. Vacation days earned in the current year may be carried into the succeeding year without requiring approval. However, carried over days must be scheduled by March 31st of the succeeding year to avoid loss of those days.

## **I. 22 FLEX TIME**

### Definition:

Flex time is defined as the practice of permitting employees to choose, with certain limitations, their own working hours. It is the time period within which employees may vary their schedules. An example of a flexible schedule is beginning the workday at 8:00 a.m. and ending at 4:00 p.m.

### Objective:

The objective of the Flex Time Policy is to offer and provide employees of the City of Camden the option to change their work hours from the regular hours established by the City to those that will not cause a burden on the employee to keep. By implementing this policy, the city will not suffer a loss of productivity, since those employees opting to use the policy will continue to work the same number of hours per day. In addition, employees will have the opportunity to address issues that would normally make it difficult to work the established work hours.

- A. In a flex time system, employees work the same number of hours as on a standard schedule. However, they are permitted to acquire these hours within what is called a band width, which is the maximum length of the workday. The recommended band width for employees of the City of Camden is from 7:30 a.m. to 5:30 p.m. Employees will not be permitted to begin their workday before 7:30 or end their workday after 5:30.
- B. Core time is that part of the day when all employees must be present. The suggested core time for city employees is between 10:00 a.m. and 3:30 p.m.

- C. Employees wishing to use flex time must submit their request in writing to the supervisor. The consent of the supervisor and department director must be obtained prior to the use of flex time.
- D. Once the employee, the supervisor and the department director have agreed on a beginning and ending time, the employee is expected to work the schedule every day.
- E. The supervisor and department director will make reasonable efforts to accommodate the employees' preferences. However, no request for a change in work hours shall be approved if the change would diminish the effectiveness of the employees' functions or units.
- F. If the new schedules do not work well for the individuals, the supervisor and department director will have the authorization to return the employees to their previous work schedule. Employees will receive at least one week's notice of the changes.
- G. This policy is not meant to permit employees to work during lunch and end their workday earlier than they should.
- H. All approvals of flexible schedules must be forwarded to the Timekeeper in the Personnel Office prior to the start of the new schedule.
- I. This policy may be revised to address future issues that will impact on the objectives of the policy.

### **I. 23 OVERTIME**

Overtime payments shall be made in accordance with the Fair Labor Standards Act unless otherwise stated.

Overtime refers to any time worked beyond the regular hours of duty, as presently scheduled, and is granted only when the employee is ordered to work by a supervisor. Overtime worked will be paid at the rate of time and one-half for holidays and Sundays or the seventh day when these days are not part of the employees regular work weeks. Said overtime must be granted in writing by the Supervisor directing the same prior to the employee commencing work or in case of emergency, as soon thereafter as possible.

Overtime work will be distributed as equally as possible, among employees with the same classification. A list of employees will be maintained showing overtime offered by the City to the employees in a given title. If overtime is worked the employee at the top of the list working the overtime will go to the bottom. Anyone offered overtime who is excused from such work shall have his name placed at the bottom of the list. Nothing in the Article shall impair the right of the City to require an employee to work overtime and an employee shall not, without reasonable justification, be permitted to refuse to work overtime when requested.

### **I.24 COMP-TIME**

The City and Non-Uniformed Collective Bargaining Unit agree that in lieu of cash payment for overtime provided in their agreement, employees who are not exempt from the Fair Labor Standards Act (FLSA) may opt to accept comp-time. The comp-time shall be accumulated at straight time for those hours up to forty (40) hours per week and any hours over (40) hours in that week shall be at one and one-half (1 ½) times.

In no case shall comp-time accumulated exceed 240 hours. Any time accumulated shall be utilized by the employee as approved by the department head within two years. Any time not used or still to the employees' credit when they leave the City employment shall be paid at the higher of either the employee' rate at that time or the average three year rate prior to payment.

Regardless to other provisions of the agreement, the City and any employee shall have the right to utilize a time off plan for work needed beyond the normal schedule work day. This plan shall enable employees to work special assignment provided that such time worked will be taken off from the regular scheduled work hours within that same pay period. Any such hours which may cause the employee to work more than 40 hours per week shall be taken off at time and one-half.

Employee who are exempt as per the FLSA shall be entitled to work as stated in Section A of the Non-Uniform Bargaining Agreement or opt to work for straight time for comp-time or for time off plan, unless otherwise agreed to by the Collective Bargaining Unit and the City.

## **I.25 HOLIDAYS**

Holidays to which actively working (on the payroll and not on leave of absence without pay) employees are entitled to observe and be paid for throughout the year are as follows:

- New Year's Day
- Martin Luther King's Birthday
- Lincoln's Birthday
- President's Day
- Good Friday
- Memorial Day

Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Election Day (General Election)  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Day

NOTE: Should a holiday fall on a Sunday, it is observed on the following Monday. Should a holiday fall on a Saturday, it is observed on the preceding Friday.

The days and dates on which such holidays occur should be provided to all full time employees at the beginning of the year.

Any employee required to work on one of the above mentioned holidays shall receive overtime pay at time and one-half.

## **I.26 DONATED LEAVE POLICY**

It is the policy of the City of Camden, in accordance with N.J.A.C. 4A:6-1.22, that employees may donate time to other employees who have catastrophic illnesses and have exhausted their accrued time.

### **Procedure:**

- A. A City employee shall be eligible to receive donated leave if the employee:
  - 1. Has completed at least one (1) year of continuous City service;
  - 2. Has exhausted all accrued sick, vacation, compensatory and holiday time;
  - 3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of time; and
  - 4. Either:
    - i. Suffers from a catastrophic health condition or injury;
    - ii. Is needed to provide care to a member of the employee's immediate family, as defined in N.J.A.C. 4A:1-1.3, who is suffering from a catastrophic health condition or injury; or
    - iii. Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow.)
- B. For purposes of this section, a "catastrophic health condition or injury" shall be defined as follows:
  - 1. With respect to an employee, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions; or  
  
A period of disability required by his or her mental or physical health or the health of the employee's fetus which requires the care of a physician

who provides a medical verification of the need for the employee's absence from work for sixty (60) or more workdays.

2. With respect to an employee's immediate family member, a "catastrophic health condition or injury is:
  - (i) A life-threatening condition or combination of conditions;
  - (ii) A period of disability required by his or her mental or physical health which requires the care of a physician who provides a medical verification of the need for the family member's care by the employee for sixty (60) or more work days.
3. With respect to an employee, a "catastrophic health condition or injury" is:
  - (i) A life-threatening condition or combination of conditions; or
  - (ii) A period of disability required by his or her mental or physical health or the health of the employee's fetus which requires the care of a physician who provides a medical verification of the need for the employee's absence from work for sixty (60) or more workdays.
4. With respect to an employee's immediate family member, a "catastrophic health condition or injury is:
  - (i) A life-threatening condition or combination of conditions;
  - (ii) A period of disability required by his or her mental or physical health which requires the care of a physician who provides a medical verification of the need for the family member's care by the employee for sixty (60) or more work days.

C. A City employee may request that the Appointing Authority approval of his or her participation in the program, as a leave recipient or leave donor. The employee's supervisor may make such a request on behalf of the employee for his or her participation in the program as a leave recipient.

1. The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the Appointing Authority medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be.

2. When the Appointing Authority has approved an employee as a leave recipient, the Appointing Authority shall, with the employee's consent, post or circulate the employee's name along with those of other eligible employees in a conspicuous manner to encourage the donation of leave time, and shall provide notice to all negotiations representatives.

(i) If the employee is unable to consent to this posting or circulation, the employee's family may consent on his or her behalf.

D. A leave recipient must receive at least five (5) sick days or vacation days or combination thereof from one or more leave donors to participate in the Donated Leave Program. A leave donor shall donate only whole sick days or whole vacation days and may not donate more than thirty (30) such days to any one recipient.

1. A leave recipient shall receive no more than 260 sick or vacation days
  2. A leave donor shall have remaining at least twenty (20) days of accrued sick leave if donating sick leave and at least twelve (12) days of accrued vacation leave if donating vacation leave.
  3. A leave donor shall not revoke the leave donation.
  4. If a leave donor is not in the same department as the leave recipient, appropriate arrangements shall be made between the affected departments to verify donor eligibility and adjust leave records.
- E. While using donated leave time, the leave recipient shall accrue sick leave and vacation leave and be entitled to retain such leave upon his or her return to work.
1. Any unused donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results in less than one (1) day per donor to be returned, that leave time shall not be returned.
  2. Upon retirement, the leave recipient shall not be granted supplemental compensation on retirement for any unused sick days that he or she had received through the Donated Leave Program.
- F. An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a

benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

G. All donations shall remain confidential and employees shall refrain from discussing who donated or the amount of time donated. Violation of confidentiality shall be subject to disciplinary action.

### **I. 27 PROMOTIONS**

Promotions into positions which the NJDOP has classified as competitive are made by promotional examination. The City of Camden may make a “provisional” or “temporary” appointment if a position must be filled before the NJDOP publishes a list of persons who passed the examination. The person so appointed must take the promotional examination in order to be considered, along with the other persons interested in the available position.

Among the factors considered in promotions are the candidates’ performance ratings, attendance records, and seniority. Refer to the NJDOP Rules and Regulations for details.

### **I.28 SENIORITY**

Except where NJDOP regulations require otherwise, seniority shall prevail as it pertains to demotions, layoffs, recalls, vacation schedules, shift assignments, sectional assignments and holidays. Your seniority, or length of service with the City of Camden, is computed in accordance with State Law. Seniority is an important consideration in making personnel decisions, including promotions, lay-offs, assignments, and allocation of overtime.

## **I.29 TRANSFER**

The City recognizes that there are times that a transfer of an employee from one Department to another should be in the best interest of both the employee and the City.

However a transfer should not be made just to alleviate a problem from one Department to another.

When an employee requests a transfer every effort should be made to ascertain whether the problem could be dealt with, prior to the request be entertained.

The first step of the process is a written request by the employee to his/her Department Director citing the reason for the transfer.

The second step is for the Department Director to evaluate the request, in terms of resolving a possible problem to the employee satisfaction, replacement if the transfer is in everyone's best interest, and if the employee has a title that is appropriate in another department.

If the Department Director establishes that the transfer is in everyone's best interest, then the approval of the Business Administrator and the other Department Director is required.

Budgetary considerations will be taken into account, when considering Transfer Requests.

Employees are transferred in their permanent title. Therefore, if an employee is serving in a provisional title at the time of request, he/she will revert back to the last permanent title. NJDOP will not permit transfers of provisional titles.

## **I.30 DISCIPLINE**

All City employees are expected to comply with the rules of conduct

described in this manual, with the City Code, and with all lawful orders given by their superiors. Failure to comply will lead to disciplinary action. Should you disagree with an order, refer to the section of this manual entitled GRIEVANCES. However, while your grievance/appeal is pending, YOU MUST COONTINUE TO OBEY THE ORDER to which you object.

The rules of the New Jersey Civil Service Commission lists a number of reasons which would justify progressive disciplinary action to be taken against a permanent employee. Among these “just causes” are:

- .....neglect of duty
- .....in competency or inefficiency
- .....incapacity due to mental or physical disability
- .....intoxication while on duty
- .....chronic or excessive absenteeism or lateness/tardiness
- .....neglect, waste or destruction of City property
- .....conduct unbecoming of a public employee
- .....and other sufficient causes/reasons

A department director or supervisor may recommend discipline against any of their workers. Progressive discipline begins with verbal and written warnings, and can lead to the assessment of fines, suspension from duty, with/without pay and termination.

If a permanent employee is: suspended for more than five (5) days at one time, suspended for a total of fifteen (15) days in one calendar year, disciplined on more than three (3) occasions in a twelve(12) month period or terminated, the employee will be given information regarding their ability to appeal the action to the New Jersey Civil

Service Commission.

### **I.31 RESOLUTION OF PROBLEMS AND/OR COMPLAINTS**

We think the City of Camden is a rewarding place to work, and we hope that you share the same enthusiasm we do. Therefore, before action is taken or a new policy is implemented, consideration is given to the impact on a person's job security, earnings potential, privileges, work load, work pace, effort, work habits, safety, personal goals, and work environment.

Although every possible effort is made to assure that action taken by the City of Camden will result in fair and equitable treatment, we realize that there will be some misunderstandings and complaints.

Should you have a problem or a complaint, we will make every effort to clear up all misunderstanding promptly and fairly. Additionally, you are entitled to an answer to any question you have relative to your job, your treatment, or working conditions. To handle your problems or complaints fairly and equitably, we have developed the following Complaint Resolution System:

- Since your immediate supervisor is responsible for assuring that you receive fair treatment, your problem or complaint should first be discussed fully and frankly with your supervisor. In the majority of cases, complaints can be resolved through an open and candid discussion with your immediate supervisor.
- In those instances where complaints cannot be resolved with your immediate supervisor, you may bring up this matter to your

Department Director, who is available to consult with and assist in whatever manner possible.

An appointment should be made with either the Supervisor or Department Director to discuss this matter, and if necessary, he or she will consult with Personnel or Administration.

Consistent with our open door policy, you may consult with Personnel; however, experience has shown that questions can be answered and problems solved in the majority of instances at the Supervisory or Department Director level.

### **I.32 GRIEVANCES**

You may bring a grievance if you believe that the agreement between City and the Union which represents your job title has been violated, misinterpreted, or misapplied. For details on the procedure to follow, consult the Union agreement.

Basically, the following should be adhered to:

You must file and process your grievance within the time limits set forth in the Union Agreement. For example: you must start your grievance within 10 days of the time you learned of the action to which you object.

### **I.33 NEW JERSEY CIVIL SERVICE COMMISSION APPEAL**

The New Jersey Civil Service Commission (CSC) has jurisdiction to hear complaints about various types of personnel actions by local governments.

Appeals must be in writing and received by the CSC within twenty (20) days of receipt of the notification/decision. All pertinent information regarding the appeal, such as address, timeframes for appeal, etc. will be included in the notification/decision.

### **I.34 RESIGNATION**

Your Department Director should be given a written notice of at least (2) weeks before the date on which you anticipate terminating your employment with the City of Camden.

Such proper notification will assure your resigning in good standing and would weigh favorably when references are required for future employment.

NOTE: It is to your advantage to check with the City Personnel Office on what benefits will be affected.

### **I.35 WORKPLACE VIOLENCE POLICY**

It is the City of Camden's policy to provide a safe, secure and healthy environment for its employees. The City is committed to working with its employees to maintain a work environment free from acts of violence, threats of violence, harassment, intimidation and other disruptive behavior. While this kind of conduct is not pervasive in our municipal government, no agency is immune. Disruptive behavior at one time or another will affect every agency.

Acts of violence, threats, harassment, intimidation and other disruptive behavior in our workplace will not be tolerated; that is; all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

We need your cooperation to implement this policy effectively and maintain a

safe, secure and healthy working environment. Do not ignore violent, threatening, harassing, intimidating or other disruptive behavior. If you observe or experience such behavior by anyone in City Hall or any other municipal government facility, whether he or she is a department employee or not, report it promptly to your immediate supervisor. Supervisors must report the information to the department director who should seek advice from the Risk Manager regarding investigating the incident and initiating appropriate action. In the absence of the department director the supervisor should contact the Risk Manager directly. **PLEASE NOTE: For emergency situations call 911.**

## **CHAPTER II – EMPLOYEES BENEFITS POLICIES**

### **II.1 HEALTH BENEFITS**

Permanent employees have the following health benefit coverage's:

1. a. Aetna (Self-Insured)

This is a Self-Insured program administered by Aetna.

- b. Aetna Managed Care
- c. Horizon Blue Cross Blue Shield of NJ
2. Dental Coverage
3. Prescription Plan - \$5.00 co-pay per generic prescription / \$10.00 name brand / \$0.00 mail order through Medco Health – covers eligible spouse and dependent children.

## **II.2 PENSION/LIFE INSURANCE**

Pension (retirement) benefits are provided through the N.J. Public Employee's Retirement System. All permanent employees are automatically required to join the system. It is mandatory that provisional employees join the system after one year of employment.

The system provides a guaranteed retirement income, for life, based on the total years of service credit established in the system and final average salary; liberal financial protection in case of disability or death; and benefits in addition to Federal Social Security Coverage.

The entire system – what it is, how it works, etc. is explained in the N.J. Division of Pensions' pamphlet.

The Municipal Personnel Office processes and monitors this system.

## **II.3 INJURED ON DUTY**

Any employee who suffers an injury which is certified by the City Office of Risk Management as having arisen out of or in the course of employment, shall be granted, for the period of such disability, a temporary leave of absence with pay, such leave not to extend beyond one (1) year from the date of injury or illness, for uniform employees and ninety (90) days from the date of injury for non uniform employees.

## **II.4 JURY DUTY**

Any employee who receives an order to serve as a juror must submit a copy of such order to his/her Department Head, whereupon notification of anticipated absence will be forwarded to the Personnel Office.

Said employee will be excused from work duty for the period of time said order so states. However, in the event required jury service is reduced or cancelled (excused), the employee shall report to work.

**II.5 LEAVE OF ABSENCE**

Request for any permissible types of leaves of absence must be applied for through the Personnel Office. The Personnel Office will notify department directors as to the status of employee leave applications.

Examples of permissible types of leaves of absences are:

.....Military Leave (SEE APPENDIX #5)

.....Sick Leave (with or without pay – not to exceed 6 months at any one time)

.....Maternity Leave – While a pregnant employee may use accumulated sick leave for the time in which she is physically unable to work, any additional absence which is not medically necessary must be approved.

.....Family Leave – covered employees may be entitled to a family leave from work of up to 12 weeks in any 24-month period, so that the employee may provide care necessary due to:

- a) the birth or adoption of a child of the employee, or
- b) the serious illness or health condition of the employee’s child, parent or spouse, as defined in the Act.

Leave taken because of the birth or placement for adoption of a child may begin at any time within a year after the birth or placement for adoption. Such leave does not reduce any rights of the employee under the Temporary Disability Benefits law.

During a family leave, the employee’s health insurance coverage will be

maintained under the same conditions as if he/she had continued working. In most cases the employee will also retain the right to return to the employee's former position at the end of the leave, or to an equivalent position of similar seniority, status, employment benefits and pay.

Salaried employees among the highest 5% of the City's employees may not be entitled to family leave if the denial of leave is necessary to prevent substantial economic injury to the City's operation.

Should you have any questions concerning the Family Leave Act, please contact the Municipal Personnel Office.

.....Other – Any permanent employee may also request a personal leave of absence without pay for up to six months.

In all cases, paragraph one of this section must be adhered to.

NOTE: In all cases of Sick Leave and Maternity Leave, an employee must utilize all accrued sick time BEFORE a leave of absence becomes effective.

Failure to return from Leave of Absence when scheduled will be cause for dismissal.

During such period of time that personal leave of absence is in effect there will be no accrual of Sick Leave or Vacation.

Health Benefits will be terminated per the following:

Leave Effective:

- A. 1<sup>st</sup> to 14<sup>th</sup> – End of Month
- B. 15<sup>th</sup> to 20<sup>th</sup> – 15<sup>th</sup> of the Following Month
- C. 21<sup>st</sup> to End – End of the Following Month

Upon return to work, an employee will be reinstated into the health benefits plan he/she had prior to the leave.

## **II.6 DEATH IN FAMILY**

- A. All full time employees shall be granted a leave of absence, not exceeding ten (10) days for the death of the employee's spouse or child.
- B. All full time employees shall be granted a leave of absence not exceeding ten (10) days for the death of parent, and five (5) days for the death of brother or sister.
- C. All full time employees shall be granted a leave of absence not exceeding three (3) days for the death of their mother-in-law, father-in-law, grandparent, grandchild, son-in-law, daughter-in-law.
- D. All full-time employees shall be granted a leave of absence not exceeding one day for the date of interment of that employee's aunt or uncle, brother-in-law or sister-in-law.

The above leaves must be taken in close proximity to the date of death, and reasonable proof may be required (i.e. newspaper announcement, etc.)

## **II.7 FAMILY MEDICAL LEAVE ACT AND NEW JERSEY MEDICAL LEAVE ACT:**

It is the policy of the City of Camden to provide unpaid leave as provided by the Family Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA). The acts are intended to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity.

## **PROCEDURE**

The following steps must be complied with when seeking leave under FMLA and/or NJFLA. For additional information regarding the following steps see the Informational Section below.

**STEP 1:** Determine Eligibility (See **A** and **B** in the Information Section)

**STEP 2:** Determine Type of Leave to Request – continuous, intermittent or reduced (See section **C** in Information Section.)

**STEP 3:** Give Proper Notice (See **D** in Information Section)

**STEP 4:** Certification of Health Care Provider must be filled out completely (See **E** in Information Section)

**STEP 5:** All forms in “Employee Request for Family or Medical Leave” packet must be picked up and returned immediately to the Personnel Office.

**NOTE:** In the event that an employee fails to follow steps 1 through 5, the City of Camden may still designate an absence from the work place as Family Leave

## **INFORMATION SECTION**

### **A. How is Eligibility Determined?**

1. Employees are eligible for leave benefits under the FMLA if they have been employed by the City for at least twelve (12) months, and must have worked at least 1,250 hours during the twelve months period immediately preceding the commencement of the leave.
2. Employees are eligible for leave benefits under the NJFMLA if they have been employed by the City for at least twelve (12) months, and have

worked at least 1,000 hours during the twelve month period immediately preceding the employees request for leave. Overtime hours are excluded.

**B. How do you determine if the reason for seeking leave is an Eligible Reason under FMLA and/or NJFLA?**

1. Birth of a child of the employee – **(BOTH)**
2. Placement of a child with the employee for adoption of such child by the employee – **(BOTH)**
3. Placement of a son or daughter with the employee for foster care **(FMLA)**
4. Provide care made necessary by reason of a serious health condition of a family member of the employee **(NJFLA)**
5. To care for a spouse, son, daughter, or parent of the employee with a serious injury or health condition **(FMLA)**
6. Employee's own serious health condition that makes the employee unable to perform the functions of the position of such employee **(FMLA)**
7. Nursing home place of transfer issues for family members **(BOTH)**
8. To care for a spouse, child, parent or next of kin in the armed forces, including the National Guard and Reserves that returned injured from recent active duty and is undergoing medical treatment, recuperation or therapy, is on an outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness **(FMLA - 26 WEEKS)**
9. For a qualifying exigency because the employee's spouse, child or parent is on active duty or impending call or order to active duty in the armed

forces, including the National Guard and Reserves in support of a “contingency operation”. (FMLA 12 - WEEKS)

**C. How are the Type of Leave/Duration and Form of Leave Determined?**

1. An eligible employee is entitled to a total of up to twelve (12) workweeks of leave during any twelve (12) month period. **(FMLA)**
2. An eligible employee is entitled to take up to twelve 12 workweeks of leave during any twenty-four (24) month period **(NJFLA)**
3. In some circumstances, the employee may take the leave on an intermittent or reduced schedule **(BOTH)**
4. An eligible employee is entitled to a total of twenty-six (26) workweeks of leave during any ONE twelve (12) month period. (FMLA – Military Provision – See Section B8)
5. An eligible employee is entitled to a total of twelve (12) workweeks of leave during any twelve (12) month period. (FMLA – Military Provision – See Section B9)

**NOTE:** The total period during which in intermittent leave may be taken may not exceed a twelve (12) month period for **EACH** serious health condition. Intermittent leave in connection with more than one serious health condition must be taken within a consecutive twenty-four (24) month period, or until the employee’s twelve (12) week leave is exhausted, whichever is shorter.

**NOTE:** An employee may take only one reduced leave during any consecutive twenty-four (24) month period, and a reduced schedule may not exceed 24 consecutive weeks.

- a. For either intermittent or reduced leave, the employee must make a reasonable effort to schedule the leave as not to disrupt unduly the operations of the employer.
- b. The employee may take an intermittent or reduced leave for the birth or adoption of a healthy child only if agreed to by the employer and employee.
- c. For intermittent Leave, the employee will be required to call in whenever absent and provide the City with detailed information about the absence. The City will not treat the absence as Family Medical Leave if the employee has not provided sufficient information that the absence qualifies as a Family Medical Leave.

**D. How do you determine when and what type of Notice is required to be given to the employer?**

- 1. An employee must give written notice that he/she is intending to take family leave at least 30 days prior to the commencement of leave for the birth or adoption of a child **(NJFLA)**
- 2. An employee must give written notice that he/she is intending to take family leave at least 30 days prior to the commencement of leave for a serious health condition of a family member **(BOTH)**
- 3. An employee must give at least 30 days written notice that he/she is intending to take a family leave for the birth or adoption of a child and for a serious health condition that is foreseeable based upon planned medical treatment **(FMLA)**

4. In emergent circumstances, however, an employee can give oral notice when written notice is not practical but subsequently must promptly provide the City with written notice **(BOTH)**
5. Notice, either written or oral, must be given to the employee's supervisor or the Personnel Officer.

**E. When is a Certification of Health Care Provider required?**

1. In accordance with the NJFLA, the City shall require any period of leave to be supported by certification issued by a health care provider with respect to the following:
  - a. When leave is to care for a seriously ill family member the City shall request:
    - i. the date that the serious health condition commenced
    - ii. the probable duration of the condition
    - iii. the medical facts within the provider's knowledge concerning the condition.
  - b. When the leave is for the birth or adoption of the employee's child, the City shall require the certification to state the date of birth or placement of the child.
2. In accordance with the FMLA, the City shall require certification from a health care provider for leave to care for a seriously ill family member or because of the employee's own medical condition.

In addition to the information required to be included in the health care provider certification under the NJFLA, the certification shall also include:

- a. when leave is to care for a family member, a statement that the employee is needed to care for the family member and an estimate of the amount of time that the employee is needed to care for the family member;
  - b. when the leave is due to the serious health condition of the employee, a statement that the employee is unable to perform the essential functions of the employee's job; and
  - c. when leave is sought on an intermittent or reduced schedule for treatment, the dates on which such treatment is expected to be given and the duration of such treatment.
3. The City may require, at its expense, that the employee or seriously ill family member obtain a second opinion from a health care provider designated by the City. If this opinion differs, the City can require, at its expense, a third opinion, which is a final and binding, to be obtained by a health care provider selected by both the City and the employee. **(BOTH)**
  4. The City shall also require the employee to sign a form of certification attesting that he/she is taking leave for the birth or adoption of a child or to care for a seriously ill family member. **(NJFLA)**
  5. All sections of the Certification of Health Care Provider form must be filled out completely.
  6. In the event that an employee fails to provide any of the certifications required under this section, the City reserves the right to declare that any medical leave constitutes a family leave.

**F. Does Health Benefits coverage continue?**

1. Health benefits will be maintained while on approved Family Medical Leave. However, if the employee fails to return from leave, the cost of benefits must be repaid, unless the failure is due to circumstances beyond the employee's control. **(FMLA)**
2. The employer must continue to provide other benefits (medical leave, sick leave, life insurance, and pensions) to employees absent on leave on the same terms as (stated in CITY Policy) regarding benefits for employees on unpaid leave. **(NJFLA)**

**G. Does Vacation/Sick/Holiday time accrue while on an unpaid Family Medical Leave?**

1. The employee shall not accrue any vacation time, sick time or holidays during any period of unpaid Family Medical leave unless stated otherwise in the employee's respective collective bargaining agreement. Accordingly, an employee's time will be pro-rated upon the employees return to work.

**H. What are Grounds for Denial of Leave?**

1. Under certain circumstances, the city may deny family leave to employees who are among the highest paid 5% of its employees, or are one of the seven highest paid employees, whichever is greater, if granting such leave would lead to substantial and grievous economic injury to the City. **(NJFLA)**

2. Leave may be denied if the employee refuses to sign a certification or provides a false certification or health care provider information does not support said request. **(BOTH)**

**I. Can an employee be employed during leave?**

1. An employee is prohibited from working full-time or part-time for any person whom the employee did not work immediately prior to commencement of the leave. **(NJFLA)**.

**J. How does an employee return to work for his/her illness?**

1. An employee who has been out of work for his/her own illness must complete the return to work request form and must provide medical documentation that they are able to return to work to the Office of Risk Management .

**K. DEFINITONS:**

1. **Serious Health Condition NJFLA:** an illness, injury, impairment or physical or mental condition which requires:

- i. inpatient care in a hospital, hospice, placement in or transfer from nursing facilities or residential medical care facility;
- ii. continuing medical treatment or continuing supervision by a health care provider

2. **Serious Health Condition FMLA:** an illness, injury, impairment, or physical or mental condition that involves:

- i. inpatient care in a hospital, placement in or transfer from nursing facilities, hospice or residential medical care facility;

- ii. continuing treatment by a health care provider.
- 3. **Family Member (NJFLA):** child, parent or spouse
- 4. **Child (FMLA):** a biological, adopted, or foster child, stepchild, legal ward, or child of a parent who is
  - i. under 18 years of age
  - ii. 18 years of age or older but incapable of self-care because of mental or physical impairment.
- 5. **Son or Daughter (FMLA):** a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is:
  - i. under 18 years of age
  - ii. 18 years of age or older but incapable of self-care because of mental or physical impairment
- 6. **Parent (NJFLA):** is the biological parent of the employee, adoptive parent, foster parent, stepparent, parent-in-law, or legal guardian, having a “parent-child” relationship with the child, or having sole or joint legal or physical custody, care guardianship or visitation with a child.
- 7. **Parent (FMLA):** a biological parent of the employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.
- 8. **Spouse (FMLA):** husband or wife
- 9. **Spouse NJFLA):** a person to whom an employee is lawfully married as defined by NJ law.

10. **Next of Kin (FMLA):** nearest blood relative of the injured veteran.
11. **Reduced Leave Schedule (NJFLA):** leave scheduled for fewer than an employee's usual number of hours worked per workweek but not for fewer than an employee's usual number of hours worked per day, unless agreed to by the employee and the employer, and that is scheduled for not more than 24 consecutive weeks and which can be utilized only once during a 24 month period.
12. **Reduced Leave Schedule (FMLA):** a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.
13. **Intermittent Leave (NJFLA):** a non-consecutive leave comprised of intervals, each of which is at least one but less than 12 workweeks within a consecutive 12 month period.
14. **Intermittent Leave (FMLA):** leave taken in separate blocks of time due to a single qualifying event.

**CITY OF CAMDEN  
FAMILY MEDICAL LEAVE ACT  
LEAVE REQUEST FORM**

**TO:** Christine T.J. Tucker, Business Administrator

**FROM:**

I respectfully request a leave of absence with without pay under the provisions of the Family and Medical Leave Act.

I am requesting the leave for the following reason(s):

The Birth of a child, or placement of a child for adoption or foster care

A serious injury or health condition affecting my:

\_\_\_\_\_ Spouse

\_\_\_\_\_ Child

\_\_\_\_\_ Parent

\_\_\_\_\_ Next of Kin (Only for Military FMLA)

\_\_\_\_\_ A personal health condition

(Requests for yourself, family member or next of kin must be accompanied by a Certification of Health Care Provider)

**Continuous**

Start Date: \_\_\_\_\_ Expected End Date: \_\_\_\_\_

Employee Name

Address

City, State, Zip

Home Phone: Cell Phone:

E-Mail Address:

**(Failure to prove the above information shall result in the delay/denial of your leave of absence)**

**Intermittent** (Leave taken in separate blocks of time)

Start Date: \_\_\_\_\_ Expected End Date: \_\_\_\_\_

**Reduced** (Leave taken that reduces the usual number of working hours per week or hours per day)

Usual bi-weekly hours: \_\_\_\_\_ Reduced bi-weekly hours \_\_\_\_\_

Start Date: \_\_\_\_\_ Expected End Date: \_\_\_\_\_

**TO BE COMPLETED BY THE EMPLOYEE WHEN REQUESTING LEAVE TO  
CARE FOR A FAMILY  
MEMBER OR NEXT OF KIN:**

Provide information regarding the care that you will provide and the time period in which the care will be provided.

---

---

---

---

---

Signature Date

Approved

Business Administrator Date.

Disapproved

C: Personnel File

## LETTER TO EMPLOYEE FOR RETURN TO WORK

This letter serves as follow up to our previous communication to you at the outset of your Family and Medical

Leave period regarding the date on which that leave will be exhausted and when you will need to return to work.

As you know, under the Family and Medical Leave Act and the New Jersey Medical Leave Act, the extent of protected leave is 12 workweeks, when taken in one block or over a more extended period through the use of intermittent or reduced schedule leave.

Your leave period will conclude on \_\_\_\_\_. Accordingly you are expected to return to work on \_\_\_\_\_. Since your use of leave was linked to your own serious health condition, accordingly you are to report to the Risk Management Office for Medical Clearance prior to returning to work.

If you fail to return to work on the date indicated above, the City of Camden will conclude that you have abandoned your position and will proceed with disciplinary action. If there are additional circumstances that may be relevant or that you may wish to bring to our attention regarding your absence or your condition, please feel free to contact the Personnel Office regarding your scheduled date of return.

Thank you for your attention in this matter.

Sincerely,

Medical Leave Act of 1993)  
**U.S. Department of Labor**  
Employment Standards  
Administration Wage and Hour  
Division

(When completed, this form goes to the employee, **Not to the Department of Labor.**) OMB No.: 1215-0181  
Expires: 09-30-2010

1. Employee's Name 2. Patient's Name (If different from employee)  
3. Page 4 describes what is meant by a "**serious health condition**" under the Family and Medical Leave Act. Does the patient's condition qualify under any of the categories described? If so, please check the applicable category.  
(1) \_\_\_\_\_ (2) \_\_\_\_\_ (3) (4) \_\_\_\_\_ (5) \_\_\_\_\_ (6) \_\_\_\_\_, or None of the above

4. Describe the **medical facts** which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5. a. State the approximate **date** the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present **incapacity** if different):

b. Will it be necessary for the employee to take work only **intermittently or to work on a less than full schedule** as a result of the condition (including for treatment described in Item 6 below)?

If yes, give the probable duration:

c. If the condition is a **chronic condition** (condition #4) or **pregnancy**, state whether the patient is presently incapacitated and the likely duration and frequency of **episodes of incapacity**:

Page 10 of 4

6. a. If additional **treatments** will be required for the condition, provide an estimate of the probable number of such treatments.

If the patient will be absent from work or other daily activities because of **treatment** on an **intermittent or part-time** basis, also provide an estimate of the probable number of and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

b. If any of these treatments will be provided by **another provider of health services (e.g., physical therapist)**, please state the nature of the treatments:

c. If a **regimen of continuing treatment** by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy requiring special equipment):

7. a. If medical leave is required for the employee's **absence from work** because of the **employee's own condition** (including absences due to pregnancy or a chronic condition), is the employee **unable to perform work** of any kind?

b. If able to perform some work, is the employee **unable to perform any one or more of the essential functions of the employee's job** (the employee or the employer should supply you with information about the essential job functions)? If yes, please list the essential functions the employee is unable to perform:

c. If neither a. nor b. applies, is it necessary for the employee to be **absent from work for treatment**?

8. a. If leave is required to **care for a family member** of the employee with a serious health condition, **does the patient require assistance** for basic medical or personal needs or safety, or for transportation?

b. If no, would the employee's presence to provide **psychological comfort** be beneficial to the patient or assist in the patient's recovery?

c. If the patient will need care only **intermittently** or on a part-time basis, please indicate the probable **duration** of this need:

Signature of Health Care Provider Type of Practice

Address Telephone Number

Date

**To be completed by the employee needing family leave to care for a family member:**

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

Employee Signature Date

A "**Serious Health Condition**" means an illness, injury impairment, or physical or mental condition that involves one of the following:

#### 1. Hospital Care

**Inpatient care** (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity<sup>2</sup> or subsequent treatment in connection with or consequent to such inpatient care.

#### 2. Absence Plus Treatment

(a) A period of incapacity<sup>2</sup> of **more than three consecutive calendar days** (including any subsequent treatment or period of incapacity<sup>2</sup> relating to the same condition), that also involves:

(1) **Treatment<sup>3</sup> two or more times** by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, physical therapist) under orders of, or on referral by, a health care provider; or

(2) **Treatment** by a health care provider on **at least one occasion** which results in a **regimen of continuing treatment<sup>4</sup>** under the supervision of the health care provider.

#### 3. Pregnancy

Any period of incapacity due to **pregnancy**, or for **prenatal care**.

#### 4. Chronic Conditions Requiring Treatments

A **chronic condition** which:

(1) Requires **periodic visits** for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

(2) Continues over an **extended period of time** (including recurring episodes of a single underlying condition); and

(3) May cause **episodic** rather than a continuing period of incapacity<sup>2</sup> (*e.g.*, asthma, diabetes, epilepsy, etc.).

#### 5. Permanent/Long-term Conditions Requiring Supervision

A period of **Incapacity<sup>2</sup>** which is **permanent or long-term** due to a condition for which treatment may not be effective. The

employee or family member must be **under the continuing supervision of, but need not be receiving active treatment by, a health care provider**. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

#### 6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive **multiple treatments** (including any period of recovery there from) by a health care

provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for **restorative surgery** after an accident or other injury, **or** for a condition that **would likely result in a period of Incapacity<sup>2</sup>**

**of more than three consecutive calendar days in the absence of medical intervention or treatment**, such as cancer

(chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

This optional form may be used by employees to satisfy a mandatory requirement to furnish a medical certification (when requested)

from a health care provider, including second or third opinions and recertification (29 CFR 825.306).

*Note:* Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

3 Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition.

Treatment does not include routine physical examinations, eye examinations, or dental examinations.

4 A regimen of continuing treatment includes, for example, a course of prescription medication (*e.g.*, an antibiotic) or

therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

#### Public Burden Statement

We estimate that it will take an average of 20 minutes to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the

data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Christine T. J. Tucker Gwendolyn A. Faison

Business Administrator Mayor

**TO:**

**FROM:**

**DATE:**

**RE: NOTICE OF INTENTION TO RETURN FROM LEAVE**

Please accept this memorandum as my intention to return from leave effective \_\_\_\_\_.

I understand that my restoration to employment is subject to the following conditions:

1. As a condition of restoration, each employee must provide a written certification from his or her health care provider that the employee is able to resume working.
2. Every attempt will be made to restore an employee returning from leave to his or her original position. If the employee's original position is unavailable, the employee will be placed in an equivalent position with the equivalent pay and benefits.
3. An employee returning from Family and Medical leave shall not be entitled to the accrual of any seniority or employment benefits during the period of leave.

**DOCTOR'S CERTIFICATION**

I have examined the above referenced employee of the City of Camden and certify that he/she is fully able to resume working.

\_\_\_\_\_  
Health Care Provider's Signature Date

## **CHAPTER III – GENERAL EMPLOYMENT POLICIES**

### **III.1 PHONE**

A. All employees should have received introductory instructions on the use of the new Meridian Norstar Phone System. The new phone system is a tool for the department to provide a more efficient service to its clients. All employees also should have received a telephone feature guide, which outlines some of the programming features of the Meridian Norstar System. In addition to the telephone feature guide, there are additional policy considerations adopted by the City of Camden that all employees should be aware of.

These phones are being purchased by the City of Camden, not leased. As such, each employee will be responsible for insuring that the phone assigned to that employee is properly maintained. As these phones are the property of the City of Camden, for inventory control purposes, each phone will be assigned in inventory I.D. tag, along with the name of the employee who is assigned to said phone.

Each department is responsible to maintain and provide to the telecommunication office a complete list of employees and the telephones to which they are assigned. Changes due to termination, transfer, reassignments or new hires should be reported immediately to the telecommunication office.

#### **B. Operator Assistance 411 – Information**

A complete set of phone directories were distributed to all Departments. All employees are asked to use the phone directories to locate phone numbers in lieu of using 411 or 555-1212. In the event that it is necessary to use 411 or

555-1212, at no time should any employee use the automated system provided by AT&T which automatically dials the number requested.

C. Long Distance Phone Calls

All long distance phone calls shall be related to servicing our clients. All employees are reminded that each employee is responsible to reimburse the City of Camden for personal phone calls made on City phones. Each employee will be responsible for all calls made on their assigned phone that are not business related.

As each employee is responsible for any long distance phone calls on their assigned phone, all departments will be provided with a listing of long distance calls per extension. Each employee will be responsible for reimbursing the City for all personal calls made on their individual phone line. The City will not accept collect calls and employees are instructed to refuse any such calls. Calls accepted will be assumed the responsibility of the individual assigned to the telephone. The City does not allow for third party calling. Again, these charges are not authorized and will be the responsibility of the individual assigned to the phone.

Upon the resignation or termination of any person from the City of Camden, the telecommunications office reconcile the phone bills for that extension assigned to the employee prior to the final check being processed for said employee.

#### D. Abuse

The abuse of telephones for personal calls including cell phones will be cause for disciplinary action.

### **CELL PHONE USE**

#### A. Business Use

- A City Cellular telephone shall be used for appropriate business purposes. Such use is defined to be appropriate when an employee must make a call related to furthering City operations, does not have access to a regular City telephone, and the call cannot or should not wait until returning to the office. The City also encourages employees to be good citizens and use cellular telephones to report emergency situations to appropriate authorities, using free cellular calls whenever possible. (e.g., 911)
- A City cellular telephone may be used for circumstances, in which an employee must make a personal telephone call, does not have access to another City telephone, and such circumstances are at the City's request and/or relate to City business. For example, an employee may need to notify immediate family members that he/she is working past normal working hours and his/her expected arrival time. Other permitted calls would be those directly related to the health, safety, and welfare of the employee. For example, if employees are working in the field past normal working hours for an extended period, it is considered a business call for the employee to call and ask someone to deliver food to the location. Such

calls are to be made from a cellular telephone only when a regular City telephone is unavailable

#### B. Personal Calls

- The City discourages the use of cell phones for personal reasons. Cost of cell phone calls other than those that directly or indirectly relate to City operations must be reimbursed to the City. Such personal calls must be limited and have no adverse impact on City operations. Calls will be monitored and excessive personal use of cell phones will be subject to appropriate disciplinary action.

#### C. Incoming Calls

- The City discourages the disclosure of cellular telephone numbers to members of the public, as the telephones are the property of the City and not of the employee. All incoming calls are discouraged unless the calls are part of the business operations of the employee.
- Employees are expected to reimburse the City for personal incoming phone calls, in accordance with section 1.5.

#### D. Monitoring

- Cellular telephone use and charges shall be monitored by Department Directors and the Business Administrator.
- The Telecommunications supervisor will distribute the detailed cell phone invoices to the appropriate department heads for their review and handling.
- It is the responsibility of the Department Director to review the

detailed cellular telephone bills for the department each month. The Director shall note and investigate any unusual or questionable patterns, and shall take any appropriate action based on such investigation. It is also the Director's responsibility to ensure that copies of the telephone bill detail for each telephone is provided to the appropriate employee and, further, that any required reimbursement is made to the City on a timely basis in accordance with the requirements set forth herein.

- The Business Administrator will also review all bills to:
  - Assure that users do not exceed allocated minutes;
  - Report any abuse to the appropriate Director; and
  - Verify that costs do not exceed budget amounts.
  - It is the responsibility of the employee assigned a cellular telephone to use such telephone in accordance with this policy.

#### E. Reimbursement

- Upon receipt of a copy of the telephone bill detail each month, the employee is to review such bill and note any calls, which require reimbursement to the City. Reimbursement for such calls shall be made in the following manner:
  - Employees will submit a check or money order made Payable to the City of Camden to the Tax Office with a receipt from the Telecommunication Officer.

- Users must first acquire a receipt from the Telecommunications Supervisor prior to making any payments.
- Users shall send proof of payment to the telecommunications supervisor.
- All payments shall be made by the end of the calendar month in which the bill copy is received.
- Personal phone calls are only permitted in accordance to section B.

## **ASSIGNMENT OF CELL PHONES**

### — Requesting Cell Phone Use

- A. When requesting a cell phone the following procedures must be adhered to:

Fill out and submit a Telecommunications Request Form with Director's Signature to the Business Administrator or his/her designee for his/her approval.

- B. The request should contain:

Name, Title, Department

Director's Signature

Tier level requested (See section 2.2)

Justification

- C. Approved requests will then be sent to the Telecommunications Supervisor for processing. Telecommunications supervisor will

contact Individual user when phone is ready. If needed, some training on the proper use of phone will be provided.

D. Users will sign a Statement of Understanding given by the Telecommunications Supervisor, indicating that they have read, Understood and agreed to abide by this cell phone policy.

— Tiered Users

The City will allocate cell phones based the amount of minutes needed by user. The type of user of will fall under one of the following tiers:

Tier-3: 1500 minutes/month:

Typically, this type of user will include:

- Department heads, key cabinet-level personnel, elected officials, and other employees whose duties may require high use. This user is one who would require significant communication needs across various city departments, outside agencies and the general public.
- This user is also one who is expected to be on constant call for addressing highly sensitive and highly critical city issues, typical of a high-level official.
- Law enforcement personnel involved with investigations, requiring nonstandard radio communications.
- Employees whose immediate and direct contact is crucial to the Proper performance of their assigned work duties and

organizational responsibilities and require substantial communication needs.

- On occasion situations may warrant a lower tiered user to exceed his/her allocated minutes/month. When such situations arise, the user is required to furnish justification for the additional usage. An example, of such an increase in minutes may be an unforeseen state of emergency caused by weather, environmental hazard, public safety incident or other emergency situations.

Tier-2: 750 minutes/month

Users that fall under tier-2- may be:

- Managers and supervisors who require interdepartmental Communications and have occasional interaction with the general public. This user is one who would be considered an intricate part the department's daily operations. These individuals are typically ones who are assistants to the directors and may, on occasion, act on behalf of a director, in his/her absence.
- Municipal employees and officials who serve in public safety Capacities and who routinely act in field command or coordination roles for incidents that may threaten the public safety or general well being of the community.

- Employees whose immediate and direct contact is crucial to the proper performance of their assigned work duties and organizational responsibilities and require a moderate level of communication needs.

Tier-1:250 minutes/month

Users that fall under Tier-1:

- Back-up employees to other higher tiers. Such employees, may include, those who are assigned high-level responsibilities on a temporary basis, when managers and/or supervisors are unavailable.
- Employees whose immediate and direct contact is crucial to the proper performance of their assigned work duties and organizational responsibilities and require some degree of communications.

Cell Phone Bank

A bank of cell phones will be available on a short-term basis through the Office of Telecommunications. Employees requesting a cell phone through the bank must complete a request form, which requires the approval of their director. Accompanying the request form must be written justification describing the need. These users may consist of:

- Employees traveling out of the city for business purposes.

- Employees assigned special projects requiring them to spend a significant portion of their workday out of the office.
- Employees temporarily assigned responsibilities whose immediate and direct contact is crucial to the proper performance of their assigned work duties.
- With the approval of the Business Administrator or designee, limited bank phones may be maintained by directors to satisfy communication needs outlined above. Directors who maintain such phones must monitor their use to assure compliance with standard set forth in this document.

#### Lost Damaged Phones

##### Proper Care

- The cell phone user is expected to take proper care of the cell phone.
- Phones are to have protective cover over at all time.
- Initially, a cover will be furnished at the time of assignment. If cover is lost or damaged, it is the users responsibility to purchase with his/her own funds another cover.
- Phones are to be kept with the user at all times. It is not permissible to leave phones unattended and phones are not

to be loaned out to anyone. It is the responsibility of the user to keep phone charged at all times. A charger will be furnished with phone.

- Employees will be responsible for excessive wear and tear of the phone.
- If determined to be negligent, the employee will be financially responsible for the cost of replacement or repair of the phone.
- Employees will submit a check or money order made payable to the City of Camden to the Tax Office with a receipt from the Telecommunications Officer.
- Users must first acquire a receipt from the Telecommunications Supervisor prior to making any payments.
- Users shall send proof of payments to the telecommunication supervisor.

#### Lost or Stolen Cell Phones

- Cell phones that are lost or stolen must be reported immediately to the Telecommunications Supervisor.
- Users must fill out a Police Report, describing the details of the incident.
- The Risk Manager will review the incident and a report will be submitted to the Business Administrator for his/her review. If the

incident happened as a result of negligence then the user may be required to pay back the cost of the phone.

- Due to processing reasons, there may be a waiting period prior to the issuance of a replacement phone. Users should not expect an immediate replacement. If possible a temporary replacement phone may be issued until the actual replacement phone can be issued.
- Employees will submit a check or money order made payable to the City of Camden to the Tax Office with a receipt from the Telecommunications Officer.
- Users must first acquire a receipt from the Telecommunications Supervisor prior to making any payments.
- User shall send proof of payment to the telecommunications supervisor.

### **III.2 CITY PROPERTY**

Any employee requiring the use of City property in order to carry out the functions of his or her duties will be held responsible for its safekeeping and continue functioning. Inquire of your Supervisor on the proper usage of any City property assigned to you.

Unauthorized use of property by an employee will subject him or her to disciplinary actions.

The loss of cell phones, pagers, or hand held radios will result in the individual assigned this equipment being charged the cost to the City.

### **III.3 NO SMOKING**

The City of Camden, in compliance with the Government Building Smoking Control Act (P.L. 1985, Chapter 381), supports the principle that “the right of a non-smoker to breathe clean air supersedes the right of a smoker.”

The City of Camden’s City Hall, located at 520 Market St., is a smoke free environment. Smoking is prohibited in all areas of the City Hall including conference rooms, work areas, private offices, lobbies, elevators, rest rooms, the cafeteria, the loading dock and hallways. Smoking is also prohibited in front of City Hall. The designated smoking area is located at the North side of City Hall. Smoking is to be restricted to the designated area and only during employee breaks and lunch periods during the workday. No additional breaks are granted for smokers. All buildings occupied by city offices or those portions of buildings so occupied will also be smoke free. Smoking is prohibited in City of Camden vehicles.

Violation of this policy will result in discipline as provided below.

#### **DISCIPLINARY ACTION:**

1st Occurrence: Informal meeting with employee advising behavior is not acceptable and review of policy.

2nd Occurrence: Official verbal warning.

3rd Occurrence: Written warning.

If there is no change in behavior a three (3) day suspension will be in order. An employee will be advised by his or her director in writing that further disciplinary action will follow if there is no change. The number of days of suspension will increase up to the maximum for a minor disciplinary action of five (5) days.

If there is still no change, a major disciplinary action will be issued ranging from a six (6) day suspension up to and including termination of employment.

#### **III.4 REST BREAKS**

It is the policy of the City of Camden 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. Break cannot be split up, i.e., three 5-minute breaks, etc., but are to be used as a whole time frame, twice a day.

##### **Procedure:**

- The supervisor, or designate, will coordinate one 15-minute break in each half of a scheduled shift.
- The break schedule will be communicated to the appropriate employees.
- Breaks may be taken as scheduled providing service is maintained by the service area.
- Part-time employees would be allowed breaks in proportion to their hours and schedule.

#### **III.5 EMPLOYEE EXPENSES**

Employees required to use their personal vehicle in the pursuit of proper and necessary City business, on a daily or special trip basis shall be entitled to either a monthly reimbursement and a weekly gas allotment or reimbursement at a predetermined mileage rate.

When employees are required to use personal vehicles for City business, such employees will declare such use on their application for liability insurance and the difference between their non-business use premium and their business use premium shall be reimbursed.

Please note that requirements for reimbursement of the difference between business and personal use auto insurance are as follows:

1. Individual must be required and authorized by Department Director to use personal vehicle daily for City business.
2. Reimbursement occurs at the end of a policy year upon presentation of:
  - a. Cancelled check or other proof of payment of the full business use insurance premium.
  - b. A quotation dated at the beginning of the policy term for both business and personal use premiums detailed by coverage (collision, comprehensive, liability, etc.) signed by the insurance broker.
  - c. A copy of the insurance policy showing premium determination and policy number.
  - d. A letter from the broker at the end of the policy term indicating that the insurance (by policy number) was in full force and effect throughout the year and showing any credits, rebates or discounts paid in due.

Note that item (b) should be presented with a purchase requisition to encumber the appropriate funds and the other items should be submitted with the advice for payment.

When any class of employment requires the use of specialized equipment such as uniforms, rain gear and safety equipment, these shall be provided and maintained by the employer at no expense to the employee. Outside employee and those wearing work clothes not otherwise covered above, shall receive an annual allowance for the maintenance of clothing used in the course of their duties. Any class of employee not provided with work clothes but required to perform outside work or labor which calls for maintenance of personal work clothes outside of normal wear and tear shall be given an annual allowance. The City shall supply all work clothes and uniforms which employees are required by the City to wear. The employee shall receive an annual maintenance.

Employee using their own tools in the course of their employment shall receive an annual allowance.

### **III.6 TRAVEL EXPENSES WHILE ON CITY BUSINESS**

The purpose is to establish policy guidelines on City reimbursement for expenses while on City Business

It is the policy of the City to reimburse employees for reasonable and necessary expenditures made by employees while on official City business. Mileage will be reimbursed at a rate of \$0.33 per mile; all other allowable expenses on actual cost basis. All expenses must be itemized if applicable. Claims for reimbursement of travel expenses, other than mileage, shall be accompanied by invoices and/or receipts showing proof of payment of such claims, except the daily meal per diem as provided thereafter.

## TRAVEL WHILE ON CITY BUSINESS

### 1. Overnight Trips

- a. Lodging. Hotel and Motel expenses will be reimbursed on completion of authorized travel upon submittal of proper claim or through the use of a purchase requisition. A reasonable class of accommodation shall be selected where choice is available. The single rate should be clearly indicated on all receipt.
- b. Meals. Meal reimbursements for all overnight trips are to be itemized on proper Requisition form.
  - i. Breakfast \$6.00
  - ii. Lunch \$8.00
  - iii. Dinner \$15.00

It is recognized that on certain occasions it will be necessary to exceed the above guidelines. Full itemization should be made.

- c. Mileage Allowance. Employees who utilize their personal vehicles on travel assignments will be allowed the \$0.33 per mile. Each employee who drives a private vehicle on City business must have liability insurance on said vehicle.

When two or more employees are attending the same seminar, convention, or meeting, carpooling shall be practiced. The actual speedometer reading from City Hall to destination and return to City Hall will be used.

If an employee for his or her own convenience travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any expense involved. Reimbursement for such travel shall be for only the part of the expense as would have been necessary in order to travel.

- d. Out-of-State Travel. Requires prior approval by the Business Administrator.

## 2. Local Travel and Expenses

- a. Local Mileage. No mileage will be paid for commuting from an employee's personal residence to City Hall or a workstation.
- b. Local Meals. Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the City for a specific purpose, or where the employee's attendance will directly benefit the City. No reimbursement will be allowed for meetings that are of a social nature. The request for reimbursement of local meals should include the following information:
  - 1. Date
  - 2. Place
  - 3. Meeting Attended
  - 4. Specific Reason for Attendance
- c. Parking Fees will be reimbursed by actual cost and receipts shall be presented.

- d. If an employee reimbursement is necessary, the reimbursement will be handled by the Finance Department after the Requisition form is turned in and approved.

### 3. Non-Allowable Expenses

- a. Laundry, cleaning, or valet services (except of trips of over one week duration).
- b. Tobacco.
- c. Alcoholic Beverages
- d. Entertainment.
- e. Personal telephone calls to home (limited to one per day).
- f. First class travel accommodation when economy or coach class are available.
- g. Meals and lodging in lieu of other meals and/or lodging the expense of which is included in the Registration fee.
- h. Fines, forfeitures or penalties.
- i. Rental vehicles.
- j. Expenses of a spouse or other non-employee.
- k. Loss or damage to personal property.
- l. Barber, beauty parlor, shoeshine or toiletries.
- m. Personal postage.

## **III.7 PUBLIC INFORMATION POLICY**

The City of Camden is going through many changes in the way we do business. Communication is vitally important during this process and who and how information

that impacts our community is shared. It is our objective and intent of sharing data that it is accurate and timely. To facilitate the information process flow, we have developed the following “Public Information Policy.”

### **I. Purpose:**

The goal of this policy is to provide City of Camden personnel with guidelines for dealing with the news media, speeches and public statements, preparing and distributing news releases.

### **II. Scope:**

This policy applies to all agencies/departments of the City of Camden. Individual departments may have additional policies and/or procedures for the release of information.

### **III. Policy Statement:**

It shall be the policy of the City of Camden to maintain and promote open avenues of communication between the City and the news media, and provide accurate, informed, timely and relevant information to the press and to the public.

### **IV. General Policy:**

#### Media Interaction

1. Prior to any formal speaking engagement or presentation, the employee participating will notify the Public Information Officer’s office in writing of the event and its subject matter.
2. Prior to any statement to the media relating to City business, policies, programs or issues, all employees shall notify the Public Information Officer or Business Administrator for review and receive approval for the intended statement.

3. When communicating with the media, City staff should be mindful that they would be perceived to be acting on behalf of the City, whether or not they intend to be doing so. Therefore, staff will always behave professionally and courteously, staying focused on the message they are trying to convey, while avoiding extraneous commentary, speculation, falsification, or drawing of conclusions with incomplete information.
4. While truthfulness is required in all dealings, staff (as representatives of the City of Camden) should work towards the presentation of City issues in a positive manner.
5. The City of Camden is required to be responsive to the media. Directors and other city staff members may also be required to interact with the media, if requested by the Mayor or Business Administrator.
6. Employees, like all citizens, have a First Amendment right of free speech. On occasion, an employee's personal interest in an issue may be different from the City's position. When this occurs, employees are required to clearly state that their position is personal. Notification following a conversation or interview with the news media must be made the same day of the contact. Notification of media contact must be made to the City's Public Information Officer and the employee's immediate supervisor. Notification must be in person, by telephone, or by e-mail.

#### Records

1. To insure that only accurate and legally open personnel and city government information is released, all requests for City documents, including personnel records shall be treated as public information requests.

Public information requests must be made to the Office of the Municipal Clerk.

2. The Public Information Office provides a clipping service for all articles related to the Camden City government that appears in local/area newspapers. On occasion, articles about City government and staff appear in magazines and professional journals. In an effort to archive this information and to generate additional coverage for City staff and activities, staff members are encouraged to send copies of these articles to the Public Information Officer.

#### News Releases

1. Draft of all news releases developed by an agency or department will be submitted to the Public Information Officer for review, approval and distribution coordination.
2. Once approved, the Public Information Officer will be responsible for distribution to the news media. The initiating department is responsible for sending copies to their personnel.

#### Press Conferences

Press Conferences will be coordinated and facilitated solely by the Public Information Officer. Departments and agencies desiring to have a press conference will present their request in writing to the Public Information Officer. The Public Information Officer in consultation with the Mayor and Business Administrator will determine if a press conference is warranted.

### Publications

All published reports, brochures, fact sheets, etc., are to be sent to the Public Information Office, from the specific sending agency or bureau, to be archived and considered for availability and future use and inclusion on the City's web site. Adherence of this policy is required and expected of all City employees. Failure to comply will result in the administration of disciplinary actions up to and including termination of employment.

### **III.8. DISCUSSION OF MATTERS WITH ATTORNEYS, INVESTIGATORS, OR LITIGANTS**

Due to financial cost associated with unauthorized or unqualified opinions, all employees are prohibited from speaking to attorneys, attorney's secretaries, paralegals or investigators without the express authorization of the Law Department. All litigation and potential litigation must be handled through our City Law Department in order to assure the proper coordination of the City's legal defense or advocacy. All letters or requests from attorneys or adversaries should also be forwarded to the Law Department before a response is supplied. If there is any doubt as to whether or not a matter presents a potential legal obligation, please speak to a supervisor immediately.

Any subpoenas received from a legal authority should be reported to the Law Department. This should be done prior to supplying any City documents to any outside agency or prior to the employee appearing at any deposition trial or other legal proceeding. The employee shall be entitled to utilize leave time for an appearance pursuant to a subpoena unless the Law Department shall determine that the appearance is

not related to the duties of the employee's position. Notification of absences shall be reported to the employee's department in accordance with existing policies. Sworn police personnel shall not be required to report a subpoena before testifying in any criminal, traffic or disorderly persons action pending before the Superior Court or the Camden Municipal Court provided, however, that officer shall be subject to the rules and regulations of the Police Department. Code Enforcement personnel may honor a subpoena in any pending code enforcement prosecution or any landlord-tenant action pending in the Superior Court without prior notice to the Law Department.

### **III.9 SUBSTANCE ABUSE**

The purpose of this policy is to make very clear to all City of Camden employees that the use, sale, possession, or involvement with drugs or alcohol while on the job is strictly prohibited.

Violation of this policy will result in appropriate disciplinary action up to and including suspension, fines and termination.

As part of any disciplinary action, said employee may be required to satisfactorily participate in a substance abuse assistance or rehabilitation program and aftercare program.

### **III.10 DRUG AND ALCOHOL SCREENING STATEMENT OF PURPOSE**

The purpose of these guidelines is to establish uniform standards for pre-employment and employment drug and alcohol testing to ensure confidentiality, reliability, and fairness in drug and alcohol testing.

The City of Camden recognizes that a healthy and productive work force, safe

working conditions, free from the effects of drugs and alcohol, and maintenance of services rendered are important to employees and the general public. The City of Camden further recognizes that the abuse of drugs and alcohol not only creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased financial burden on health and benefit programs, increased workplace theft, decreased employee morale, decreased productivity, and a decline in the quality of products and services.

Certain drug and alcohol testing procedures are necessary to protect persons participating in workplace drug and alcohol testing programs.

Therefore, in balancing the interests of employees and the welfare of the general public, the City of Camden concludes that fair and accurate testing for drugs and alcohol in the workplace is in the best interest of all.

#### **DEFINITIONS**

- "Alcohol" means ethyl alcohol, hydrated oxide of ethyl or neutral spirits from whatever source or by whatever process produced.
- "Alcoholic Beverage" means any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcohol content of more than one half of one per centum (1/2 of 1%) by volume.
- "Designated Employer Representative (DER)" means the City's Risk Manager.

- "Drug" means any substance other than alcohol capable of altering the mood, perception, pain level, or judgment of the individual consuming it.
- "Employee" means a person, independent contractor or person hired by an independent contractor who performs services for the municipality.
- "Illegal Drugs" mean any substance for which the possession, sale, distribution, manufacture, or use by unlicensed persons is prohibited by law, but not when used pursuant to a valid prescription or when used as otherwise authorized by law.
- "Job Applicant" means a person, independent contractor or person hired by an independent contractor who applies to become an employee of the municipality.
- "Medical Review Officer (MRO)" means the certified physician responsible for receiving laboratory results.
- "Municipality" means the City of Camden.
- "Non-Prescription Drugs" mean substances that are not legally controlled and are available without a medical prescription, but which, when improperly or inappropriately used, may hamper the ability to perform assigned duties or impair judgment, alertness, and any other physical, emotional, and mental capacities.

- "Prescription Drugs" means controlled and non-controlled substances for which possession and use are legal when prescribed by licensed medical personnel.
- "Prescription/Non-Prescription Misuse" means the overuse or inappropriate use of any prescription or non-prescription medication, to include the ingestion of substances prescribed specifically for another individual.
- "Random Selection Basis" means a mechanism for selection of employees that (1) results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected and (2) does not give the city discretion to waive the selection of any employee selected under the mechanism.
- "Reasonable Suspicion" means an articulable belief based on specific objective facts and reasonable inferences drawn from those facts. Reasonable suspicion of drug abuse or misuse is based upon behavioral and performance factors which include, but are not limited to, decrease in work performance level, willful misconduct, excessive
- absenteeism and tardiness, history of citizen complaints, excessive use of sick leave, negligent injuries or accidents, poor traffic safety record, and other documentable reasons.
- "Safety-Sensitive Position" means a position, which is directly related to public health and safety, protection of life and property, law enforcement or municipal security.

- Safety sensitive positions can include, but are not limited to, the operation of motor vehicles, heavy machinery, equipment or apparatus.
- "Under the Influence" means having the presence of a drug or alcohol at or above the level of a positive test result.

## **ALCOHOLIC BEVERAGES**

The following are prohibited regarding alcoholic beverages:

- a. No alcoholic beverages will be brought into, possessed, or consumed on the City's premises, City property or City vehicles.
- b. Any employee whose alcohol abuse results in excessive absenteeism or tardiness, or is the cause of accidents or poor work, may be referred to the Employee Assistance Program (EAP) for rehabilitation. If the employee refuses or fails rehabilitation, he or she shall be subject to discipline up to and including termination.

## **PRESCRIPTION DRUGS**

The following are prohibited regarding prescription drugs:

- a. No prescription drug shall be brought upon the City's premises by any person other than the person for whom the drug is prescribed by a licensed medical practitioner, and the drug shall be used only in the manner, combination, and quantity prescribed.
- b. Any employee whose prescription drug abuse results in excessive absenteeism or tardiness, or is the cause of accidents or poor work may be referred to the Employee Assistance Program (EAP) for

rehabilitation. If the employee refuses or fails rehabilitation, he or she shall be subject to discipline up to and including termination.

- c. Any employee undergoing prescribed medical treatment with a controlled substance that may affect job performance shall report this treatment to his or her supervisor, including providing the supervisor with a list of medications. A controlled substance's use as part of a prescribed medical treatment is not grounds for disciplinary action, although it is important for the City to know the use is occurring. It may, however, be necessary to change an employee's job assignment while the employee is undergoing treatment.

## **ILLEGAL DRUGS**

The following are prohibited illegal drugs:

- a. The use of an illegal drug, controlled substance, or the possession of one at or outside the workplace is cause for discipline up to and including termination.
- b. The sale, trade, or delivery of illegal drugs or controlled substances or conspiracy in the sale, trade, or delivery of illegal drugs or controlled substances by an employee to another person is cause for discipline up to and including termination.
- c. The occasional, recreational, or off-duty use of illegal drugs will not be excused and will subject the employee to discipline up to and including termination.

## **DRUG AND ALCOHOL TESTING**

This policy governs the administration of drug testing procedures for illegal and abusive drug and alcohol usage by employees of and job applicants for the following safety sensitive positions in the City of Camden:

- a. All non-uniformed safety sensitive personnel working in or assigned to the Police Department;
- b. Fire Personnel;
- c. Public Works Safety-sensitive Personnel;
- d. Utilities Safety-sensitive Personnel;
- e. School Crossing Guards;
- f. Public Safety Telecommunicators and Public Safety Telecommunicator Trainees;
- g. Health & Human Services Safety-sensitive Personnel;
- h. Development & Planning Safety-sensitive Personnel;
- i. All Municipal Court employees;
- j. Any and all positions which are directly related to public health and safety, protection of life and property, law enforcement or municipal security; and
- k. Any and all positions involving the operation of motor vehicles, heavy machinery, equipment or apparatus.

This policy shall not apply to the City of Camden Arson Investigation Unit, which is established pursuant to N.J.S.A. 40A:14-7.1, et seq. Rather, the members of said Arson Investigation Unit shall be subject to the terms and regulations established under the City

of Camden Law Enforcement Drug and Alcohol Screening Guidelines. In the event a member of the Arson Investigation Unit tests positive for drug and/or alcohol usage in violation of the City's Law Enforcement Drug and Alcohol Screening Guidelines, he or she shall be permanently stripped of his or her law enforcement authority, and shall immediately be subject to the policy herein.

## **TYPES OF TESTING**

The City of Camden is authorized to conduct the following types of drug and alcohol tests:

### **1. PRE-EMPLOYMENT TESTING**

The City can require all job applicants to submit to a drug and alcohol test as a condition of the employment application and may use a refusal to submit to a test or positive confirmed test result as a basis for refusal to hire.

### **2. REASONABLE SUSPICION TESTING**

The City may require all employees to submit to Reasonable Suspicion drug and alcohol testing. A minimum of two (2) City supervisors shall document the circumstances, which constitute a basis for determining reasonable suspicion, including, but not limited to, the following:

- a. pattern of abnormal or erratic behavior;
- b. direct observation of drug or alcohol use;
- c. presence of the physical symptoms of drug or alcohol use;
- d. or information provided by a reliable and credible source.

An employee who is required to undergo reasonable suspicion testing will be

suspended from work without pay pending the result of the test. If the test is negative, the employee will be reinstated with back pay.

### **3. POST-ACCIDENT TESTING**

The City may require all employees of safety-sensitive positions to submit to post-accident drug and alcohol testing for any accident resulting in bodily injury or resulting in property damage estimated by the DER to be \$1,000 or more.

### **4. RETURN-TO-WORK TESTING**

The City may require all employees of safety-sensitive positions to submit to return-to-work drug and alcohol testing at the discretion of the DER. A return-to-work situation exists where:

- a. an employee has five (5) consecutive unexcused absences; or
- b. an employee has been absent from work due to enrollment in a drug or alcohol rehabilitation program.

### **5. RANDOM TESTING**

- a. The City may require employees of safety-sensitive positions to submit to drug testing on a random basis when the nature of the position would create a health risk to the employee or fellow employees or to the public, or a security risk in the workplace, should the employee be affected by the use of drugs. The City will conduct, every twelve (12) months, random testing for controlled substances at the rate of fifty percent (50%) of its total employees in safety-sensitive positions. The number of tests conducted under

this section for alcohol testing shall be at the rate of fifty percent (50%) of its total employees in safety-sensitive positions.

Note: According to federal law, employees that possess a Commercial Driver's License (CDL) as a condition of employment will be selected from a separate pool according to the same percentages set forth above.

#### **6. POST REHABILITATION AND/OR TREATMENT TESTING**

An employee who has tested positive and has successfully completed a program of rehabilitation and/or treatment will be permitted to return to work. However, the employee will be required to enter into a two year contract with the City of Camden wherein the employee will be required to test without notice at the discretion of the City of Camden for the term of the contract.

#### **REFUSAL**

A refusal to provide a specimen will constitute a presumption of guilt and the employee will be subject to termination.

#### **PROCEDURE**

In order to ensure the full reliability and accuracy of drug tests, the accurate reporting of test results, and the integrity and efficacy of drug testing programs in the City of Camden, definite specimen acquisition procedures will be exercised.

##### **1. COLLECTION SITE**

The designated collection site will be at Virtua at Work, located at 1000 Mt. Ephraim & Atlantic Avenue, Camden, New Jersey, or on such other sites that may be designated by the DER.

## 2. CHAIN OF CUSTODY FORMS

Chain of custody standardized forms shall be properly executed by authorized collection site personnel.

## 3. NO UNAUTHORIZED PERSONNEL

No unauthorized personnel shall be permitted in any part of the designated collection site when urine specimens are collected or stored.

## 4. IDENTIFICATION

With the exception of pre-employment or return to work testing, all individuals to be tested pursuant to this policy shall be escorted to the collection site by designated City personnel. When an individual arrives at the collection site the individual shall present photo identification. All individuals regardless of the type of test must present photo identification. If the individual does not have proper photo identification or there are questions as to the validity of the identification, the collection site person shall contact the DER. If the individual's identity cannot be established, the collection site person shall not proceed with the collection.

## 5. FAILURE TO ARRIVE AT COLLECTION SITE

If the individual fails to arrive at the assigned time, the collection site person shall contact the DER to obtain guidance on the action to be taken.

## 6. PROCESSING OF URINE SAMPLES

Urine samples will be processed in accordance with accepted chain of custody procedures.

## 7. SPECIMEN MAY BE COLLECTED UNDER DIRECT OBSERVATION

The DER shall review and concur in advance with the decision by a collection site

person to obtain a specimen under the direct observation of a same gender collection site person based on a reason to believe that the individual may alter or substitute the specimen to be provided.

### **LABORATORY REQUIREMENTS**

Laboratory Accreditation: All laboratories used to perform urine testing must be accredited by the National Institute on Drug Abuse (NIDA).

### **LABORATORY TESTING METHODOLOGY**

All testing will be performed using the drug test drug cut-off levels (positive or negative decision points) established by the U.S. Department of Health and Human Services' "Mandatory Guidelines for Federal Workplace Drug Testing Programs (53FR 11970) and all appendices, supplements and amendments thereto.

1. Urine Testing: All urine specimens are analyzed for the following drugs: (a) Amphetamines; (b) Barbituates; (c) Benzodiazepine; (d) Marijuana, (e) Cocaine; (f) Fentanyl; (g) Meperidine; (h) Methadone; (i) Nalburphine; (j) Opiates; (k) Oxycodone; (l) PCP; (m) Pentazocine; (n) Propoxphene; (o) Ecstasy.
2. Breath Alcohol Testing: The analysis of alcohol content will be determined by a breath analysis test. If the initial test is anything other than .00% a confirmatory test will be performed. If a breath analysis test indicates a reading of less than .02%, there shall be not further testing. If a breath analysis test indicates a reading of 0.02% or greater but less than 0.04%, the employee shall not be permitted to perform safety-sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following the administration of the alcohol test. No other action may be taken against the employee based solely upon a test result

showing an alcohol concentration of less than 0.04 %. If a breath analysis test indicates a reading of 0.04% or greater, the test will be construed as a positive.

3. Prescription and Non-Prescription Medications: If an employee is taking a prescription or non-prescription medication in the appropriate described manner, he/she will not be disciplined. Medications prescribed for another individual, not the employee, shall be considered to be illegally used and subject the employee to discipline up to and including termination.

### **TEST RESULTS**

The designated laboratory shall report test results to the City's Medical Review Officer within an average of five (5) working days after receipt of the specimen by the laboratory. The Medical Review Officer may not disclose quantitative test results to the DER but shall report only whether the test was positive or negative.

The laboratory may transmit results to the Medical Review Officer by various electronic means (for example, teleprinters, facsimile, or computer) in a manner designed to ensure confidentiality of the information. Results may not be provided verbally by telephone. The laboratory must ensure the security of the data transmission and limit access to any data transmission, storage, and retrieval system.

Prior to reporting a positive test result to the DER, the MRO shall review and verify the confirmed laboratory positive. The Medical Review Officer shall also tell the employee that he or she has the option to have the results confirmed at another NIDA certified laboratory. The employee is responsible for the cost of the retest.

### **CONSEQUENCES OF A NEGATIVE DILUTE RESULT**

If the laboratory reports a negative specimen as dilute the employee will be

required to retest. If the second test results in a negative dilute the result will be accepted as negative. However, for all additional testing the DER or his designated representative will observe the test being administered.

### **CONSEQUENCES OF A CONFIRMED POSITIVE TEST RESULT**

Upon receipt of a verified or confirmed positive drug or alcohol test result, which indicates a violation of the City's written policy, the City may use that test result as the basis for the following actions:

1. The employee shall be subject to disciplinary action.
2. The employee shall be immediately relieved of duty in accordance with New Jersey Administrative Code Provision N.J.A.C. 4A:2-2.5. Thereafter, the employee shall be directed by the DER to obtain approved treatment and/or rehabilitation under the coordination of the City's Employee Assistance Program (EAP). The EAP coordinator will provide the DER with recommendation as to the course of treatment and/or rehabilitation.
3. The employee's lack of cooperation in addressing rehabilitation and/or treatment with City Officials, EAP program personnel and health care professionals shall result in termination.
4. The employee will be permitted to return to work upon verification of rehabilitation and/or treatment by the DER and the employee successfully completing a drug and/or screen. Any subsequent positive drug and/or alcohol test shall result in termination.

In addition to the above rehabilitation and/or treatment, the employee shall be

required to enter a contract with the City which includes supervision by the EAP program and drug testing without prior notice for a period of two (2) years. The term of the contract shall commence on the date the employee returns to work. Employees who violate the terms of the contract shall be terminated.

### **GENERAL PROVISIONS**

1. Any employee who desires assistance in dealing with an alcohol or drug dependency problem may seek help, voluntarily, in confidence, by contacting the Employee Assistance Program (EAP). These individuals must be capable of performing their assigned duties and must cease all involvement with alcohol and drugs that will impact their job with the City.
2. All information obtained in the course of testing, rehabilitation and treatment of employees with alcohol and drug abuse problems shall be protected as confidential medical information and shall be kept separate from the employee's official personnel file. Only those who have a need to know shall be given access to this information. The importance of this confidentiality to the City and its employees cannot be overemphasized.

### **III.11 POLITICAL ACTIVITIES**

The purpose of the policy is to:

1. foster governmental efficiency and to ensure that employees can perform their jobs without being pressured to support specific Council or other political candidates or to interpret regulations favorably for supporters of such candidates;

2. allow employee performance and advancement to be judged without regard to prior political activity;
3. promote public confidence in the integrity of City government to the end that employees will not be perceived as making decisions on the basis of political loyalties.

Prohibited Activities during Working Hours. An employee shall be subject to discipline up to and including immediate dismissal for violation of these provisions:

- a. No holder of public or employee or employee shall, while on duty during an assigned work shift as an employee of the City:
  - i. Request or solicit contributions or anything of value for any political candidate or cause.
  - ii. Participate in any political campaign by:
    - a. Speaking in favor of any candidates or cause.
    - b. Distributing literature.

### **III.12 SOLICITATIONS**

The purpose is to establish a uniform policy for solicitations by sales representatives or agents in order to alleviate disruption of City employees during normal working hours.

With the exception of United Way and other City-approved activities, peddling or soliciting for sale or donation of any kind on City premises during normal working hours is not allowed.

Working hours include the working time of both the employee doing the soliciting or distributing and the employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas.

### **III.13 TRAINING PROGRAMS, INCLUDING SEMINARS OR CONVENTIONS**

The purpose is to promote and facilitate training and career education, which meets the dynamic needs of the City.

#### **Definitions:**

As addressed by this policy, training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the City or while the employee is in a paid status with the City.

1. It is the policy of the City to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to the City will be more efficient and effective.
2. Employees are encouraged to continue their formal education through participation in off-duty/non-working hours educational programs. Reimbursement for educational expenses incurred by such participation may be granted for job related courses with prior approval of the Department Director, provided funds have been budget for such reimbursement. Any reimbursement shall only be after successful completion of the course/program. Successful completion shall be defined as receipt of a certificate of satisfactory

completion or a grade of C (2.0 grade point) or better in the case of academically rated courses (or attainment of pass in a pass/fail grading system). Approval for tuition reimbursement shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes. Request for reimbursement must be made within 30 days following the completion of the course of study. Training reimbursement is generally available to only those employees who have successfully completed the employee's designated probation period. Consideration of employee requests for tuition reimbursement is dependent upon budgetary constraints and the recommendation of that employee's Department Head. Time spent in attendance at these courses does not count as time worked for purposes of overtime calculation.

**Procedure:**

1. Attendance at training programs will be approved at the Department Head level, except as follows:
  - a. Attendance at a training program involving out-of-state travel by an employee requires approval by the Business Administrator prior to registration.
  - b. Attendance at any program or course work, the cost of which exceeds \$200.00 (in registration, travel, meals and lodging cost) requires approval by the Department Director prior to registration.

2. All outside training and conference attendance shall be processed on City Requisition with original receipts attached.
3. Employees who acquire training on their own time and expenses are encouraged to notify the Personnel Officer so the information can be noted in the employee's personnel file.
4. The Personnel Office shall maintain an employee training history, and shall periodically audit training attendance and policy compliance.

It is assumed attendance for special training leading to certification in a field requiring such training that the benefits of that training will be utilized to the benefit of the City. If the employee leaves before one year of training has ended before the City has paid, the City reserves the right to reimbursement.

#### **III.14 SPECIAL LICENSES AND MEMBERSHIP FEES**

The purpose is to establish guidelines for the request and approval of special licenses and membership fees.

The City will pay the current annual dues or fees for each department who is required by ordinance, or state or federal law to be a member of a professional organization or who must maintain current a particular certification or license as a condition of employment. Payment will be made upon approval by the employee's Department Head.

Employees who belong to professional organization that promote individual professional growth, competence and effectiveness in functioning as City employees will be allowed time off with pay to attend local, state and national meetings subject to

approval by the governing body and budgetary limitations. Collective bargaining units the negotiate for City employees are excluded from coverage under this policy.

Membership in outside organizations shall be in the name of the City, if possible.

### **III.15 CREDIT UNIONS**

The purpose is to outline procedures for the administration and eligibility of the employee credit union.

City employee and their family members are eligible to participate in the South Jersey Federal Credit Union. The credit unions offer a number of services to members, including savings programs, share draft checking, money market accounts, certificates of deposit, individual retirement accounts (IRA's), loans, check cashing, loan protection insurance, and member account insurance. All contributions are financed 100% by the employee.

Employee may arrange to have payroll deduction from their paycheck or they may make a direct deposit or payment to their credit union account. There is a one-time fee to cover the participant's credit union entry fee; however, once an individual is a member, they will remain a member provided a minimum deposit is maintained in their account.

City employees who are members, officers, board members, or committee members of any Credit Union and attend local or state credit union meetings or functions relating to credit union business will not be compensated for the time spent away from their regularly scheduled work. Time off for these meetings may be charged to vacation, compensatory time, other compensated time, leave without pay or the time worked back, subject to Department Head approval.

For more information or enrollment forms, contact the Payroll Supervisor.

### **III.16 OPEN PUBLIC RECORDS ACT (OPRA)**

#### **Policy:**

New Jersey law relating to the public's right to access government records has been expanded under the Open Public Records Act (hereinafter OPRA) which was enacted on January 8, 2002 and became effective on July 8, 2002. Members of the general public will be granted access to all records maintained by the City of Camden unless specifically exempted by OPRA, other state or federal law, regulation or order. Such access shall be through the custodian of department records.

This policy will establish procedures for the receipt and processing of requests for access to department records. This policy and procedure is not applicable to any general rules of Discovery under New Jersey Rules and Court; Rule 7:7 Pretrial Procedure. Procedures for requests for any inspection or copying of records by the defendant pursuant to the New Jersey Rules of Court are outlined in V05c16 – **DISCOVERY**.

#### **Procedure:**

##### **1. CUSTODIAN OF RECORDS**

The Municipal Clerk shall serve as the custodian of all records maintained by the City of Camden. The Municipal Clerk shall be assisted by the staff of the Clerk's Office and all Department Heads in fulfilling the obligation under this law.

A. Responsibilities: The custodian of records shall have the following responsibilities:

1. The custodian shall ensure that procedure are in place so that requests for department records are received, reviewed and filled, if appropriate, as required by the law.
2. The custodian shall review all requests for access to department records that are held and maintained by the City of Camden and make certain that requests are appropriately acted upon within the time prescribed by law.

## **2. DEPARTMENT RECORDS DEFINED**

A department record shall be interpreted to mean any written or printed document, drawing, map, plan photograph, microfilm, data processed or image processed document, and any information stored electronically or by sound-recording or similar device unless exempt from definition under the law.

A department record shall not include:

- Inter-agency or intra-agency, consultative or deliberative material.
- Emergency or security information or procedures for building or facilities.
- Administrative or technical information regarding computer hardware, software and networks, which if disposed, would jeopardize computer security.
- Information regarding labor-management negotiations including statements of strategy or negotiating position.

- Pension or personnel records in possession of the department.
- Information generated by or on behalf of the police department or any of its employees in connection with any sexual harassment complaint filed with the City of Camden or with any grievance filed by or against any individual.
- Information which is to be kept confidential pursuant to court order.
- That portion of any document which discloses the social security number, credit card number, unlisted telephone number, drivers license and any personal identifying information of any person.
- Security measures and surveillance techniques which if disclosed would create a risk to the safety of persons, property, electronic data or software.

### **3. PUBLIC REQUESTS FOR RECORDS**

- A. Times During Which Records May be Requested: Any person making a request for department records must do so during regular business hours between 8:30 a.m. and 4:30 p.m. Monday through Friday.
- B. Records Request Form: All requests for access to records shall be in written format and on the Records Request Form provided by the Municipal Clerk's Office. The request form must be completed, signed, dated and delivered in person to the Municipal Clerk or his/her designee.
- C. Delivery of Records: The custodian of records must respond within seven (7) business days of the original request. If the record requested is not currently available or is in storage or archived, the person making the

request will be advised of when the record will be made available and any estimated fees that will be applicable.

1. The person requesting the records must personally take delivery of those records once copies are made available.

#### **4. DENIAL OF A REQUEST FOR RECORDS**

- A. A records custodian must deny access to any person who has been convicted of an indictable offense in New Jersey or any other state who is seeking department records containing personal information pertaining to the person's victim or the victim's family.
- B. The custodian may deny access to records if the request would substantially disrupt the department's operation and the custodian is unable to reach a reasonable solution with the person requesting access that would accommodate the interest of both parties.
- C. If the City of Camden is unable to comply with a request for access to records, the custodian will indicate the reason for the denial on the request form and provide the person making the request with a signed and dated copy.
  1. Except as otherwise provided by law or by agreement with the requester, if the custodian of the record fails to respond to the requester within seven (7) business days of receiving the written signed request form, the failure to respond will be considered a denial of the request.

## **5. RIGHT TO APPEAL A DENIAL OF ACCESS**

A. If a request for access to a department record is denied, or has been unfulfilled with the time permitted by law, that person making the request has a right to challenge the decision by the Municipal Clerk to deny access. The person requesting the record may either;

- Institute a proceeding in the Superior Court of New Jersey or,
- File a complaint in writing with the Government Record Council (GRC) located in the Department of Community Affairs.

### **III.17 E-MAIL AND INTERNET CODE OF CONDUCT**

Access to the Internet has been provided to public employees for the benefit of the City of Camden and its residents. It allows employees to connect to information resources around the state, the country, and the world. Every employee has a responsibility to maintain and enhance the City's public image and to use the Internet in a productive manner. To ensure that all employees are responsible, productive Internet users and they are protecting the City's public image, the following guidelines have been established for using the Internet.

#### **a. Acceptable Use of the Internet**

Employees accessing the Internet are representing the City of Camden. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Databases may be accessed for information as needed. E-mail may be used for business contact.

**b. Unacceptable Use of the Internet**

The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-City of Camden business or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the company network or the networks of other uses. It must not interfere with employee's productivity.

**E-MAIL COMMUNICATION**

All employees are responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have the sender's name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language may be transmitted through the system. Employees who wish to express personal opinions on the Internet are encouraged to obtain their own user names on other Internet systems.

Notwithstanding the City's right to read and retrieve any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval from the system administrator or the acting supervisor. Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer passwords and login names must be submitted to the system administrator. No codes may be used that are not known to the system administrator.

## **SOFTWARE**

To prevent computer virus from being transmitted through the system, there will be no unauthorized downloading of any software. All software downloads will be done through the system administrator or someone authorized to do so by the system administrator.

## **COPYRIGHT ISSUES**

Copyrighted materials belonging to entities may not be transmitted by City employees on the Internet. One copy of the copyrighted material may be downloaded for an employee's personal use in research. Users are not permitted to copy, transfer, rename and/or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action or legal action by the copyright owner.

## **SECURITY**

All messages created, sent or retrieved over the Internet are the property of the City of Camden. The City reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. The confidentiality of any messages should not be assumed. Even when a message is erased, it is possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All communication, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or retriever.

## **HARASSMENT**

Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's or group's race, religion, national origin, physical attributes or sexual preference may be transmitted.

## **VIOLATIONS**

Violations of any guidelines listed above will be presented to the department supervisor, Personnel Officer, or Business Administrator. It may result in disciplinary action up to and including termination. If necessary, the City will advise appropriate legal officials of any illegal violations.

### **III.18 INFORMATION TECHNOLOGY RESOURCES**

#### **Policy:**

This document formalizes the policy for employees on the use of **Information Technology Resources** ("ITRs") including computers, printers and other peripherals, programs, data, local and wide area networks, City e-mail, and the internet. In addition to this policy individual departments and bureaus, with the authorization of the director of the department, may implement additional policies governing the use of ITRs. Use of City of Camden ITRs by any employee shall constitute acceptance of the terms of this policy and any such additional policies.

#### **Procedure:**

##### **1. User Responsibilities**

It is the responsibility of any person using City of Camden ITRs to read, understand, and follow this policy. In addition, users are expected to exercise reasonable judgment in interpreting this policy and in making decisions about the use of ITRs. Any

person with questions regarding the application or meaning of this policy should seek clarification from the director of their department. Failure to observe this policy may subject individuals to suspension of ITRs privileges and/or disciplinary action, including termination of employment.

## **2. Acceptable Uses**

The City of Camden firmly believes that ITRs empower users and make their jobs more fulfilling by allowing them to deliver more efficient services at lower costs. As such employees are encouraged to use ITRs to the fullest extent in pursuit of their job responsibilities and in meeting bureau and departmental goals and objectives.

## **3. Unacceptable Uses of ITRs**

Unless such use is reasonably related to users job and authorized, it is unacceptable for any person to use City of Camden ITRs:

- in furtherance of any illegal act, including violation of any criminal or civil laws, or regulations, whether state or federal;
- for any political purpose;
- for any commercial purpose;
- to send threatening or harassing messages, whether sexual or otherwise;
- to access or share sexually explicit, obscene, or otherwise inappropriate materials;
- to infringe any intellectual property rights;
- to gain, or attempt to gain, unauthorized access to any computer or network;

- for any use that causes interference with or disruption of network users and resources, including propagation of computer viruses or other harmful programs;
- to intercept communications intended for other persons;
- to misrepresent the City of Camden;
- to distribute chain letters;
- to access online gambling sites; or
- to libel or otherwise defame any person.

#### **4. Data Confidentiality**

In the course of performing their jobs, employees may have access to confidential or proprietary information, such as personal data about identifiable individuals or commercial information about business organizations. Under no circumstances is it permissible for employees to acquire access to confidential data unless such access is required by their jobs. Under no circumstances may employees disseminate any confidential information that they have rightful access to, unless such dissemination is required by their jobs.

#### **5. Copyright Protection**

Computer programs are valuable intellectual property. Software publishers can be very aggressive in protecting rights from infringement. In addition to software, legal protections can also exist for any information published on the Internet, such as the text and graphics on a web site. As such, it is important that users respect the rights of intellectual property owners. Users should exercise care and judgment when copying or

distributing computer programs or information that could reasonably be expected to be copyrighted.

## **6. Computer Viruses**

Users should exercise reasonable precautions in order to prevent the introduction of a computer virus into the local area or wide area networks. Virus scanning software should be used to check any software downloaded from the Internet or obtained from any questionable source. In addition, executable files (program files that end in “exe”) should not be stored on or run from network drives. Finally, it is a good practice to scan floppy disks periodically to see if they have been infected. If a virus is detected contact your supervisor and a City MIS personnel immediately.

## **7. Network Security**

Most desktop computers are connected to a local area network, which links computers through the wide area network, to most other computers in City government. As such, it is critically important that users take particular care to avoid compromising the security of the network. Most importantly, users should never share their passwords with anyone else, and should promptly notify City MIS personnel if they suspect their passwords have been compromised. In addition, users who will be leaving their PC's unattended for extended periods should either log off the network or have a password-protected screen saver in operation. Finally, no user may access the Internet or other external networks via modem connection unless they have received written permission from the director of their department and a City MIS personnel.

## **8. E-Mail**

When using E-Mail there are several points users to consider. First, because e-mail addresses identify the organization that sent the message (johndoe@ci.Camden.state.us) users should consider e-mail messages to be the equivalent of letters sent on official letterhead. For the same reason, users should ensure that all e-mails are written in a professional and courteous tone. You may not use E-mail to send or receive personal messages. Finally, although many users regard e-mail as being like a telephone offering a quick, informal way to communicate, users should remember that e-mails can be stored, copied, printed or forwarded by recipients. E-mails are considered public records under the Open Public Records Law. As such, users should not write anything in an e-mail message that they would not feel just as comfortable putting into a memorandum copied to a manager.

## **9. No Expectation of Privacy**

City of Camden ITRs (computers, printers and other peripherals, programs, data, local and wide area networks, City e-mail, and the Internet) are the property of the City of Camden and are to be used in conformance with this policy. The Department of Administration retains, and when reasonable and in pursuit of legitimate needs for supervision, control, and the efficient and proper operation of the workplace, will exercise the right to inspect any user's computer, any data contained in it, and any data sent or received by that computer. Users should be aware that network administrators, in order to ensure proper network operations, routinely monitor network traffic.

Use of City of Camden ITRs, as defined above, constitutes express consent for the City of Camden to monitor and/or inspect any data that users create or receive, any messages they send or receive, and any web sites that they access.

### **III.19 VEHICLE USAGE POLICY – REVISED NOVEMBER 2003**

#### **PURPOSE**

The maintenance of a municipal vehicle fleet is necessary to effectively deliver local governmental services is necessary for the City of Camden. This policy will establish comprehensive procedures outlining the authorized usage of municipal vehicles and will be implemented by all departments.

#### **BASIS AND BACKGROUND**

The City of Camden maintains a vehicle fleet to assist employees in the performance of their duties and in the timely delivery of local government services. This fleet consists of a wide variety of vehicles and equipment that are utilized in a number of different and unique circumstances. With an estimated replacement value of over ten (10) million dollars, city officials must be diligent and exercise due care to ensure adequate availability of vehicles and the effective use of all municipal vehicles on a consistent basis.

The majority of municipal vehicles are highly visible and often subject to public observation and scrutiny. As a result, criticism is frequently received from the general public concerning improper or unethical use of municipal vehicles. With the adoption of a policy on municipal vehicle use, accountability surrounding vehicles will increase, therefore, placing city officials in a strong position to justify and defend usage of municipal vehicles on a uniform basis.

The classes of vehicles are identified by the city with restrictions imposed on usage.

The Risk Management Office will be responsible for insuring appropriate coverage for operators and passengers during the time that vehicles are used for city business. Additionally, the Risk Manager will recommend to the Business Administrator and the Insurance Commission cost effective measures that mitigate risks to the City of Camden.

The Department Head is responsible for the implementation, monitoring and enforcement of the vehicle usage policy. Professional discretion must be exercised by the Department Heads in the execution of the policy, with written notification to the City Business Administrator when needed. Presented below are detailed procedures for correct utilization of municipal vehicles.

### **CLASSIFICATION CATEGORIES**

Certain city employees may be extended the privilege of taking municipal vehicles to their residence during non-working hours. This privilege can be offered on an emergency, temporary, or long-term basis, contingent upon the satisfaction of an evaluation criteria for such special usage of municipal vehicles. Factors to be addressed and assessed to establish justification for this special municipal vehicle usage are as follows:

1. Scope of work responsibilities and duties
2. On call status
3. Place of residence
4. Assignment of work responsibilities and duties due to weather conditions

5. Assignment of work duties associated with a particular job or project
6. Planned attendance of an out of town, work related event, meeting, seminar, or sanctioned program.

The Policy of the City of Camden is that it shall maintain three (3) categories of vehicles. These categories are defined by the position and responsibilities of the person to whom the vehicle is issued.

**CLASS A:**

**Description:** Vehicles assigned to Directors, Assistant Directors, the Fire Chief and Deputy Fire Chief(s), the Police Chief and Deputy Police Chief along with designated managerial positions.

**Authorization:** Chief Operating Officer and Mayor.

**Restrictions:** Permitted for business use and commuting. Incidental stops within a reasonable distance of route to and from work site are permitted. No unofficial passengers are authorized. Restricted to travel within a two hundred (200) mile radius of the City of Camden.

**CLASS B:**

**Description:** Vehicles assigned to individuals with 24-hour on-call responsibilities.

**Authorization:** Business Administrator.

**Restrictions:** Permitted for business use and commuting. Incidental stops within a reasonable distance of route to and from work site are permitted. No unofficial passengers are authorized. Restricted to travel within a two hundred (200) mile radius of the City of Camden.

## **CLASS C:**

**Description:** Work vehicles.

**Authorization:** Department Heads, Managers, Supervisors.

**Restrictions:** Permitted for work only. Vehicles will be picked up and properly dispatched from the appropriate central facility and returned and end of assignment/day/shift. No unauthorized/non-work related passengers.

Memoranda authorizing individuals authorized under Categories A and B will be forwarded to the Office of the Business Administrator. Individuals authorizing individuals the use for vehicles under Classes A and B are responsible for ensuring that the individual is properly licensed to operate the assigned vehicle under New Jersey State Law.

Additionally, provisions exist for the assignment of vehicles on a temporary and emergency basis.

## **EMERGENCY VEHICLE ASSIGNMENT**

The Department Head may direct assignment of a municipal vehicle during non-working hours for the timely handling of an unforeseeable situation or emergency condition. Written notification to the Business Administrator is not required. An emergency vehicle assignment may be exceed five (5) working days.

## **TEMPORARY VEHICLE ASSIGNMENT**

Assignment of a municipal vehicle during non-working hours on a temporary basis for the proper handling of a short-term event, job or occurrence, may be authorized by the Department Head. The Department Head must provide written notification to the

Business Administrator of this temporary assignment prior to extending the privilege. A temporary assignment may not exceed thirty (30) working days.

Annual evaluation of the long-term municipal vehicle assignment shall be performed to determine if acceptable assignment criteria still exist.

Assignment of municipal vehicle during non-working hours, whether on a temporary or long term basis, shall be at the discretion of the Business Administrator.

Violations of this policy may subject the employee to disciplinary action. Any and all disciplinary action taken will be handled consistent with current contractual agreements, departmental corrective action programs, and the New Jersey Department of Personnel regulations.

#### **APPLICATION OF POLICY**

City employees must follow and adhere to all applicable motor vehicle and traffic control laws while operating a municipal vehicle. All City employees who operate municipal vehicles and/or equipment must possess valid licenses, certifications and endorsements issued by the appropriate governmental agency, exercising jurisdiction in this area. Operators of City of Camden vehicles are expected to comply with all operating and licensing requirements. Individuals whose licenses have been suspended or expired are not to operate City vehicles until their licenses have been restored. Employees whose operator's licenses have been suspended or expired must report this to their immediate supervisor. These individuals will not operate City vehicles until their driver's licenses have been restored. Failure of an employee to inform his supervisor and to operate a City vehicle without a valid license may result in disciplinary action. No city employee shall operate a municipal vehicle while under the influence of alcohol, illegal drugs, chemicals

or mind-altering substances. Any city employee who is under the care of a medical professional and is being administered prescriptions drugs that might hinder the ability of the employee to safely operate a municipal vehicle, shall notify their direct supervisor immediately to determine future action, if needed.

All municipal vehicles shall have affixed state issued municipal government license plates and a city issued decal permanently applied on both sides of the municipal vehicle. Exceptions to this requirement will be permitted based on the following justification:

1. Law enforcement usage
2. Intended usage by administration/management
3. Any other appropriate reason approved by the Business Administrator

All municipal vehicles shall be used in strict adherence with assigned instructions and direction provided by authorized supervisory and management staff.

All instructions shall be consistent with the city's position that all municipal vehicles must be utilized for the delivery of local government services that directly benefit the City of Camden.

Municipal vehicles can be utilized to attend work related events such as meetings, educational seminars, professional conventions and other sanctioned and approved events.

Individual employees will be held personally responsible for any moving motor vehicle violation issued while operating a municipal vehicle. This shall also include any parking summons.

Any city employee involved in a motor vehicle accident, no matter how minor, must report the incident to their direct supervisor immediately and in accordance with

established city policy on reporting accidents. This shall include the timely completion and submittal of all necessary documentation generated as a result of the accident.

Procedures regarding motor vehicle accidents involving are included in Annex A.

### **AUTHORIZED DRIVERS**

The City must be assured that all city employees who operate city vehicles have a current Vehicle Operators License valid in the State of New Jersey, appropriate to the type of vehicle employee is responsible for operating. Additionally, the operator of a vehicle will be required to perform certain safety checks on vehicle before it is driven and when assigned a particular vehicle employee is responsible to ensure that it is kept in good repair and operated accordingly.

By requiring written authorization for vehicle use, the city will be able to achieve greater accountability in the use of the vehicle and successfully discipline those who abuse any city vehicles.

To accomplish this the city will required each department/division head to maintain a current listing of eligible vehicle operators, and a list of departmental vehicles with assigned “primary operator/s” of each vehicle. The list is also to include names of those individuals who receive an “auto allowance”. This list shall be submitted to the Business Administrator, who will distribute it to the appropriate individuals (including, Office of Risk Management, Police Department and Fleet Management).

The Business Administrator may, after review of driving records and consultation with the Insurance Commission, remove authorization to operate a City of Camden vehicle from any employee.

### **IMMEDIATE IMPLEMENTATION:**

All agency heads and Directors, along with the Police and Fire Chief will be required to submit a list of authorized drivers and operators license numbers to the Business Administrator. Where appropriate, the list shall include the particular vehicle the individual is assigned to as primary operator.

Any person other than the primary operator who is to operate the vehicle must be authorized to do so by the Business Administrator or his designees, in writing. This written authorization is to include the destination, purpose and approximate duration of use. Upon return, the written request must be updated with the mileage and the time of return.

The information must be kept on file within the department. It will be subject to audit by the Business Administrator, Fleet Manager, Insurance Commission or their designees.

### **APPENDIX A: MOTOR VEHICLE ACCIDENT PROCEDURES:**

#### **PROCEDURE MANUAL**

#### **Motor Vehicle Accidents Involving City-Owned Vehicles.**

In the event that an employee is involved in a motor vehicle accident while operating or riding in a City-owned vehicle, the following procedures will apply:

1. Drivers of City-owned vehicles are responsible for the safe operation of those vehicles and complying with this policy.

2. Remember, operators and occupants of City-owned vehicles are obligated to obey all laws pertaining to the operating of motor vehicles and accident reporting requirements.
3. The first priority should be to ensure the safety of all parties who may have been involved in the accident and to summon medical assistance for anyone who might be injured.
4. All accidents will be reported to the appropriate police department (within or without the City of Camden).
5. The operator or crew's supervisor will be contacted as soon as possible. The supervisor is responsible for ensuring that the appropriate departmental incident reports are completed and that the vehicle is recovered and taken to a repair facility. If possible, photographs of the vehicle should be taken.
6. In the event that a City vehicle strikes an unoccupied vehicle, the above procedures are still in force. Additionally every effort shall be made to contact the owner.
7. Copies of all incident reports and police reports should be provided to the Office of Fleet Management as soon as possible.

### **III.20 FAMILY MEMBERS AND GUESTS**

Employees shall not bring family and guests to work for any length of time without prior approval of the employee's department director. Failure to comply with this policy will result in disciplinary action as provided below.

The purpose of this policy is to ensure employees are devoting their time and

attention to work instead of entertaining and providing childcare. The city is also concerned with potential liability exposure.

**DISCIPLINARY ACTION:**

1<sup>st</sup> Occurrence: Informal meeting with employee advising behavior is not acceptable and review of policy.

2<sup>nd</sup> Occurrence: Official verbal warning.

3<sup>rd</sup> Occurrence: Written warning.

If there is no change in behavior a department two (2) day suspension will be in order. An employee will be advised by his or her director in writing that further disciplinary action will follow if there is no change. The number of days of suspension will increase up to the maximum for a minor disciplinary action of five (5) days.

**III.21 CUSTOMER SERVICE STANDARDS**

Preamble:

Customer service is a vital part of our duties as City employees. It is our responsibility to provide assistance to all customers in a polite, respectful manner. Our customers are all persons or businesses, internally and externally, with whom we, as City employees, interact.

We value our customers' questions, comments and concerns, and their confidence in our ability to provide services. City employees recognize and understand the intrinsic importance of the customer. Our customers should feel comfortable, respected, and satisfied as we do our best to serve them.

It is therefore incumbent on each City employee to provide a high level of service to our customers.

### Personal Contact – One on One

Customers have a right to expect...

1. That customers will receive prompt recognition with a greeting or immediate eye contact.
2. That employees ask for appropriate contact information: name, address, phone #, and nature of complaint or inquiry.
3. That employees respond to customers in a courteous manner.
4. That employees provide accurate and understandable answers to customers requests or direct the customer to the appropriate department or person who may have knowledge in the subject matter.
5. That the City of Camden provide service throughout regular business hours.

### Telephone

Customers have a right to expect...

1. That there call will be answered within a reasonable amount of time (3-4 rings).
2. That the employees will answer their call by stating what department they have reached.
3. That the person answering the phone will speak clearly and courteously.
4. That the employee will ask how they can help.
5. That the employee will listen carefully and attentively.
6. That the employee will offer to take an accurate message, transfer to an appropriate voicemail, or offer assistance if the person they request is not available.
7. That they will receive an explanation if they need to be placed on hold (i.e. calls will be answered in the order in which they were received) or transferred to another person or department.

8. That the phone messages left shall be responded to in a timely manner, 24 hours, even if just to acknowledge receipt.
9. A return call if their requested information is not immediately available.

### Correspondence

Customers have a right to expect...

1. Correspondence that will provide specific information and details in a courteous manner.
2. Correspondence to be distributed to all appropriate individuals.
3. Any correspondence, notifications, and/or replies to inquiries in a timely fashion.
4. The content or correspondence will be correct as to spelling and grammar, including name and address.

### Email

Customers have a right to expect...

1. That their emails will be responded to within 24 hours, when appropriate.
2. City employees to be properly trained on email correspondence and etiquette.

### Meetings

Customers have to right to expect...

1. Postings that include accurate information as to dates, times, and locations of a meeting.
2. City representatives will conduct themselves in a professional manner.
3. Inquiries will be responded to in a timely manner.
4. Employees will be prepared to begin and end meetings as scheduled.
5. Employees will arrive at meetings on time.

### Bills

Customers have a right to expect...

Timely and accurate bills that include detailed information, procedures for payment, and contact information.

### Events

Customers have a right to expect...

1. That employees provide well planned and organized events to customers staffed by knowledgeable individuals.
2. That the City provides appropriate advertisement/literature about an event(s).

### Publications

Customers have a right to expect...

1. City publications will be grammatically and contextually correct.
2. City publication will be timely and provide accurate contact information. **News**

### **Releases**

Customers have a right to expect...

That news releases will be accurate as to spelling, grammar and content, and pre-approved by the department head and by the City Manager when appropriate.

### Internet

Customers have a right to expect...

That all information contained on the web site is accessible, current and accurate.

## **III.22 NO TIPS OR GRATUITIES**

All employees are prohibited from soliciting or accepting tips and gratuities of any type regardless of value.

Violation of this policy will result in discipline up to and including termination.

### **III.23 USE OF TIME CARDS AND THE ATTENDANCE SYSTEM**

- A. This policy applies to the use of swipe cards for the automated electronic attendance system and the use of punch cards for the time card system, whichever is applicable due an employee's primary work location.
- B. All Department/Divisions/Bureaus are to ensure accurate attendance records. All employees are required to swipe/punch in (or sign in in those special cases determined and approved by the Business Administrator) at the time of arrival and at the time of departure. It is not necessary to swipe/punch in and out for meals. The automated attendance system will automatically subtract the employee's meal time in accordance with the employees collective bargaining agreement, where applicable. Department directors have the discretion to require employees to swipe in and out for meals in those circumstances where an employee abusing the meal time.
- C. Swiping/punching in an advance of your starting time or long after your ending time will not result in extra pay. Only pre-approved overtime authorized by a Director in compliance with the Chief Operating Officer's Executive Order #1 will be recognized.
- D. Employees are strictly prohibited from swiping/punching in or out for another employee. Employees are also strictly prohibited from signing in and out for another employee for break and lunch times. Any employee who is found to be in violation of the policy will be subject to disciplinary action up to and including termination.
- E. An employee who loses his or her swipe card will be charged \$5.00 for a replacement card. Replacement fees will be deducted from the employees pay. Replacement cards will be issued by the Business Administrator.

F. It is the responsibility of the employee to notify his or her supervisor that they have, for some reason, forgotten to swipe/punch in. Repeated occurrences of this nature may result in disciplinary action. G. It is the responsibility of those designated by the Director of each department to make adjustments to time and attendance as suggested by the employee's supervisor and finally approved by the Director of the Department. Any unauthorized adjustment will subject those designees to possible disciplinary action.

H. Failure of an employee to use the time clock in the applicable manner may subject the employee to disciplinary action up to and including termination.

I. These policies do not replace any other existing policies regarding time and attendance, but are supplements.

### **III.24 RETALIATORY ACTION PROHIBITED**

New Jersey law prohibits an employer, in this case, the City of Camden, from taking any retaliatory action against an employee.

This notice is to remind employees that the **Conscientious Employee Protection Act**, N.J.S.A. 34:19-1, et seq., makes it unlawful for a public or private employer to discharge, suspend, demote, or take other retaliatory action against an employee who refuses to participate in unlawful or unethical activity and/or discloses unlawful activity to a supervisor or government agency.

The **Conscientious Employee Protection Act** is reprinted below:

#### **34:19-1. Short title**

1. This act shall be known and may be cited as the "Conscientious Employee Protection Act."

L. 1986, c. 105, s. 1, eff. Sept. 5, 1986.

### **34:19-2. Definitions**

2. As used in this act:

a. "Employer" means any individual, partnership, association, corporation or any person or group of persons acting directly or indirectly on behalf of or in the interest of an employer with the employer's consent and shall include all branches of State Government, or the several counties and municipalities thereof, or any other political subdivision of the State, or a school district, or any special district, or any authority, commission, or board or any other agency or instrumentality thereof.

b. "Employee" means any individual who performs services for and under the control and direction of an employer for wages or other remuneration.

c. "Public body" means:

i. the United States Congress, and State legislature, or any popularly-elected local governmental body, or any member or employee thereof;

ii. any federal, State, or local judiciary, or any member or employee thereof, or any grand or petit jury;

iii. any federal, State, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;

iv. any federal, State, or local law enforcement agency, prosecutorial office, or police or peace officer; any federal,

State or local department of an executive branch of government; or

- v. any division, board, bureau, office, committee or commission of any of the public bodies described in the above paragraphs of this subsection.
- vi. "Supervisor" means any individual with an employer's organization who has the authority to direct and control the work performance of the affected employee, who has authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains, or who has been designated by the employer on the notice required under section 7 of this act.
- vii. "Retaliatory action" means the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.
- viii. "Improper quality of patient care" means, with respect to patient care, any practice, procedure, action or failure to act of an employer that is a health care provider.

3. An employer shall not take any retaliatory action against an employee because the employee does any of the following:
  - a. Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer, or another employer, with whom there is a business relationship, that the employee reasonably believes:
    - i. is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care; or
    - ii. is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity;
    - iii. provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated

pursuant to law by the employer, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into the quality of patient care; or c. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes:

- a. is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care; (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably

believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity; or (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

L.1986,c.105,s.3; amended 1989, c.220; 1997, c.98, s.2; 2005, c.329, s.1.

**34:19-4. Written notice required**

The protection against retaliatory action provided by this act pertaining to disclosure to a public body shall not apply to an employee who makes a disclosure to a public body unless the employee has brought the activity, policy or practice in violation of a law, or a rule or regulation promulgated pursuant to law to the attention of a supervisor of the employee by written notice and has afforded the employer a reasonable opportunity to correct the activity, policy or practice. Disclosure shall not be required where the employee is reasonably certain that the activity, policy or practice is known to one or more supervisors of the employer or where the employee reasonably fears physical harm as a result of the disclosure provided, however, that the situation is emergency in nature.

L. 1986, c. 105, s. 4, eff. Sept. 5, 1986.

**34:19-5 Civil action, jury trial; remedies.**

Upon a violation of any of the provisions of this act, an aggrieved employee or former employee may, within one year, institute a civil action in a court of competent jurisdiction. Upon the application of any party, a jury trial shall be directed to try the

validity of any claim under this act specified in the suit. All remedies available in common law tort actions shall be available to prevailing plaintiffs. These remedies are in addition to any legal or equitable relief provided by this act or any other statute. The court shall also order, where appropriate and to the fullest extent possible:

- A. An injunction to restrain any violation of this act which is continuing at the time that the court issues its order;
- B. The reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position;
- C. The reinstatement of full fringe benefits and seniority rights;
- D. The compensation for all lost wages, benefits and other remuneration; and
- E. The payment by the employer of reasonable costs, and attorney's fees.

In addition, the court or jury may order: the assessment of a civil fine of not more than \$10,000 for the first violation of the act and not more than \$20,000 for each subsequent violation, which shall be paid to the State Treasurer for deposit in the General Fund; punitive damages; or both a civil fine and punitive damages. In determining the amount of punitive damages, the court or jury shall consider not only the amount of compensatory damages awarded to the employee, but also the amount of all damages caused to shareholders, investors, clients, patients, customers, employees, former employees, retirees or pensioners of the employer, or to the public or any governmental

entity, by the activities, policies or practices of the employer which the employee disclosed, threatened to disclose, provided testimony regarding, objected to, or refused to participate in.

L.1986,c.105,s.5; amended 1990, c.12, s.4; 2005, c.329, s.2.

### **34:19-6. Fees, costs to employer**

A court, upon notice of motion in accordance with the Rules Governing the Courts of the State of New Jersey, may also order that reasonable attorneys' fees and court costs be awarded to an employer if the court determines that an action brought by an employee under this act was without basis in law or in fact. However, an employee shall not be assessed attorneys' fees under this section if, after exercising reasonable and diligent efforts after filing a suit, the employee files a voluntary dismissal concerning the employer, within a reasonable time after determining that the employer would not be found to be liable for damages.

L. 1986, c. 105, s. 6, eff. Sept. 5, 1986.

**CONTACT PERSON:** The City of Camden has designated Lewis Wilson, City Attorney or his designee, located on the 4<sup>th</sup> floor of City Hall, phone number 856-757-7170 as the contact person to answer your questions or provide additional information regarding your rights and responsibilities under the Conscientious Employee Protection Act.

## **Chapter IV – EMERGENCIES**

### **IV.1 PROCEDURE IN CASE OF FIRE**

Upon the discovery of a fire, all personnel shall take the following steps:

1. Transmit the alarm by activating the nearest manual pull station.

2. Telephone call to Security Booth. They will call Fire Department. Give Security Booth the following information – Dial 9-580-5700
  - a. Fire location
  - b. Floor
  - c. Room/Office Number or Name
  - d. What is burning
  - e. Your name
  - f. Telephone number calling from
3. Evacuate using the fire stair tower NOT the elevators.
4. The verbal code phrase for fire is “Code Red.”
5. When you leave the building, report to pre-assigned evacuation areas.
6. If any person is involved in the Fire, the person discovering the Fire shall go to the aid of that person and shall call aloud the established code phrase. The use of the code will provide for both immediate aid of the endangered person or persons and the transmission of the alarm of FIRE.
7. Any person who is unable to evacuate because of physical disability or mobility impairment is to be assisted to designated Areas of Refuge (stair towers) and their locations reported to the Fire Officer and Security Desk.
8. Any person in the immediate area, upon hearing the code phrase being called aloud, shall immediately execute their duties and evacuation procedures as outlined in the response to alarms section of the plan.
9. All personnel and public, upon hearing the alarm signal and code phrase, shall immediately execute their duties and evacuation procedures as outlined in the response to alarms section of the plan.
10. Under no circumstances is an employee to attempt to extinguish the fire.

11. Do not lock the office door.

## **IV.2 ALL EMERGENCIES**

### **Police \* Fire \* EMS**

Camden City Offices

Dial 9-580-5700

Calling the above numbers will directly access the Security Booth who will quickly initiate measures to render assistance.

When dialing 9-911 you will receive the Camden City Police Department Dispatch.

CITY HALL

COMMAND POST LOCATIONS

MAIN LOBBY FIRE BOOTH

9-580-5700 – EMERGENCY – SECURITY BOOTH

9-225-5438 – NON-EMERGENCY – SECURITY BOOTH

ALTERNATE COMMAND POST FOR CITY HALL

ADMINISTRATION BUILDING SECURITY DESK

MAIN LOBBY

9-225-7761 – MAIN LOBBY – SECURITY

COMMAND POST LOCATION ADMINISTRATION BUILDING

MAIN LOBBY – SECURITY DESK

ALTERNATE COMMAND POST FOR THE ADMINISTRATION BUILDING

CITY HALL MAIN LOBBY FIRE BOOTH

### **IV.3. COMMAND CENTER**

#### **CHAIN OF COMMAND – FIRE**

##### **CITY HALL**

1. When the Senior Fire Department Officer arrives on location, he/she will assume command of the fire incident. All county and city employees shall follow the directions and orders given by the Senior Fire Officer.
2. Prior to the arrival of the Senior Fire Department Officer, the County Administrator or his designate shall have charge of the building.

All County and City employees shall the directions or orders given by the County Administrator or his designate.

#### **CHAIN OF COMMAND**

**Fire Department Officer**

**County Administrator**

**City Administration**

**Director of Buildings & Operations**

3. After the arrival of the Fire Department and the transfer of command, the County Administrator and City Business Administrator or their designate shall remain at Command Post. Members of the Buildings and Operations may be instructed to remain at an area accessible to the Incident Commander and Administrator in order to safely assist with the building resources. All personnel at the Command Post shall:
  - a. To assist the Fire Department Officer in building evacuation.
  - b. Shall provide the information to senior Fire Officer as may be required.
  - c. To receive information from Department/Division Supervisors concerning employee/public evacuation progress, injuries, or other pertinent information.

- d. To provide information to the employees through the Department/Division heads concerning pertinent matters including the return to work order, relocation of offices, etc.
  - e. To provide security to the building which includes preventing employees or non-emergency service personnel from re-entering the building during emergency operations.
  - f. Casualties: It will be the responsibility of the County Administrator/City Business Administrator or his designate to insure to the well being of injured employees or the public. He shall also insure the notification of their next of kin.
4. After the emergency is under control and the building command is returned to the County Administrator and City Business Administrator or their designate, he shall:
- a. Insure that necessary building utilities are operational prior to permitting occupancy.
  - b. Insure that building safety equipment, fire alarms, sprinkler system, etc., has been restored to normal operations.
  - c. Insure that all employees return safely to their respective areas.
5. The County Administrator prior to the implementation to this plan, shall assemble and train adequate Staff Assistants to insure that the Command Post responsibilities are carried out.

Staff shall include but is not limited to the Director and Superintendent of Buildings and Operations, Security Officer in charge, Safety Director, Electrician Foreman, Plumbing Foreman and their designates and the County Paramedic.

#### **IV.4. FIRE DRILLS**

##### General Information

1. Fire exit drills shall include the transmission of a FIRE ALARM SIGNAL and simulation of emergency fire conditions. Drills shall be conducted at irregular intervals to familiarize the building personnel with signals and emergency actions required under varied conditions.
2. A drill shall be at least two (2) times a year and a record kept of each drill. A copy of each drill report shall be sent to the Camden County and Camden City Fire Marshall's Office.
3. Drills shall be conducted from various locations within the building.
4. Notification in advance of all drills using the FIRE ALARM SYSTEM, must be made to the County Fire Marshal, Fire Communication Center in Lindenwold, Camden City Fire Department, Camden City Risk Management to prevent a needless call of emergency fire equipment. When the fire drill is completed, all parties mentioned above must be notified that the alarm system has been restored to its normal operating position.
5. It is recommended that several drills be conducted in addition to those that are required, so as to acquaint all personnel with the alarm system.
6. During ALL FIRE DRILLS, either by automatic alarm or voice code over the Public Address System, all personnel will conduct themselves as if a real emergency was taking plan.

#### **IV.5. COMMAND CENTER**

##### CHAIN OF COMMAND – BOMB THREAT/EXPLOSIVE POLICY

##### CITY HALL AND ADMINISTRATIVE BUILDING

1. Prior to the arrival of the B.T.T.F., Office of the Sheriff's Technical Services and K-9 Units, the person receiving the phone call shall:

a. Place the phone on hold/or leave the phone off the hook on a multiple phone trunk line system.

i. If the phone threat is received on a singular line system, leave the phone off the hook and utilize a different phone.

ii. Record all the information concerning the phone call. The information concerning the call shall be completed on the "Office of the Sheriff Bomb Threat Form."

b. The person receiving the phone threat should call his/her supervisor on a different line, and make themselves available for questioning at the command post.

##### Command Post

Primary – Ground floor at the Security desk. (This area is utilized only for a received threat without a found suspicious item.)

Alternate – The Administrative Building. (This area is utilized in the event a suspicious item was received or found in the course of a search.

c. The Command post should be manned by the County/City Administrator, City Risk Manager, or Director of Buildings and Operations, representatives from the Office of the Sheriff, representative from

Security, members of Camden City Police and members of the Technical Services and K-9 Unit.

2. Prior to the arrival of the B.T.T.F., the County Administrator/City Business Administrator or his designate shall have charge of the building.

All County and City employees shall follow the direction or orders given by the County Administrator or his designate.

#### **IV.6. EMPLOYEE RESPONSIBILITIES**

##### ALL EMPLOYEES

Anyone who receives a report that a bomb has been placed in the building shall:

- a. Record all information at stated above, and notify their immediate supervisor.
- b. No explosive or potential explosive device will be permitted inside any County/City installation.
- c. All employees shall take precautions within their respective work areas.
  - i. Employees should prevent unauthorized entry into areas that are not open to the general public. Contact Security immediately.
- d. Employees in their own work areas are more aware of what constitutes a suspicious item or situation. Your help in identifying these objects is expected and appreciated.