

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 - FUNDAMENTALS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 - TERMS AND ACRONYMS</b>	<b>REVISED: 5/22/24</b>

You will find a list of terms relative to the following topics in the respective chapters and sections:

- State Ethics Statute, see HR 1.5
- New Jersey Civil Service Commission, see HR 2.1
- Group Health Coverage continuation, see HR 2.7
- Family Leave, see HR 6.11

Furthermore, below is a list of other terms and acronyms used throughout the Human Resources Manual:

Administration: the County Administrator, Deputy County Administrator or designee

ADA: Americans with Disabilities Act

AED: Automated External Defibrillator

Affirmative Action: Positive action undertaken with conviction and effort to overcome the present effects of past practices, policies or barriers to equal employment opportunity and to achieve the full and fair participation of women, minorities and any other protected groups found to be under-utilized in the County's workforce or affected by County policies, procedures or practices having an adverse impact.

Appointing Authority: the Gloucester County Commission Director or designee, or the Row Officer (County Clerk, Sheriff, Surrogate) or their designee, as applicable

BAT: Breath Alcohol Technician

Benefits Administrator: This is a company which provides the administrative oversight of the County health benefits.

Board: the Gloucester County Board of County Commissioners

CPR: Cardiopulmonary Resuscitation

CWA: Communication Workers of America

Department Head: the person in charge of a particular department

DCRP: Defined Contribution Retirement Plan

County of Gloucester  
Human Resources Manual

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EAP: Employee Assistance Program

EEO: Equal Employment Opportunity

EEOC: Equal Employment Opportunity Commission

EBT: Evidential Breath Testing

FICA: Social Security tax

FHWA: Federal Highway Administration

FLSA: Fair Labor Standards Act

FMLA: Family Medical Leave Act

FOP: Fraternal Order of Police

FTA: Federal Transit Administration

FTP: File Transfer Protocol

Commission Liaison: Commissioner assigned to a particular department

HIPPA: Federal Health Information Portability and Accountability Act

HR #.#: the Human Resources Manual by chapter and section

HSFS: Hazardous Substance Fact Sheets

HSL: Hazard Substance List

IT: Office of Information and Technology

Manual: the Human Resources Manual

MRO: Medical Review Officer

MSDS: Material Safety Data Sheets

NJAC: New Jersey Administrative Code

NJDOP: New Jersey Department of Personnel AKA New Jersey Civil Service Commission

County of Gloucester  
Human Resources Manual

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NJFLA: New Jersey Family Leave Act

NJSA: New Jersey Statutes Annotated

PBA: Police Benevolent Association

PEOSH HCS: Public Employees Occupational Safety and Health Hazards Communication Standard.

PERS: Public Employees' Retirement System

PFRS: Police and Firemen's Retirement System

PPE: Personal Protective Equipment

RTK: Right-To-Know

QPOS: Quality Point of Service

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 – FUNDAMENTALS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 - PURPOSE OF MANUAL</b>	<b>REVISED: 5/22/24</b>

The purpose of the Gloucester County Human Resources Manual is to establish administrative policies and formalize procedures for the County. The policies contained in the Manual have been adopted and approved by the Gloucester County Board of County Commissioners. The Gloucester County Board of County Commissioners has been given the authority to regulate the internal affairs of the County through N.J.S.A. 1:6-10.

These policies are intended to provide a management approach and attitude toward the general handling of administrative matters. The procedures are systematic plans for implementing policies. The Manual is presented in a form for use by Department Heads, who are responsible for executing these policies. The Manual is also available to all employees. Consistent application of policies and procedures will provide uniform operations within each department, increase efficiency, advance employee morale and improve service to Gloucester County residents.

The Human Resources Manual includes all policies and procedures which govern and affect personnel administration for all departments. This includes all permanent full and part-time employees, temporary and interim employees, Blue and White Collar, Supervisory, and Row Office staff.

The policies and procedures contained in the Manual are not intended to void, replace, or conflict with New Jersey Civil Service Commission rules and regulations or with negotiated union contracts. Gloucester County is under the jurisdiction of the New Jersey Civil Service Commission which means that Gloucester County employees are subject to N.J.S.A. 11A (Civil Service Act), and the rules and regulations as set forth in N.J.A.C. 4A (New Jersey Administrative Code). These rules are prescribed to assure the fair and impartial treatment of all applicants and employees in the classified service.

**THE COUNTY SPECIFICALLY RESERVES THE RIGHT TO REPEAL, MODIFY OR AMEND THIS MANUAL AT ANY TIME. NONE OF THE PROVISIONS IN THIS MANUAL OR THE MANUAL ITSELF SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE. THE MANUAL IS NOT TO BE INTERPRETED AS A PROMISE OF SPECIFIC TREATMENT.**

The County hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by the laws and Constitutions of the State of New Jersey and of the United States including, but not limited to, the following rights:

County of Gloucester  
Human Resources Manual

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- (1) To manage and control the affairs of the County and its properties and facilities, the operation of its departments, and the work activities and scheduling of its employees;
- (2) To hire all employees and, subject to the provisions of New Jersey Civil Service Commission regulations, determine their qualifications, standards of performance, and conditions for continued employment or assignment, promotion, and transfer;
- (3) To layoff, suspend, demote, discharge, or take other disciplinary action for good and just cause according to law;
- (4) To establish rules, regulations, policies, and procedures to effect the orderly and efficient administration of the County's personnel management system.
- (5) The failure of the County to exercise any of the foregoing rights, or any other management rights, shall not be construed as a waiver of these rights.

The County reserves the right to rescind or revise any or all policies that are not set by any valid bargaining agreement, the New Jersey Statutes, or the New Jersey Administrative Code.

Questions and suggestions regarding the contents of the Human Resources Manual should be directed through management channels to Administration; please refer to HR 1.3 "Manual Distribution and Revisions" for more guidelines.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 – FUNDAMENTALS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 - MANUAL DISTRIBUTION &amp; REVISIONS</b>	<b>REVISED: 5/22/24</b>

The Human Resources Manual is an internal management document for distribution to all departments. Each Department Head is assigned a Manual is responsible for keeping and maintaining it. Whenever a Department Head leaves his/her position with the County, he/she should surrender the Manual to Administration. Manuals are assigned to and collected from Department Heads by Administration.

The Manual shall also be distributed to all employees by their respective Department Head. A Department Head may opt to distribute the Manual and Revisions via e-mail, *with a confirmed read receipt*, to those employees with access to e-mail.

In addition, in order to ensure that the employee receives and understands the HR Manual and subsequent revisions, the Department Head will request employees to sign an acknowledgement statement, see HR 1.3 Exhibit B titled “Employee Acknowledgement Statement”.

The Manual in its entirety is accessible on-line at the following address:

<https://gloucestercountynj.gov/226/Human-Resources-Manual>

The written policies and procedures in the Manual will be revised by Administration whenever any changes in personnel policy or operations necessitate such action. Manuals will be reviewed annually for revisions to its contents. Revisions, if deemed appropriate, will be approved by the Board of County Commissioners. Approved revisions will be distributed to all Department Heads, who are responsible for ensuring their Manual is up-to-date at all times and that revisions are communicated to the staff of their department.

Users of this Manual who encounter difficulty in administering or interpreting any policy or procedure in the Manual should submit to Administration, in writing, the nature of the difficulty, a proposed solution or revision, and, if necessary, a request to meet with Administration.

**County Administrator/Designee:**

Assigns and distributes the Manual to Department Heads, and when a Department Head leaves his/her position, collects the Manual.

Reviews the Manual on an on-going basis for revisions to its contents, including requests submitted by Department Heads.

Discusses solutions or possible revisions with the appropriate or affected staff.

Schedules an annual review of the Manual for possible revisions to its contents prior to the beginning of each new calendar year.

Prepares and presents revisions to the Board of County Commissioners for approval.

Distributes additions and revisions, including instructions, to Department Heads, updates web page, and updates any existing Manuals which have not been assigned, but are reserved for future use.

Conducts an annual audit of each Department's Manual to ensure it is in good condition and up-to-date.

**Department Head/Designee:**

Ensures timely distribution of Manuals and revisions to all staff within their respective departments, documents such distribution with HR 1.3 Exhibit B for each employee, and maintains this record.

Refers any questions or problems with the contents of the Manual to Administration using the form provided for this purpose, "Request for Review or Interpretation," (see HR 1.3, Exhibit A). Please note that this procedure asks that Department staff pursue questions and problems through the appropriate Departmental management channels.

Keeps the Manual assigned to him/her up-to-date at all times by immediately filing any revisions to the contents. The person completing the update to each Manual must complete the Filing of Updates page located in the last section of each Manual for this purpose.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>1 - FUNDAMENTALS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 - MANAGEMENT RESPONSIBILITIES</b>	<b>REVISED: 5/22/24</b>

Gloucester County management is expected to manage their departments, divisions, and units and to keep the County Administrator, Deputy County Administrator, Commission Director and Commission Liaison informed of any major changes in operational procedures or problem areas. Management is comprised of Department Heads, Deputy Department Heads, and Immediate Supervisors. Deputy Department Heads and immediate Supervisors should follow the chain of command in relaying information.

The lists below provide an overview of management responsibilities by position.

**Department Heads:**

Department Heads are expected to manage their departments through the following mechanisms:

- Effectively communicating with the Commission Liaison, and as appropriate Commission Director
- Maintaining effective communications with County Administrator, Deputy County Administrator, and Human Resources
- Managing and developing staff including ensuring mechanisms for feedback, periodic performance evaluations, and operating procedures are in place
- Taking appropriate initiative to accomplish tasks
- Producing appropriate levels of quality work
- Working effectively and efficiently with other County departments and agencies
- Adhering to County policies and procedures
- Maintaining a safe workplace
- Taking steps to improve the Department's time and attendance
- Preparing a complete, comprehensive and reasonable budget as well as being able to discuss and explain in detail
- Managing budget throughout the year

**Deputy Department Heads:**

Deputy Department Heads are expected to assist in the management of their department through the following mechanisms:

- Communicating effectively with the Department Head
- Managing and developing staff
- Taking appropriate initiative to accomplish tasks
- Producing appropriate levels of quality work
- Meeting work schedules & specified deadlines
- Adhering to County policies and procedures

County of Gloucester  
Human Resources Manual

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- Taking steps to improve the Department's time and attendance
- Effectively using resources

**Immediate Supervisors:**

Immediate Supervisors are expected to manage their units and assist their staff in accomplishing tasks through the following mechanisms:

- Training new employees
- Assigning and scheduling work
- Handling complaints from staff
- Setting priorities
- Offering problem solving and decision making
- Maintaining discipline

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 – FUNDAMENTALS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 - CODE OF ETHICS</b>	<b>REVISED: 5/22/24</b>

Gloucester County's goal is to maintain the integrity of its workforce and to assure the public that it is above reproach and not subject to influence by County vendors, clients or others. Accordingly, in the context of the Gloucester County Code of Ethics, in furtherance of the legislative declarations and consistent with the County's ethical goals, the Board of County Commissioners finds that the most appropriate interpretation of the Code of Ethics with regard to the solicitation or acceptance of gifts is to take a "zero tolerance" position. This position may succinctly be described as providing that no County officer or employee shall accept any gift, favor, service or other thing of value related in any way to the County officer's or employee's public duties.

**EXPLANATORY NOTE:**

1. The Gloucester County Human Resources Manual currently includes Section 1.5 titled, "Code of Ethics"; and
2. The Gloucester County Code of Ethics basically incorporates the Local Government Ethics Law, codified at N.J.S.A. 40A:9-22.1 et seq., and the provisions of the law are applicable to employees of the County; and
3. The legislative findings related to the Local Government Ethics Law as set forth in N.J.S.A. 40A:9-22.2 are incorporated as a part of the Gloucester County Human Resources Manual and accurately describe Gloucester County's position and intent with regard to such issues. In pertinent part, the Local Government Ethics Law legislative findings include the following declarations:
  - A. Public Office and employment are a public trust;
  - B. The vitality and stability of representative democracy depend upon the public's confidence and the integrity of its elected and appointed representatives;
  - C. Whenever the public perceives a conflict between the private interest and the public duties of a government officer or employee, that confidence is imperiled; and
4. A further provision of the Local Government Ethics Law is set forth at N.J.S.A. 40A:9-22.5f. In pertinent part, this section provides that no government officer or employee shall solicit or accept any gift or other thing of value based upon an understanding that the gift was given or offered for the purpose of influencing him or her, directly or indirectly, in the discharge of his or her official duties;

County of Gloucester  
Human Resources Manual

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5. Gloucester County Administrative Code Section 2.3 further provides that "Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their County duties."
6. Gloucester County's goal is to maintain the integrity of its workforce and to assure the public that it is above reproach and not subject to influence by County vendors, clients or others. Accordingly, in the context of the Gloucester County Code of Ethics, in furtherance of the legislative declarations and consistent with the County's ethical goals, the Board of County Commissioners finds that the most appropriate interpretation of the Code of Ethics with regard to the solicitation or acceptance of gifts is to take a "zero tolerance" position. This position may succinctly be described as providing that no County officer or employee shall accept any gift, favor, service or other thing of value related in any way to the County officer's or employee's public duties;
7. To implement this position, County department heads and employees and vendors have been notified of Gloucester County's zero tolerance position. To further implement the policy, any County officer or employee who is offered or receives any gift that is in any way related to his or her public duties must report that offer or receipt to the officer's or employee's department head. In turn, the department head shall deliver any gift received to the County Ethics Compliance Officer for appropriate disposition. Disposition may include return of the gift to the person or entity making the gift; or if such return is impossible or impractical, delivery of the gift to an appropriate not-for-profit service entity; or if necessary and otherwise unavoidable to make other appropriate disposition of the item;
8. For purposes of the implementation of this position, Gloucester County Counsel or his designee shall serve as the interim Ethics Compliance Officer;
9. As appropriate and if and when necessary, the Compliance Officer shall propose to the Board of County Commissioners the adoption of appropriate forms and steps to implement this policy.

**State Ethics Statute 40A:9-22.1 to 40A:9-22.25**

**40A:9-22.1. Short title**

This act shall be known and may be cited as the "Local Government Ethics Law."

L.1991,c.29,s.1.

**40A:9-22.2 Findings, declarations**

The Legislature finds and declares that:

- a. Public office and employment are a public trust;

- b. The vitality and stability of representative democracy depend upon the public's confidence in the integrity of its elected and appointed representatives;
- c. Whenever the public perceives a conflict between the private interests and the public duties of a government officer or employee, that confidence is imperiled;
- d. Governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting their public duties; and
- e. It is the purpose of this act to provide a method of assuring that standards of ethical conduct and financial disclosure requirements for local government officers and employees shall be clear, consistent, uniform in their application, and enforceable on a Statewide basis, and to provide local officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties.

L.1991,c.29,s.2.

#### **40A:9-22.3 Definitions**

As used in this act:

- a. "Board" means the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs;
- b. "Business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union or other legal entity;
- c. "Governing body" means, in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality, and, in the case of a county, the board of county commissioners, or, in the case of a county having adopted the provisions of the "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), as defined in the form of government adopted by the county under that act;
- d. "Interest" means the ownership or control of more than 10% of the profits, assets or stock of a business organization but shall not include the control of assets in a nonprofit entity or labor union;
- e. "Local government agency" means any agency, board, governing body, including the chief executive officer, bureau, division, office, commission or other instrumentality within a county or municipality, and any independent local authority, including any entity

created by more than one county or municipality, which performs functions other than of a purely advisory nature, but shall not include a school board;

f. "Local government employee" means any person, whether compensated or not, whether part-time or full-time, employed by or serving on a local government agency who is not a local government officer, but shall not mean any employee of a school district;

g. "Local government officer" means any person whether compensated or not, whether part-time or full-time: (1) elected to any office of a local government agency; (2) serving on a local government agency which has the authority to enact ordinances, approve development applications or grant zoning variances; (3) who is a member of an independent municipal, county or regional authority; or (4) who is a managerial executive or confidential employee of a local government agency, as defined in section 3 of the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-3), but shall not mean any employee of a school district or member of a school board;

h. "Local government officer or employee" means a local government officer or a local government employee;

i. "Member of immediate family" means the spouse or dependent child of a local government officer or employee residing in the same household.

L.1991,c.29,s.3.

#### **40A:9-22.4 Local Finance Board to have jurisdiction**

The Local Finance Board in the Division of Local Government Services in the Department of Community Affairs shall have jurisdiction to govern and guide the conduct of local government officers or employees regarding violations of the provisions of this act who are not otherwise regulated by a county or municipal code of ethics promulgated by a county or municipal ethics board in accordance with the provisions of this act. Local government officers or employees serving a local government agency created by more than one county or municipality or employees of county colleges established pursuant to N.J.S. 18A:64A-1 et seq. shall be under the jurisdiction of the board. The board in interpreting and applying the provisions of this act shall recognize that under the principles of democracy, public officers and employees cannot and should not be expected to be without any personal interest in the decisions and policies of government; that citizens who are government officers and employees have a right to private interests of a personal, financial and economic nature; and that standards of conduct shall distinguish between those conflicts of interest which are legitimate and unavoidable in a free society and those conflicts of interest which are prejudicial and material and are, therefore, corruptive of democracy and free society.

L.1991,c.29,s.4; amended 1995, c. 21.

#### **40A:9-22.5 Provisions requiring compliance by local government officers, employees**

Local government officers or employees under the jurisdiction of the Local Finance Board shall comply with the following provisions:

- a. No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
- b. No independent local authority shall, for a period of one year next subsequent to the termination of office of a member of that authority:
  - (1) award any contract which is not publicly bid to a former member of that authority;
  - (2) allow a former member of that authority to represent, appear for or negotiate on behalf of any other party before that authority; or
  - (3) employ for compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former member of that authority.

The restrictions contained in this subsection shall also apply to any business organization in which the former authority member holds an interest.

- c. No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;
- d. No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;
- e. No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;
- f. No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him,

directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties;

- g. No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;
- h. No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities;
- i. No local government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group;
- j. No elected local government officer shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefor; and
- k. Nothing shall prohibit any local government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.

L.1991,c.29,s.5.

#### **40A:9-22.6 Annual financial disclosure statement**

- a. Local government officers shall annually file a financial disclosure statement. All financial disclosure statements filed pursuant to this act shall include the following information which shall specify, where applicable, the name and address of each source and the local government officer's job title:

County of Gloucester  
Human Resources Manual

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(1) Each source of income, earned or unearned, exceeding \$2,000 received by the local government officer or a member of his immediate family during the preceding calendar year. Individual client fees, customer receipts or commissions on transactions received through a business organization need not be separately reported as sources of income. If a publicly traded security is the source of income, the security need not be reported unless the local government officer or member of his immediate family has an interest in the business organization;

(2) Each source of fees and honorariums having an aggregate amount exceeding \$250 from any single source for personal appearances, speeches or writings received by the local government officer or a member of his immediate family during the preceding calendar year;

(3) Each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding \$400 from any single source, excluding relatives, received by the local government officer or a member of his immediate family during the preceding calendar year;

(4) The name and address of all business organizations in which the local government officer or a member of his immediate family had an interest during the preceding calendar year; and

(5) The address and brief description of all real property in the State in which the local government officer or a member of his immediate family held an interest during the preceding calendar year.

b. The Local Finance Board shall prescribe a financial disclosure statement form for filing purposes. For counties and municipalities which have not established ethics boards, the board shall transmit sufficient copies of the forms to the municipal clerk in each municipality and the county clerk in each county for filing in accordance with this act. The municipal clerk shall make the forms available to the local government officers serving the municipality. The county clerk shall make the forms available to the local government officers serving the county.

For counties and municipalities which have established ethics boards, the Local Finance Board shall transmit sufficient copies of the forms to the ethics boards for filing in accordance with this act. The ethics boards shall make the forms available to the local government officers within their jurisdiction.

For local government officers serving the municipality, the original statement shall be filed with the municipal clerk in the municipality in which the local government officer serves. For local government officers serving the county, the original statement shall be filed with the county clerk in the county in which the local government officer serves. A copy of the statement shall be filed with the board. In counties or municipalities which have established ethics boards a copy of the statement shall also be filed with the

ethics board having jurisdiction over the local government officer. Local government officers shall file the initial financial disclosure statement within 90 days following the effective date of this act. Thereafter, statements shall be filed on or before April 30th each year.

c. All financial disclosure statements filed shall be public records.

L.1991,c.29,s.6.

#### **40A:9-22.7 Powers of Local Finance Board**

With respect to its responsibilities for the implementation of the provisions of this act, the Local Finance Board shall have the following powers:

- a. To initiate, receive, hear and review complaints and hold hearings with regard to possible violations of this act;
- b. To issue subpoenas for the production of documents and the attendance of witnesses with respect to its investigation of any complaint or to the holding of a hearing;
- c. To hear and determine any appeal of a decision made by a county or municipal ethics board;
- d. To forward to the county prosecutor or the Attorney General or other governmental body any information concerning violations of this act which may become the subject of criminal prosecution or which may warrant the institution of other legal proceedings by the Attorney General;
- e. To render advisory opinions as to whether a given set of facts and circumstances would constitute a violation of this act;
- f. To enforce the provisions of this act and to impose penalties for the violation thereof as are authorized by this act; and
- g. To adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) and to do other things as are necessary to implement the purposes of this act.

L.1991,c.29,s.7.

#### **40A:9-22.8 Request for advisory opinion from Local Finance Board**

A local government officer or employee not regulated by a county or municipal code of ethics may request and obtain from the Local Finance Board an advisory opinion as to whether any proposed activity or conduct would in its opinion constitute a violation of

the provisions of this act. Advisory opinions of the board shall not be made public, except when the board by the vote of two-thirds of all of its members directs that the opinion be made public. Public advisory opinions shall not disclose the name of the local government officer or employee unless the board in directing that the opinion be made public so determines.

L.1991,c.29,s.8.

#### **40A:9-22.9 Response by Local Finance Board to written complaint**

The Local Finance Board, upon receipt of a signed written complaint by any person alleging that the conduct of any local government officer or employee, not regulated by a county or municipal code of ethics, is in conflict with the provisions of this act, shall acknowledge receipt of the complaint within 30 days of receipt and initiate an investigation concerning the facts and circumstances set forth in the complaint. The board shall make a determination as to whether the complaint is within its jurisdiction or frivolous or without any reasonable factual basis. If the board shall conclude that the complaint is outside its jurisdiction, frivolous or without factual basis, it shall reduce that conclusion to writing and shall transmit a copy thereof to the complainant and to the local government officer or employee against whom the complaint was filed. Otherwise the board shall notify the local government officer or employee against whom the complaint was filed of the nature of the complaint and the facts and circumstances set forth therein. The officer or employee shall have the opportunity to present the board with any statement or information concerning the complaint which he wishes. Thereafter, if the board determines that a reasonable doubt exists as to whether the local government officer or employee is in conflict with the provisions of this act, the board shall conduct a hearing in the manner prescribed by section 12 of this act, concerning the possible violation and any other facts and circumstances which may have come to the attention of the board with respect to the conduct of the local government officer or employee. The board shall render a decision as to whether the conduct of the officer or employee is in conflict with the provisions of this act. This decision shall be made by no less than two-thirds of all members of the board. If the board determines that the officer or employee is in conflict with the provisions of this act, it may impose any penalties which it believes appropriate within the limitations of this act. A final decision of the board may be appealed in the same manner as any other final State agency decision.

L.1991,c.29,s.9.

#### **40A:9-22.10 Violations, penalties**

- a. An appointed local government officer or employee found guilty by the Local Finance Board or a county or municipal ethics board of the violation of any provision of P.L. 1991, c.29 (C40A:9-22 et seq.) or of any code of ethics in effect pursuant to P.L. 1991, c.29 (C40A:9-22 et seq.), shall be fined not less than \$100.00 nor more than \$500.00, which penalty may be collected in a summary proceeding pursuant to "the Penalty

County of Gloucester  
Human Resources Manual

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Enforcement Law of 1999," P.L. 1999, c.274 (C.2A:58-10 et seq.). The board or a county or municipal ethics board shall report its findings to the office or agency having the power of removal or discipline of the appointed local government officer or employee and may recommend that further disciplinary action be taken.

- b. An elected local government officer or employee found guilty by the Local Finance Board or a county or municipal ethics board of the violation of any provision of P.L. 1991, c.29 (C.40A:9-22.1 et seq.), or of any code of ethics in effect pursuant to P.L. 1991, c.29 (C.40A:9-22.1 et seq.), shall be fined not less than \$100.00 nor more than \$500.00, which penalty may be collected in a summary proceeding pursuant to "the Penalty Enforcement Law of 1999," P.L. 1991, c.29 (C.2A:58-10 et seq.).
- c. The remedies provided herein are in addition to all other criminal and civil remedies under the law.

L.1991,c.29,s.10; amended 1999, c.440, s.101.

**40A:9-22.11 Disciplinary actions against officer, employee found guilty of violation**

The finding by the Local Finance Board or a county or municipal ethics board that an appointed local government officer or employee is guilty of the violation of the provisions of this act, or of any code of ethics in effect pursuant to this act, shall be sufficient cause for his removal, suspension, demotion or other disciplinary action by the officer or agency having the power of removal or discipline. When a person who is in the career service is charged with violating the provisions of this act or any code of ethics in effect pursuant to this act, the procedure leading to removal, suspension, demotion or other disciplinary action shall be governed by any applicable procedures of Title 11A of the New Jersey Statutes and the rules promulgated pursuant thereto.

L.1991,c.29,s.11.

**40A:9-2.12 Conducting of hearings**

All hearings required pursuant to this act shall be conducted in conformity with the rules and procedures, insofar as they may be applicable, provided for hearings by a State agency in contested cases under the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

L.1991,c.29,s.12.

**40A:9-22.13 Establishment of county ethics board**

- a. Each county of the State governed under the provisions of P.L.1972, c.154 (C.40:41A-1 et seq.) may, by ordinance, and the remaining counties may, by resolution establish a county ethics board consisting of six members who are residents of the county, at least

two of whom shall be public members. The members of the ethics board shall be appointed by the governing body of the county and no more than one of whom shall be from the same municipality. The members shall be chosen by virtue of their known and consistent reputation for integrity and their knowledge of local government affairs. No more than three members of the ethics board shall be of the same political party.

b. The members of the county ethics board shall annually elect a chairman from among the membership.

c. The members shall serve for a term of five years; except that of the members initially appointed, two of the public members shall be appointed to serve for a term of five years, one member shall be appointed to serve for a term of four years, and the remaining members shall be appointed to serve for a term of three years. Each member shall serve until his successor has been appointed and qualified. Any vacancy occurring in the membership of the ethics board shall be filled in the same manner as the original appointment for the unexpired term.

d. Members of the ethics board shall serve without compensation but shall be reimbursed by the county for necessary expenses incurred in the performance of their duties under this act.

L.1991,c.29,s.13.

**40A:9-22.14 Provision of offices to county ethics board**

a. The governing body of the county shall provide the county ethics board with offices for the conduct of its business and the preservation of its records, and shall supply equipment and supplies as may be necessary.

b. All necessary expenses incurred by the county ethics board and its members shall be paid, upon certification of the chairman, by the county treasurer within the limits of funds appropriated by the county governing body by annual or emergency appropriations for those purposes.

c. The county ethics board may appoint employees, including independent counsel, and clerical staff as are necessary to carry out the provisions of this act within the limits of funds appropriated by the county governing body for those purposes.

L.1991,c.29,s.14.

**40A:9-22.15 County code of ethics established**

Within 90 days after the establishment of a county ethics board, that ethics board shall promulgate, by resolution, a county code of ethics for all local government officers and employees serving the county. Local government officers and employees serving a

county independent authority shall be deemed to be serving the county for purposes of this act.

The county code of ethics so promulgated shall be either identical to the provisions set forth in section 5 of this act or more restrictive, but shall not be less restrictive. Within 15 days following the promulgation thereof, the county code of ethics, and a notice of the date of the public hearing to be held thereon, shall be published in at least one newspaper circulating within the county and shall be distributed to the county clerk and to the heads of the local government agencies serving the county for circulation among the local government officers and employees serving the county. The county ethics board shall hold a public hearing on the county code of ethics not less than 30 days following its promulgation at which any local government officer or employee serving the county and any other person wishing to be heard shall be permitted to testify. As a result of the hearing, the ethics board may amend or supplement the county code of ethics as it deems necessary. If the county code of ethics is not identical to the provisions set forth in section 5 of this act, the county ethics board shall thereafter submit the county code of ethics to the Local Finance Board for approval. The board shall approve or disapprove a county code of ethics within 60 days following receipt. If the board fails to act within that period, the county code of ethics shall be deemed approved. A county code of ethics requiring board approval shall take effect for all local government officers and employees serving the county 60 days after approval by the board. A county code of ethics identical to the provisions set forth in section 5 of this act shall take effect 10 days after the public hearing thereon. The county ethics board shall forward a copy of the county code of ethics to the county clerk and shall make copies of the county code of ethics available to local government officers and employees serving the county.

L.1991,c.29,s.15.

#### **40A:9-22.16 Powers of county ethics board**

A county ethics board shall have the following powers:

- a. To initiate, receive, hear and review complaints and hold hearings with regard to possible violations of the county code of ethics or financial disclosure requirements by local government officers or employees serving the county;
- b. To issue subpoenas for the production of documents and the attendance of witnesses with respect to its investigation of any complaint or to the holding of a hearing;
- c. To forward to the county prosecutor or the Attorney General or other governmental body any information concerning violations of the county code of ethics or financial disclosure requirements by local government officers or employees serving the county which may become the subject of criminal prosecution or which may warrant the institution of other legal proceedings by the Attorney General;

- d. To render advisory opinions to local government officers or employees serving the county as to whether a given set of facts and circumstances would constitute a violation of any provision of the county code of ethics or financial disclosure requirements;
- e. To enforce the provisions of the county code of ethics and financial disclosure requirements with regard to local government officers or employees serving the county and to impose penalties for the violation thereof as are authorized by this act; and
- f. To adopt rules and regulations and to do other things as are necessary to implement the purposes of this act.

L.1991,c.29,s.16.

#### **40A:9-22.17 Request for advisory opinion from county ethics board**

A local government officer or employee serving the county may request and obtain from the county ethics board an advisory opinion as to whether any proposed activity or conduct would in its opinion constitute a violation of the county code of ethics or any financial disclosure requirements. Advisory opinions of the county ethics board shall not be made public, except when the ethics board by the vote of two-thirds of all of its members directs that the opinion be made public. Public advisory opinions shall not disclose the name of the local government officer or employee unless the ethics board in directing that the opinion be made public so determines.

L.1991,c.29,s.17.

#### **40A:9-22.18 Response by county ethics board to written complaint**

The county ethics board, upon receipt of a signed written complaint by any person alleging that the conduct of any local government officer or employee serving the county is in conflict with the county code of ethics or any financial disclosure requirements shall acknowledge receipt of the complaint within 30 days of receipt and initiate an investigation concerning the facts and circumstances set forth in the complaint. The ethics board shall make a determination as to whether the complaint is within its jurisdiction or frivolous or without any reasonable factual basis. If the ethics board shall conclude that the complaint is outside its jurisdiction, frivolous or without factual basis, it shall reduce that conclusion to writing and shall transmit a copy thereof to the complainant and to the local government officer or employee against whom the complaint was filed. Otherwise the ethics board shall notify the local government officer or employee against whom the complaint was filed of the nature of the complaint and the facts and circumstances set forth therein. The officer or employee shall have the opportunity to present the ethics board with any statement or information concerning the complaint which he wishes. Thereafter, if the ethics board determines that a reasonable doubt exists as to whether the local government officer or employee is in conflict with the county code of ethics or any financial disclosure requirements, it shall conduct a hearing

County of Gloucester  
Human Resources Manual

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in the manner prescribed by section 12 of this act, concerning the possible violation and any other facts and circumstances which may have come to its attention with respect to the conduct of the local government officer or employee. The ethics board shall render a decision as to whether the conduct of the officer or employee is in conflict with the county code of ethics or any financial disclosure requirements. This decision shall be made by no less than two-thirds of all members of the ethics board. If the ethics board determines that the officer or employee is in conflict with the code or any financial disclosure requirements, it may impose any penalties which it believes appropriate within the limitations of this act. A final decision of the ethics board may be appealed to the Local Finance Board within 30 days of the decision.

L.1991,c.29,s.18.

**Employee:**

If offered or receives any gift that is in any way related to his or her public duties, reports that offer or receipt to the employee's department head.

**Department Head/designee:**

Delivers any gift received to the County Ethics Compliance Officer for appropriate disposition.

**Ethics Compliance Officer/designee:**

Proper disposes of any such gifts received.

<b>CHAPTER:</b> <b>SECTION:</b>	<b>1 - FUNDAMENTALS</b> <b>6 - EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION</b>	<b>ADOPTED: 3/7/06</b> <b>REVISED: 5/22/24</b>
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Equal Employment Opportunity regardless of race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, pregnancy, sex, gender identity or expression, disability or atypical hereditary cellular or blood trait of any individual, service in the Armed Forces of the United States, nationality, and the refusal to submit to genetic testing or make available the results of a genetic test to an employer, is the law of this State. As embodied in Title VII of the Civil Rights Act of 1964 as amended in 1972, the Civil Rights Act of 1991, Executive Order No. 61, N.J.S.A. 11A:7-1 et seq., and the Americans with Disabilities Act of 1990, the Board of County Commissioners declares that the policy and mandate of the County of Gloucester is to insure equal employment opportunity for all employees and applicants. This policy and mandate includes, but is not limited to, recruitment, selection, hiring, training, promotion, transfer, facility accessibility, reasonable accommodation (see HR 1.6 Exhibit C), layoff, return from layoff, compensation and fringe benefits. Equal Employment Opportunity also includes policies, procedures, and programs for recruitment, employment, training, promotion and retention of employees.

Affirmative Action means positive action undertaken with conviction and effort to overcome the present effects of past practices, policies or barriers to equal employment opportunity and to achieve the full and fair participation of women, minorities and any other protected groups found to be under-utilized in the County's workforce or affected by County policies, procedures or practices having an adverse impact. To effectuate this policy, we have authorized the development and results-oriented implementation programs which conform with all the relevant Federal and State non-discrimination and affirmative action regulations and their amendments which pertain to the legal basis for affirmative action and equal opportunity.

Employment practices will be reviewed routinely to ensure that the protected classes are receiving fair and equal consideration for job opportunities. Affirmative Action shall be taken to encourage members of protected groups to apply for positions within the County of Gloucester.

All personnel actions such as compensation, benefits, transfers, layoffs, training, education, training assistance, facility accessibility, reasonable accommodation (see HR 1.6 Exhibit C), and social and recreational programs will be administered without regard to race, national origin or ancestry, color, sex, affectional or sexual orientation, gender identity or expression, marital status, religion, age, disability, political affiliations, arrest record or other non-job related criteria.

County of Gloucester  
Human Resources Manual

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All County employees have a responsibility to maintain high standards of honesty, integrity, and impartiality in the performance of the County's official business. Employee conduct in violation of these standards will not be tolerated. Sexual harassment, as well as harassment based on other protected classes, is a form of employee conduct that is prohibited.

This Equal Employment Opportunity/Affirmative Action Policy Statement will be available to all employees. All County employees must comply with this policy and those of this County. All managers, supervisors, Department Heads, and the Equal Opportunity/Affirmative Action Officer will be held responsible for the implementation and management of the Affirmative Action Program. This will be accomplished by incorporating workforce planning/equal employment opportunity efforts and results into the annual objectives and education of every supervisor and manager. Good faith efforts will be made to meet employment and policy goals as adopted.

As a public/government employer, the County of Gloucester must comply with the New Jersey Civil Service Commission Laws. This body of rules and regulations operates as the statutory basis for public employment. The County of Gloucester will further its Affirmative Action Plan in conjunction with, and not in conflict with, the Civil Services Laws.

This policy statement will be made available to employees via posting along with general equal employment opportunity/affirmative action information on bulletin boards in conspicuous locations throughout the County.

The County of Gloucester complies with all state and federal rules and regulations and does not discriminate on the basis of race, religion, color, national or ethnic origin, sexual orientation, age, marital status or disability in admission to, access to, or operations of its programs, services, or activities. In addition, Gloucester County encourages the participation of people with disabilities in its programs and activities and offers special services to all County residents 60 years of age and older. Inquiries regarding compliance may be directed to the Division of Disability Services at (856) 384-6842/New Jersey Relay Service 711 or the EEO office at (856) 384-6903.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 – FUNDAMENTALS</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>7 – CONTAGIOUS OR LIFE THREATENING ILLNESS</b>	<b>REVISED: 5/22/24</b>

The County of Gloucester encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The County of Gloucester shall make reasonable accommodations to known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the County of Gloucester. Employees should refer to HR 1.6 Exhibit C to request a reasonable accommodation.

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

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

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

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 - FUNDAMENTALS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 - MANUAL DISTRIBUTION &amp; REVISIONS</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – REQUEST FOR REVIEW OR INTERPRETATION**

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Name

Date

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Department

1. Identify section which requires interpretation or review:  
(Provide complete information - Chapter, section, page, paragraph, etc.)
  
2. Nature of problem or question:
  
3. Proposed solution or suggested revision:
  
4. (Check only if desired or necessary)  
  
\_\_\_\_\_ I'd like to meet with you to discuss this.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>1 - FUNDAMENTALS</b>	<b>ADOPTED: 11/23/10</b>
<b>SECTION:</b>	<b>3 - MANUAL DISTRIBUTION &amp; REVISIONS</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT B – EMPLOYEE ACKNOWLEDGEMENT STATEMENT**

**HUMAN RESOURCES MANUAL REVISIONS**

Employee's Name:

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(PLEASE PRINT/TYPE)

On this date, I received the following Human Resources Manual Revisions dated (DATE OF REVISIONS):

(LIST OF REVISIONS)

I have received these policies and updated my HR Manual accordingly.

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(Employee Signature)

(Date)

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>1 - FUNDAMENTALS</b>	<b>ADOPTED: 11/27/06</b>
<b>SECTION:</b>	<b>6 – EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT C – REQUEST FOR REASONABLE ACCOMODATION**

TO: \_\_\_\_\_  
Department Head/Human Resources \_\_\_\_\_ Date \_\_\_\_\_

FROM: \_\_\_\_\_  
Name of person requesting accommodation \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
Street \_\_\_\_\_ Apt. # \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

1. I am requesting accommodation because (circle one): a      b      c

a. I am requesting accommodation that will allow me to participate in a County offered program, activity or service.

Activity Name: \_\_\_\_\_

b. I am applying for employment. The accommodation requested will allow me to participate in the examination for the job position.

Position Title: \_\_\_\_\_

c. I am currently employed by the County and request a reasonable accommodation.

Current Job Title: \_\_\_\_\_

2. My specific functional limitation is: \_\_\_\_\_

The accommodation I am requesting is described below. (Describe the type of accommodation; if it is a purchasable item list model, number, cost, where it can be obtained, etc., suggestions for work site or examination site modifications or specific job duties which may be restructured or shared to facilitate employment, participate in the examination or utilize a County program, activity or service.)

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County of Gloucester  
Human Resources Manual

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3. Describe how this accommodation will assist you. Please attach additional sheets as necessary.

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**PARTICIPANT/APPLICANT/EMPLOYEE CERTIFICATION**

I certify that I have a disability or medical condition that requires reasonable accommodation, which will be met by acquiring the equipment, services or work adjustments described above.

Signature: \_\_\_\_\_

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – NJ CIVIL SERVICE COMMISSION DEFINITIONS</b>	<b>REVISED: 5/22/24</b>

Below is a list of terms as defined in the New Jersey Administrative Code. *Italicized text* indicates the specific application of those terms to Gloucester County.

**Appointing Authority:** The person or group of persons having power of appointment or removal (4A:1-1.3). *In Gloucester County, the appointing authorities are the Commission Director or designee, or the Row Officer (County Clerk, Sheriff, Surrogate) or their designee, or the Constitutional Officer (Prosecutor) or designee, or the Board of Elections Chairperson or designee, as applicable.*

**Career Service (formerly classified service):** Positions and job titles subject to the tenure or permanency provisions of Title 11A, New Jersey Statutes (4A:1-1.3). There are two divisions in the Career Service - Competitive and Non-Competitive (4A:3-1.2).

**Certification:** A list of names presented to the appointing authority for regular appointment (4A:1-1.3).

**Competitive Division:** One of the two divisions in the Career Service. To become a permanent employee in this division requires filing for and successfully completing an examination process (4A:3-1.2 and 4A:4-2.2) which includes a working test period (4A:4-5.1).

**Demotion:** A reduction in job title or scale of compensation (4A:1-1.3).

**Eligible List:** A roster of persons qualified for employment or re-employment compiled or approved by the NJ CIVIL SERVICE COMMISSION (4A:1-1.13).

**Full-Time Position (Employee):** One that requires the incumbent to work the full number of hours established by the County for the position or group of positions. *The number of required hours is usually but not necessarily one of the following: 32.5, 35, 37.5, or 40 hours per week.*

**Grievance:** An employee complaint regarding any term or condition which is beyond the employee's control and is remedial by management (4A:2-3.1b).

**Interim Appointment:** An appointment made while a permanent employee is on a leave of absence, indefinite suspension, removed or demoted for disciplinary reasons, or accepted an interim appointment. Such appointment shall only remain in effect until the permanent employee returns to the position from leave, at which time the appointee reverts to his/her former status. An interim appointee shall possess the minimum qualifications for the title (4A:4-1.6).

**Layoff:** Separation of an employee from employment because of economy, efficiency or other related reasons (4A:8-1.1).

**Merit System:** A personnel system that provides for a fair balance between managerial needs and employee protection consistent with Title 11A, New Jersey Statutes. Jurisdictions which elect to come under Title 11A are subject to the rules and regulations defined in NJAC 4A et seq.

**Non-Competitive Division:** The second division under the Career Service in which employees become permanent without competing in an examination process (4A:3-1.2d), but must meet the minimum requirements set forth in the job specification and successfully complete a working test period (4A:4-5.1).

**Open Competitive Exam:** A test open to members of the public who meet the prescribed requirements for admission (4A:1-1.3).

**Part-Time Employee:** An employee whose regular hours of work are less than the regular normal workweek for that job title or agency (4A:1-1.3).

**Permanent Employee:** A Career Service employee who has acquired the tenure and rights resulting from regular appointment and successful completion of the working test period (4A:1-1.3).

**Promotion:** An advancement in job title (4A:1-1.3).

**Promotional Exam:** A test open to permanent employees who meet the prescribed requirements for admission (4A:1-1.3).

**Provisional Appointment:** Employment in the competitive division of the Career Services pending the appointment of a person from an eligible list (4A:1-1.3).

**Regular Appointment:** Employment of a person to fill a position in the competitive division of the Career Service upon examination and certification OR the employment of a person to a position in the non-competitive division of the Career Service (4A:1-1.3).

**Removal:** Termination of a permanent employee from employment for disciplinary reasons (4A:2-2.2).

**Special Re-employment:** A permanent employee shall be granted special reemployment rights based on the permanent title from which he or she has been laid off, demoted or displaced by job location. In addition, the employee shall be entitled to special reemployment rights to his or her previously held lateral or demotional title (4A:8-2.3).

**Suspension:** Temporary separation from employment for disciplinary reasons (4A:1-1.3).

**Temporary Appointment:** An appointment made to a position in which the job assignment is for an aggregate period of not more than 6 months in a 12-month period (may be seasonal). A temporary appointment for a maximum of 12 months may be approved by the Commissioner to a position established as a result of a short-term grant. A temporary appointee shall meet the minimum qualifications for the title.(4A:4-1.7).

**Unclassified Service:** Positions and job titles which are not subject to the tenure or permanency provisions of Title 11A, New Jersey Statutes, or these rules unless otherwise specified (4A:1-1.3).

**Veteran's Preference:** To be eligible for Veteran or Disabled Veteran status for New Jersey Civil Service Commission examinations, a veteran must have a discharge, other than dishonorable, for service during: A veteran who served at least 90 days of active duty during:

WWI-April 6, 1917 through November 11, 1918  
WWII-September 16, 1940 through December 1, 1946.  
Korean-June 23, 1950 through October 25, 1955.  
Vietnam-December 31, 1960 through May 7, 1975.

A veteran who served at least 14 days in a combat zone during any one of the following:

Lebanon Crisis: July 1, 1958-November 1, 1958  
Lebanon peace keeping mission: September 26, 1982-December 1, 1987  
Grenada peace keeping mission: October 23, 1983-November 21, 1983  
Panama peace keeping mission: December 20, 1989-January 31, 1990  
Persian Gulf-Operation Desert Shield/Storm: August 2, 1990-February 28, 1991  
Somalia Operation Restore Hope: December 5, 1992-March 31, 1994  
Operations Joint Endeavor and Joint Guard in the Republic of Bosnia or Herzegovina: November 20, 1995-June 20, 1998  
Operation Uphold Democracy in Haiti: September 19, 1994 - March 31, 1995  
Operation Enduring Freedom on or after September 11, 2001  
Operation Iraqi Freedom: March 19, 2003 - present Combat zone qualification is most frequently indicated by the receipt of an Armed Forces Expeditionary Medal.

For disabled veteran status, the veteran must have a service connected disability of at least 10%. The veteran must have received the disability during service in one of the wars or operations listed above, although the veteran need not meet either the 90 days of active duty requirement or 14 days in combat zone requirement. A service connected disability is indicated by a federal Veterans Administration service connected disability pension being received or entitlement to receive, a U.S. military medical board finding or retired

County of Gloucester  
Human Resources Manual

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from active military service with a disability rating of 10 percent or more. Current proof of disability is required.

Spouses, widows, widowers and the parents of disabled or deceased veterans are eligible under these specific circumstances:

A spouse of a disabled veteran: The veteran must be eligible for civil service veterans preference as a disabled veteran (see qualifications above), not be employed in a New Jersey civil service jurisdiction and agree to waive the preference for the duration of the spouse's employment.

A disabled, (see qualifications above), veteran's surviving spouse who has not remarried. A copy of the Death Certificate is required with the "Veterans Preference Claim" form.

Surviving spouse of a veteran who died while on active duty in the U.S. Military service. A copy of the Report of Casualty is required with the "Veterans Preference Claim" form.

Gold Star Parent - parent of a veteran who died while on active duty in the U.S. Military service. A copy of the Report of Casualty is required with the "Veterans Preference Claim" form.

(4A:5-1.1 and the New Jersey Veterans Guide)

**Working Test Period:** Part of the examination process designed to permit an appointing authority to determine whether an employee can satisfactorily perform the duties of the title. Most regular appointments to a title in the career service shall be subject to a working test period. (4A:4-5.1).

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 - RECRUITMENT</b>	<b>REVISED: 5/22/24</b>

All recruiting activities will be conducted in accordance with Equal Employment Opportunity policies (HR 1.6) and, for position vacancies under the jurisdiction of the merit system, in accordance with the NJ Civil Service Commission rules and regulations.

Each applicant will be recruited in accordance with Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, and the 1991 Civil Rights Act.

The direct recruitment process will be utilized for vacancies in positions which include, but are not limited to, exempt positions, emergency appointments, seasonal or temporary appointments or Merit System positions for which there are no lists of eligible candidates.

A person shall forfeit any office or position of honor, trust or profit under the State of New Jersey or any of its administrative or political subdivisions if:

- (1) He/she is convicted under the laws of New Jersey of an offense involving dishonesty or of a crime of the third degree or above or under the laws of another state or of the United States of an offense or a crime which, if committed in New Jersey, would be such an offense or crime;
- (2) He/she is convicted of an offense involving or touching such office, position or employment; or
- (3) The Constitution so provides.

(2C:51-2)

**Department Head/designee:**

Make the request to hire to the Human Resources

May offer consultation on the interviewing of candidates

**Human Resources/designee:**

Recruits candidates for employment

Secures the financial approval to fill the position

Determines if the position is a Career Service position (formerly classified position) under the Merit System through the following steps:

County of Gloucester  
Human Resources Manual

---

- (1) Inquires about a current list of eligible candidates from the NJ Civil Service Commission.
- (2) If there is a current list, formally requests a certification.
- (3) In the absence of a suitable list, requests that the NJ Civil Service Commission generate a list of eligible candidates and then proceeds with the direct recruitment process.

Pursues the direct recruitment process:

Non-competitive:

- (1) Posts a notice of vacancy in all county buildings for a minimum of 5 days. The notice should state the opportunity is open to all who meet the educational and/or experience requirements.
- (2) May place advertisements in area newspapers, which may include the South Jersey Times, Courier Post and Sentinel of Gloucester County. Additionally, advertisements may be placed in publications which are prevalent in the minority communities, as well as provided on tape to assist the visually impaired in obtaining employment.

Provisional:

Employees may be hired through the non-competitive process. **HOWEVER, provisional employees will be compelled to sit for examination in the career service within one year of hiring. See HR 2.5 for more information.**

Receives all applications including on-line submissions, letters of interest, and if appropriate, any NJ Civil Service Commission certifications (4A:4-4.1-10) and maintains a log with each applicant's name, address and telephone number. All applications are kept on file for one year.

Calls for extension from NJ Civil Service Commission if appointment not made before the expiration of the list

May consult with the respective Department Head on the duties and requirements of the position

Sets up interview(s)

For qualified candidates, verifies previous employment, checks references, checks driver's license and driving record if appropriate, and conducts any necessary background investigations, including residency requirements, criminal record, pre-employment physicals

**County of Gloucester  
Human Resources Manual**

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and/or drug testing. Human Resources works in conjunction with the law enforcement agencies for the background inquiry which includes a review of New Jersey criminal record information.

**Interested Candidates:**

All interested candidates, including employees, must file an application or indicate their interest in the vacancy to Human Resources by the posted or advertised deadline.

Must pass pre-employment physicals and/or drug testing.

Must authorize and participate in a background inquiry including New Jersey criminal record information as per NJAC 13:59-1 et seq. This process requires the completion of a notarized Authorization and Release Form and Applicant Questionnaire.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 - CONFLICT OF INTEREST/NEPOTISM</b>	<b>REVISED: 5/22/24</b>

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

The County recognizes the right of employees to engage in outside activities that are private in nature and unrelated to County business. However, business dealings that appear to create a conflict between the employee and the County's interests are unlawful under the New Jersey Local Government Ethics Act.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their County duties.

Unless otherwise permitted by the NJ Civil Service Commission rules and regulations, the Board shall not hire an employee who is a member of their immediate family.

Additionally, unless otherwise permitted, an employee will not be permitted to work in a position where his/her supervisor is a relative or where a personal relationship interferes with job performance or morale.

For the purpose of this policy, a relative is defined as a parent, spouse, civil union partner, child, sibling, grandparent, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, and nephew. It may also include other relationships established by blood, marriage or law.

A personal relationship will include any relationship which does not involve a relative (see above) but which has a similar impact on the work environment.

**Human Resources/Designee:**

Assures that no person is hired if the appointment would violate any provisions of the nepotism policy.

When a situation is created by promotion, transfer, marriage, civil union or other circumstances, investigates and presents all available options.

**Employee:**

May accept or reject an offer in the event that a proposed transfer involves a conflict of interest.

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 - INTERVIEW GUIDELINES</b>	<b>REVISED: 5/22/24</b>

Since interviewing and selecting candidates may be done in conjunction with the Department, Department Heads should familiarize themselves with, and adhere to, the following guidelines:

What an Interviewer must not ask:

- (1) Do not ask the applicant how old he/she is.
- (2) Do not ask the applicant his/her birth date or place of birth
- (3) Do not ask the applicant where his/her parents were born.
- (4) Do not ask the applicant how long he/she has resided at his/her present address.
- (5) Do not ask the applicant what his/her previous address was.
- (6) Do not ask the applicant about religious practices or whether he/she affiliated with a particular parish or observes religious holidays.
- (7) Do not ask the applicant what his/her father's surname is.
- (8) Do not ask the female applicant what her maiden name was.
- (9) Do not ask applicants whether they are married, divorced, separated, widowed, single, or are/were a partner in a civil union.
- (10) Do not ask applicants who resides with them.
- (11) Do not ask applicants how many children they have.
- (12) Do not ask the ages of any children of applicants.
- (13) Do not ask who will care for children while the applicant is working.
- (14) Do not ask how the applicant will get to work, unless owning a car is a job requirement.
- (15) Do not ask the applicant where a spouse or parent or any relative works or resides.
- (16) Do not ask the applicant if he/she owns or rents his/her place of residence.
- (17) Do not ask the applicant the name of his/her bank or any information as to amount of any loans outstanding.
- (18) Do not ask the applicant whether he/she ever had his or her wages garnished or declared bankruptcy.
- (19) Do not ask the applicant whether he/she was ever arrested, but you may ask if he/she was convicted of a crime. You should explain that a conviction will not automatically bar his/her employment.
- (20) Do not ask the applicant whether he/ she ever served in the armed forces of another country.
- (21) Do not ask the applicant if he/she has a particular disability or disabling condition or inquire about the severity of a disability.
- (22) Do not ask the applicant about his/her workers' compensation history.
- (23) Do not ask the applicant if he/she is for or against unions or whether the applicant was ever a union member.
- (24) Do not ask the applicant his/her race.

County of Gloucester  
Human Resources Manual

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- (25) Do not ask the applicant the color of his/her eyes, skin, hair, etc. or his/her height or weight.
- (26) Do not ask the applicant for a photograph.
- (27) Do not ask the applicant for his/her driver's license number, unless driving a vehicle is a requirement of the job.
- (28) Do not ask the applicant the language used in his/her home.
- (29) Do not ask the applicant if he/she has experience in the National Guard or Reserve Units.
- (30) Do not ask the applicant about dates, conditions or types of discharge related to military service.
- (31) Do not ask the applicant about any clubs, social fraternities, sororities, societies, lodges or organizations to which he/she belongs.
- (32) Do not ask the applicant whether or not he/she graduated from high school.

IMPORTANT: Do not write anything on the application form, except, if so desired, information as to:

- (a) Date available to begin work, department, salary.
- (b) Job-related reason for rejection such as inability to do work, inability to work required hours, not legally permitted work in U.S.A., no working papers or work permits, obviously under the influence of intoxicants or drugs at time of interview.

What an Interviewer may ask:

- (1) Questions regarding any information on the application for further review.
- (2) Why did the applicant leave his/her former employment?
- (3) What kind of references would the applicant receive from his/her former employers?
- (4) What did his/her prior job duties consist of?
- (5) What did he/she like and dislike about prior jobs?
- (6) What kind of job duties is he/she interested in?
- (7) What hours and days is he/she available or unavailable to work?
- (8) What does he/she feel is relevant to the position he/she is applying for?
- (9) What size organization did he/she work for?
- (10) What did he/she think of his/her prior supervisor? Did he/she get along with them? What kind of supervisor does he/she like to work for?
- (11) How were employee problems and complaints solved at his/her prior job? Did he/she think it was a good procedure? How would he/she like employee problems and complaints handled if he/she were employed by this organization?
- (12) What were his/her wages at the prior job? How frequently were increases given, what were they based upon -- merit, productivity, or something else? Were they cents per hour or percentage increases? How many increases did he/she receive, if based upon merit?

County of Gloucester  
Human Resources Manual

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- (13) Was he/she ever promoted in prior jobs? On what basis was he/she promoted: length of service, merit?
- (14) Did he/she receive a shift differential at prior job? How much? Was it a percentage or cents per hour?
- (15) What benefits did he/she receive at prior job? Did he/she pay any part of insurance coverage? Was this money automatically deducted from pay? How did prior employers explain his/her benefits: insurance booklets, employee memos, bulletin board notices, handbook? How frequently were changed?
- (16) How much does he/she expect an employer to communicate and keep him/her involved as to what is going on? How would he/she want this communication to take place?
- (17) Are you in the United States on a visa which prohibits you from working here?
- (18) Are you either a US citizen or a permanent resident alien?
- (19) About military experience of applicant in Armed Forces of US only when used for employment history.
- (20) Whether applicant has received any notice to report for duty in Armed Forces?
- (21) Whether he/she is a member in a professional or trade organization?
- (22) What was the highest grade completed by applicant?

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 - APPOINTMENT</b>	<b>REVISED: 5/22/24</b>

Appointments to County employment will be made based on the merit and fitness of candidates in accordance with NJ Civil Service Commission rules and regulations, where applicable, and with EEO policies.

Preference for employment will be given first to Gloucester County residents, then to contiguous County residents, and, finally, to residents of the State of New Jersey. Out-of-County applicants may be hired by Resolution waiving the residency requirement, only if County residents do not meet the qualifications for the position. Residency will be verified prior to appointment.

**Human Resources:**

Assures that pre-employment physicals and/or drug testing are conducted and the results are satisfactory prior to appointment.

After selecting a candidate, makes a recommendation to the Board of County Commissioners and County Administrator to approve a candidate for hire.

Advises appointees that appointments made in the absence of a certification are provisional pending NJ Civil Service Commission examination, list promulgation, and certification procedures.

Notifies all remaining candidates of the selection of another qualified candidate.

Completes the certification and returns it to the NJ CIVIL SERVICE COMMISSION as well as any other necessary paperwork for the new employee, including NJ CIVIL SERVICE COMMISSION profile form (DPF-66).

Informs all provisional appointees that they are responsible for checking the NJ CIVIL SERVICE COMMISSION's Job Announcements frequently for the announcement of their position.

Announcements indicating test dates may be provided to provisional appointees from the Human Resources Department as a courtesy.

**Appointees:**

Check the NJ CIVIL SERVICE COMMISSION's Job Announcements, which can be found at <http://www.state.nj.us/csc/seekers/jobs/announcements/> frequently for the announcement of their position.

**County of Gloucester**  
**Human Resources Manual**

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File applications within the prescribed time frames and appearing at the prescribed time and place to take the exam.

Provisional employees will be compelled to sit for examination in the career service within one year of hiring which progresses in the following manner:

1. If you pass your exam, your name goes on an eligible list ranked by score called the certification list. When your name appears on a certification list, it means that you may now be considered for appointment to a permanent position.
2. When you receive your Notification of Certification, you should contact the Human Resources Department in writing within 5 business days to express your interest. If you do not respond, your name may be removed from the eligible list and in turn jeopardize your opportunity to obtain a permanent position.
3. The County may select any candidate ranked in the top three of the certification list unless a veteran is ranked in the top three. Veteran's Preference gives all eligible disabled veterans and veterans priority on the certification lists which means that the County must hire the disabled veteran or veteran candidate in the top three ranking unless there is a very good reason not to. If there are no disabled veterans or veterans on a certification, the County usually chooses from among the top 3 candidates for each position.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 – RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 - JOB TITLES AND SPECIFICATIONS</b>	<b>REVISED: 5/22/24</b>

Every employee is expected to perform duties in accordance with the title of their position (please refer to HR 7.1 for more details on job performance and evaluation). Employee job descriptions are defined according to whether the employee holds a career service (formerly known as classified) or unclassified position with the County.

Career Service positions apply to all those employees whose employment is regulated by the New Jersey Civil Service Commission. The duties and responsibilities as well as the education and experience required of a particular job are detailed in specification sheets. Specification sheets can be requested from Human Resources or by search at [http://www.state.nj.us/csc/seekers/jobs/announcements/title\\_search.html](http://www.state.nj.us/csc/seekers/jobs/announcements/title_search.html).

Employees holding unclassified positions with the County are customarily titled as one of the following: Director, Deputy Director, Confidential Assistant or Law Enforcement.

**Human Resources:**

Maintains a specification sheet for all career service titles authorized in the County of Gloucester.

Provides specification sheets to employees, upon request, that contains the job description for their title.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 - ORIENTATION</b>	<b>REVISED: 5/22/24</b>

The County recognizes the importance of fostering a positive attitude in new employees which will enhance their work performance and ease their transition into the workforce. To accomplish this goal, orientation to matters of interest and procedures will be provided to new employees.

**Human Resources:**

Reviews health, leave, obligatory and optional benefits as well as other topics of relevance and interest with new employees as identified in HR 2.7 Exhibit A "Orientation Checklist."

*HR 2.7 Exhibit A further refers to:*

- *HR 2.7 Exhibit B "Statement of Confidentiality & Nondisclosure of Information"*
- *HR 2.7 Exhibit C "General Notice of COBRA Continuation of Group Health for Employees and Dependents"*
- *HR 2.7 Exhibit D "Recognition of Unions"*

**Department Head/Designee:**

Welcomes new employees, introduces them to their fellow employees, and familiarizes them with their workplace and department procedures as identified in HR 2.7 Exhibit A "Orientation Checklist" which includes providing the new employee with, and going over such matters as the HR Manual and forms, work hours, signing-in, calling-in, and appearance among other important topics.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 - ORIENTATION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – ORIENTATION CHECKLIST**

Employee Name \_\_\_\_\_ Date of Hire \_\_\_\_\_ Department \_\_\_\_\_

Topic

**HEALTH BENEFITS:**

Medical  
Prescription  
Dental  
Vision  
Waiver

**DEPARTMENTAL:**

HR Manual  
HR Forms  
Work Hours  
Tardiness  
Signing-in  
Calling-in  
Lunchrooms  
Appearance

**LEAVE TIME BENEFITS:**

Sick Leave  
Vacation  
Administrative  
Personal  
Holiday  
Military

**HUMAN RESOURCES:**

EEO/AA  
ID Cards  
Internet Usage  
NJ Civil Service Commission Exams  
Job Postings  
Working Test  
Code of Ethics  
Confidentiality - (Exhibit B)  
Worker Comp.  
Safety  
Unions - (Exhibit D)

**OBLIGATORY BENEFITS:**

Pension  
Group Life Ins.  
COBRA-(Exhibit C)  
Disability

**OPTIONAL BENEFITS:**

Deferred Comp  
SJ Credit Union  
Section 125

My signature acknowledges that each of the above subjects has been fully explained to me.

Employee \_\_\_\_\_

Date \_\_\_\_\_

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 - ORIENTATION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT B – STATEMENT OF  
CONFIDENTIALITY & NONDISCLOSURE OF INFORMATION**

It is understood between the employer, Gloucester County, and all employees thereof, that during the term of his/her employment, the employee will be dealing with or will be exposed to CONFIDENTIAL information, process, and matters in connection with the employer's business of rendering public assistance and various social services to the public.

WHEREUPON, the employee agrees and stipulates herein that he/she will NOT at any time, in any fashion, form, or manner, either directly or indirectly, divulge, disclose, or communicate to any person, firm, or occupation in any manner whatsoever any information of any kind, nature, or description, concerning any matters affecting or relating to the business of the employer, including, without limiting the foregoing: the names and addresses of any of its clients, the amount of assistance received by any client of the employer, of any other information of, about, or concerning the business of the employer, its manner of operation, its plans, clients, processes, or other data of any kind, nature or description. All documents that the employee prepares or confidential information that might be given to him/her in the course of his/her employment, are the exclusive property of the employer and shall remain in the employer's possession on the employer's premises. Under no circumstances shall any documents be removed without employer's consent thereto first being obtained.

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 – ORIENTATION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT C –**  
**GENERAL NOTICE OF COBRA CONTINUATION COVERAGE RIGHTS**  
**\*\*CONTINUATION COVERAGE RIGHTS UNDER COBRA\*\***

**Introduction**

You are receiving this notice because you have recently become covered under the *County of Gloucester*. This notice contains important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you and to other members of your family who are covered under the Plan when you would otherwise lose your group health coverage. **This notice generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it.** This notice gives only a summary of your COBRA continuation coverage rights. For more information about your rights and obligations under the Plan and under federal law, you should either review the Plan's Summary Plan Description *or* get a copy of the Plan Document from the Plan Administrator.

The Plan Administrator and COBRA continuation coverage for the Plan is administered by the State of New Jersey, Divisions of Pensions and Benefits, PO Box 295, Trenton, NJ 08625-0295 [Phone number: (609) 292-7524].

**COBRA Continuation Coverage**

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a “qualifying event.” Specific qualifying events are listed later in this notice. COBRA continuation coverage must be offered to each person who is a “qualified beneficiary.” A qualified beneficiary is someone who will lose coverage under the Plan because of a qualifying event. Depending on the type of qualifying event, employees, spouses of employees, and dependent children of employees may be qualified beneficiaries. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you are an employee, you will become a qualified beneficiary if you will lose your coverage under the Plan because either one of the following qualifying events happens:

- (1) Your hours of employment are reduced, or
- (2) Your employment ends for any reason other than your gross misconduct.

County of Gloucester  
Human Resources Manual

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If you are the spouse of an employee, you will become a qualified beneficiary if you will lose your coverage under the Plan because any of the following qualifying events happens:

- (1) Your spouse dies;
- (2) Your spouse's hours of employment are reduced;
- (3) Your spouse's employment ends for any reason other than his or her gross misconduct;
- (4) Your spouse becomes enrolled in Medicare (Part A, Part B, or both); or
- (5) You become divorced or legally separated from your spouse.

Your dependent children will become qualified beneficiaries if they will lose coverage under the Plan because any of the following qualifying events happens:

- (1) The parent-employee dies;
- (2) The parent-employee's hours of employment are reduced;
- (3) The parent-employee's employment ends for any reason other than his or her gross misconduct;
- (4) The parent-employee becomes enrolled in Medicare (Part A, Part B, or both);
- (5) The parents become divorced or legally separated; or
- (6) The child stops being eligible for coverage under the plan as a "dependent child."

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Sometimes, filing a proceeding in bankruptcy under title 11 of the United States Code can be a qualifying event. If a proceeding in bankruptcy is filed with respect to County of Gloucester and that bankruptcy results in the loss of coverage of any retired employee covered under the Plan, the retired employee is a qualified beneficiary with respect to the bankruptcy. The retired employee's spouse, surviving spouse, and dependent children will also be qualified beneficiaries if bankruptcy results in the loss of their coverage under the Plan.

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The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, commencement of a proceeding in bankruptcy with respect to the employer, or enrollment of the employee in Medicare (Part A, Part B, or both), the employer must notify the Plan Administrator of the qualifying event within 30 days of any of these events.

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator. The Plan requires you to notify the Plan Administrator within 60 days after the qualifying event occurs. You must send this notice to: *[Gloucester County Human Resources Department]. [Appropriate documentation will be required to show proof of divorce/legal separation.*

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Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. For each qualified beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin (1) on the date of the qualifying event or (2) on the date that Plan coverage would otherwise have been lost].

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, your divorce or legal separation, or a dependent child losing eligibility as a dependent child, COBRA continuation coverage lasts for up to 36 months.

**If you became entitled for Medicare *before* your qualifying event, you and eligible qualified beneficiaries are still eligible for up to 18 months of COBRA coverage. If you become entitled to Medicare *after* your qualifying event but within 18 months of your qualifying event, your spouse and dependent child(ren), may continue to receive COBRA through the end of the original 18 months of COBRA coverage. Note that a person generally has become entitled to Medicare when he or she has applied for Social Security income payments or has filed an application for benefits under Part A or Part B of Medicare.**

When the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage lasts for up to 18 months. There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

#### **Disability extension of 18-month period of continuation coverage**

**If you or anyone in your family covered under the Plan is determined by the Social Security Administration to be disabled at any time during the first 60 days of COBRA continuation coverage and you notify the Plan Administrator in a timely fashion, you and your entire family can receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. You must make sure that the Plan Administrator is notified of the Social Security Administration's determination within 60 days of the date of the determination and before the end of the 18-month period of COBRA continuation coverage. This notice should be sent to the State of New Jersey, Division of Pensions and Benefits, PO Box 295, Trenton, NJ 08625-0295.**

### **Second qualifying event extension of 18-month period of continuation coverage**

If your family experiences another qualifying event while receiving COBRA continuation coverage, the spouse and dependent children in your family can get additional months of COBRA continuation coverage, up to a maximum of 36 months. This extension is available to the spouse and dependent children if the former employee dies or gets divorced or legally separated. The extension is also available to a dependent child when that child stops being eligible under the Plan as a dependent child. **In all of these cases, you must make sure that the COBRA Administrator is notified of the second qualifying event within 60 days of the second qualifying event.** This notice must be sent to *the State of New Jersey, Division of Pensions and Benefits, PO Box 295, Trenton, NJ 08625-0295.*

### **If You Have Questions**

If you have questions about your COBRA continuation coverage, you should contact *the State of New Jersey at (609) 292-7524* or you may contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's website at [www.dol.gov/ebsa](http://www.dol.gov/ebsa).

### **Keep Your Plan Informed of Address Changes**

**In order to protect your family's rights, you should keep the Plan Administrator informed of any changes in the addresses of family members.** You should also keep a copy, for your records, of any notices you send to the Plan Administrator.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 - ORIENTATION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT D – RECOGNITION OF UNIONS**

The County recognizes the CWA Local # 1085, FOP Lodge # 97, PBA Local # 122, FOP Lodge # 165, Gloucester County Sheriff's Officers Association, Gloucester County Corrections Officers Sergeants Association, the Assistant Prosecutors' Association, and the Teamsters Local 311 as the bargaining agents for the establishment of salaries, wages, hours, and other conditions of employment for employees represented by these unions.

This recognition, however, shall not be interpreted as having the effect of or in any way voiding the rights of employees established under Chapter 303, Laws of 1968, NJSA 34:13A-1 et seq. (EMPLOYER - EMPLOYEE RELATIONS ACT).

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>8 - WORKING TEST PERIOD</b>	<b>REVISED: 5/22/24</b>

The Working Test Period is used to determine if an employee is able to satisfactorily perform the duties of the title and is part of the examination process (4A:4-5.1a). During the working test period, an employee shall perform the duties of the title for which appointment was made. An employee who is serving a working test period shall not be eligible for a promotional examination from that title. (4A:4-5.1c and d). At the end of the working test period, based on two evaluations of the employee's performance (4A: 4-5.3a), a decision must be made whether to grant the employee permanent status or to terminate the employee for just cause. A copy of the evaluations shall be provided to the employee (4A:4-5.3c). The working test period does not include any time served as a provisional, temporary, interim or emergency appointment (4A:4-5.2a). The working test period shall begin on the date of regular appointment (4A:4-5.2a). The working test period shall end on the date of service or the notice of termination, if applicable.

The working test period is divided into three categories: (1) Rank and File Civil Service, (2) Law Enforcement, Correction Officer and Firefighter, and (3) Unclassified.

Rank and file Civil Service employees must satisfactorily complete a working test period of three months before acquiring permanent status (4a:4-5.2b1). For Rank and File Civil Service, the working test period may not be extended beyond three months (4a:4-5.3a & b).

Persons appointed to an entry level law enforcement, correction officer, juvenile detention officer and firefighter titles shall serve a 12-month working test period. A law enforcement title is one that encompasses use of full police powers (4A:4-5.2d). For entry level law enforcement, correction officer and firefighter titles, a progress report is prepared on the employee at the end of six months and a final report at the conclusion of the working test period (4A:4-5.3b). A paid leave of absence for a correction officer or juvenile detention officer for the purpose of training required by N.J.S.A. 52:17B-68.1 shall not extend the length of the working test period unless the course in which the appointee is enrolled is scheduled to end after the one year period (4A:4-5.2e1).

Unclassified employees are exempt from the civil service rules. The working test period is at the discretion of the employer.

**Department Head:**

Provides both positive and negative feedback through the use of the evaluations, to the employee, including the quality of work, the quantity of work, manner of performance, and cost and time factors

Completes an interim evaluation of the employee's performance prior to the completion of the interim length of the working test period, utilizing HR 7.1 Exhibit T "Employee Performance Evaluation.

County of Gloucester  
Human Resources Manual

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Completes a final evaluation of the employee's performance prior to the completion of the full working period, also utilizing HR 7.1 Exhibit T "Employee Performance Evaluation.

Forwards the original evaluation(s) to the Human Resources within 24 hours of completion

**Human Resources /Designee:**

Places copies of both the interim and final evaluations in the employee's personnel file and, presents, upon request, to the NJ Civil Service Commission

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>2 – RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>9 – BONDING</b>	<b>REVISED: 5/22/24</b>

All employees are covered by a blanket fidelity bond to insure proper accountability for all moneys and property received by virtue of their position or employment.

A separate Fidelity and Fiduciary Bond is provided for some employees based on individual duties and financial responsibilities.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>2 – RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 – VOLUNTEERS AND INTERNSHIPS</b>	<b>REVISED: 5/22/24</b>

The Board of County Commissioners encourages volunteers and interns to take an active part in County affairs.

All approved volunteers and interns are authorized to supplement the work of paid County employees under whom they are assigned. Volunteers and interns are to assist the professional staff in the operation of the respective department's functions.

All volunteers and interns must be approved prior to beginning service with the County and will be asked to sign a consent and release of liability form. For some students, an agreement with the school may be necessary prior to beginning volunteer or internship service. Please check with Human Resources regarding required school agreements. Volunteers less than 16 years of age must be accompanied by a parent or guardian.

The County reserves the right to accept, deny, retain or terminate the services of any volunteer or intern.

**Department Head/designee:**

Directs all inquiries and requests for volunteers and interns to the Human Resources Department.

Oversees any volunteers or interns that serve within their department.

**Human Resources:**

Directs the Department through the proper procedures in seeking approval of volunteers and interns.

Ensures all applicable information and documentation of volunteers and interns is kept on file within the department.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – TRANSFERS</b>	<b>REVISED: 5/22/24</b>

The County may permanently or temporarily transfer employees between departments within the merit system jurisdiction of the County of Gloucester as defined in 4A:1-1.3. The statutory language regarding transfers within the same governmental jurisdiction under the NJ Civil Service Commission can be found in NJ Administrative Code, Title 4A-7.1.

### **Permanent Transfers**

Permanent transfers affecting permanent employees as defined in 4A:1-1.3 will be done in accordance with NJ Civil Service Commission rules (4A:4-7.1). In accordance with 4A: 4-7.1 (a), a permanent transfer is the movement of a permanent employee between organizational units within the same governmental jurisdiction.

If the transferred employee is concurrently appointed to a title other than that held on a permanent basis (with NJ Civil Service) at the time of transfer to accurately reflect new duties, the permanent transfer shall be made in combination with appropriate promotional, lateral title change or voluntary demotion procedures. See NJAC 4A:4-2.4 through 2.7, 7.6 and 7.8, respectively.

Employees who are transferred within the merit system jurisdiction of the County of Gloucester shall be considered to have continuous service for seniority for NJ Civil Service purposes only. All other matters subject to seniority are based on the hire date with the merit system jurisdiction of the County of Gloucester.

### **Temporary Transfers**

Employees may be temporarily transferred for a maximum of six months to effect economies, make available a needed service for short periods or for any other documented purpose, which is in the best interest of the public service (4A:4-7.1(d)).

These temporary transfers may be voluntary or involuntary and require the approval of the Commissioner, NJ Civil Service Commission (4A:4-7.1(d)). Any affected employee must be given at least 30 days' written notice of an involuntary transfer, except an involuntary emergency transfer, in which case reasonable notice must be given.

An emergency transfer is the movement of a permanent employee between departments for a maximum of 30 days (4A:4-7.1(e)). Employees who are involuntarily transferred must be given 30 days written notice unless the Commissioner, NJ Civil Service Commission, finds emergent conditions require a more immediate transfer (4A:4-7.1(f1&2)).

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 - PROMOTIONS</b>	<b>REVISED: 5/22/24</b>

The County shall advance employees in job titles according to NJ Civil Service Commission guidelines.

**Human Resources/designee:**

Appoints the employee, if approved, pending promotional exam.

Takes the following actions once the promotion is announced:

- a. Posts the announcement (4A:4-2.1(b)).
- b. Distributes applications.
- c. Obtains signatures of eligible employees who are not interested in pursuing the promotion.
- d. Returns the completed package to the NJCSC.
- e. If desired, requests a waiver of competitive exam if the promotion meets criteria (4A:4-2.7) or requests a formal written examination.

If a waiver has been requested by the County and approved by the NJCSC, obtains authorization to appoint the employee to the new title permanently.

If there is no waiver, obtains a certification.

Applicant completes and e-mails applications directly to the NJCSC (4A:4-2.1(5)e).

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – CLASSIFICATION &amp; RECLASSIFICATION</b>	<b>REVISED: 5/22/24</b>

All positions within the career service are assigned job titles by the NJ CIVIL SERVICE COMMISSION which describe the duties and responsibilities performed, the level of supervision exercised and received, and the necessary education and experience qualifications (4A:3-3.1).

When the duties and responsibilities of positions change to the extent that the job titles are no longer appropriate, the County will request that such positions be reclassified by the NJ CIVIL SERVICE COMMISSION (4A:3-3.5). Reclassifications may not take place until the NJ CIVIL SERVICE COMMISSION approves and the affected employee is notified (4A:3-3.5(c)). An employee or union may request a classification review in accordance with NJAC 4A:3-3.9.

Human Resources reviews the requests for position classification review, if the Department Head/Supervisor concurs, refers the matter to the NJ CIVIL SERVICE COMMISSION (4A:3-3.5(b)).

Receives notification from the NJ CIVIL SERVICE COMMISSION of the decision.

Takes the required action within thirty days of the determination by the NJ CIVIL SERVICE COMMISSION (4A:3-3.5(c) 1).

Prepares any necessary paperwork for the NJ CIVIL SERVICE COMMISSION including the Employee Profile (DPF-66) and notifies the employee and his/her department head.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 - LAYOFFS</b>	<b>REVISED: 5/22/24</b>

The County may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. Employee participation in layoff alternatives is voluntary, and in the event of a layoff, such employees shall be considered as working and earning seniority in their original title when determining their layoff rights.

Seniority and lateral, demotional or special re-employment rights in Career Service titles will be determined by the NJ CIVIL SERVICE COMMISSION (4A:8-1.1).

**Human Resources:**

Considers alternatives to layoff proceedings (4A:8-1.2) prior to instituting a layoff which may include but are not limited to:

1. Leaves of absence without pay for permanent employees with no loss of seniority.
2. Voluntary reduction of work hours or job sharing.
3. Optional temporary demotions.

Submits alternative plans to the NJ CIVIL SERVICE COMMISSION for approval before implementing any action.

Institutes layoff proceedings which include the following steps:

1. Sends required information to the NJ CIVIL SERVICE COMMISSION at least 30 days before sending written notices to employees about the layoff. (4A:8-1.4).
2. Provides written notice to employees at least 45 days before the layoff either personally or by certified mail, with copies to the NJ CIVIL SERVICE COMMISSION and union representatives. A sample of this notice can be found in HR 3.4 Exhibit A titled "Individual Notice of Layoff or Demotion."
3. Posts notice of the layoff in all affected facilities (4A:8-1.6). A sample of this notice can be found in HR 3.4 Exhibit B titled "General Notice of Layoff or Demotion."
4. Ensures layoffs take place within 120 days of issuing the notice or seeks an extension by the NJ CIVIL SERVICE COMMISSION for good cause (4A:8-1.6(2)d).
5. Notifies Department Heads of affected positions as determined by the NJ CIVIL SERVICE COMMISSION.
6. Conducts layoff interviews with affected employees advising them of their rights such as lateral and demotional rights and special re-employment rights.

County of Gloucester  
Human Resources Manual

CHAPTER:	3 - CHANGES IN EMPLOYMENT & SEPARATION OF SERVICE	ADOPTED: 3/7/06
SECTION:	4 - LAYOFFS	REVISED: 5/22/24

**EXHIBIT A – INDIVIDUAL NOTICE OF LAYOFF OR DEMOTION**

Name of Jurisdiction \_\_\_\_\_

Date \_\_\_\_\_

To: \_\_\_\_\_

(Name & Home Address of Employee)

From: \_\_\_\_\_  
(Name & Title of Appointing Authority)

Pursuant to the provisions of N.J.S.A. 11A:8-1, this is to notify you that for reasons of  
[ ] economy [ ] efficiency [ ] other (specify) \_\_\_\_\_,  
you will be laid off from your permanent or probationary position of:

\_\_\_\_\_,  
Department of \_\_\_\_\_, effective at the close of the working day  
on \_\_\_\_\_.

This notification provides you with the minimum 45-day layoff notice required by the  
above law and, unless otherwise extended by the Commissioner of the Civil Service  
Commission, shall expire no later than 120 days from the date of issuance.

[ ] Although you are being laid off in your permanent title you:

[ ] will [ ] will not be retained in your current provisional or  
temporary title of \_\_\_\_\_.

[ ] have been appointed to the provisional or temporary position of  
\_\_\_\_\_  
effective \_\_\_\_\_.

County of Gloucester  
Human Resources Manual

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Since your position is subject to layoff, you may have the right to displace employees in other positions. A copy of this notice is being forwarded to the New Jersey Civil Service Commission, which will be responsible for determining your seniority, lateral displacement, demotional, and/or special re-employment rights. The New Jersey Civil Service Commission will notify both you and the appointing authority of its determinations prior to the effective date of layoff action.

The procedures to be followed in instituting any appeals will be outlined in the letter of notification of your layoff rights from the New Jersey Civil Service Commission.

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(Signature of Appointing Authority or Authorized Agent)

**Method of Service**

Personal Service

Name of Server \_\_\_\_\_

Date Served \_\_\_\_\_

Certified or Registered Mail (attach copy of receipt)  
Date sent to employee or agent must be shown on postal receipt.

Copy of notice forwarded to New Jersey Civil Service Commission  
Date: \_\_\_\_\_

NOTICE TO APPOINTING AUTHORITY: Concurrent with the issuance of this notice to the employee, a copy of this notice must be forwarded to the New Jersey Civil Service Commission as required by N.J.S.A. 11A:8-1.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION OF SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 - LAYOFFS</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT B- GENERAL NOTICE OF LAYOFF OR DEMOTION**

Name of Jurisdiction \_\_\_\_\_

Date \_\_\_\_\_

To: Employees of the \_\_\_\_\_  
(Department or Autonomous Agency)

From: \_\_\_\_\_  
(Name & Title of Appointing Authority)

Pursuant to the provision of N.J.S.A. 11A:8-1, this is to notify all employees that for reasons of [ ] economy [ ] efficiency [ ] other (specify) \_\_\_\_\_, it is possible that they will be laid off or demoted from their permanent or probationary positions. If your position is subject to layoff, you may have the right to displace employees in other positions. These layoffs will be effective at the close of the working day on \_\_\_\_\_. This notification provides all employees with minimum 45-day layoff notice required by the above law and, unless otherwise extended by the Commissioner of The Civil Service Commission, shall expire no later than 120 days from the date of issuance.

At the present time, it is not possible to determine the exact affect that this layoff action will have on each employee. However, this is to notify all employees that they may be affected by the exercise of the seniority, lateral displacement, demotional, and/or special re-employment rights of other employees.

A copy of this notice is being forwarded to the New Jersey Civil Service Commission. That Commission will be responsible for determining seniority, lateral displacement, demotional, and/or special re-employment rights. Both the affected employees and the appointing authority will be notified of these determinations prior to the effective date.

The procedures to be followed in instituting any appeals will be outlined in the letter of notification of layoff rights from the New Jersey Civil Service Commission.

\_\_\_\_\_  
(Signature of Appointing Authority or Authorized Agent)

County of Gloucester  
Human Resources Manual

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NOTICE TO APPOINTING AUTHORITY: The following certification statement shall be placed on the copy of the general notice forwarded to the New Jersey Civil Service Commission.

**CERTIFICATION BY APPOINTING AUTHORITY**

I certify that a copy of this layoff notice has been posted, and served by the personal service or certified mail on each potentially affected employee of the organization unit, on the following date or dates:

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(Signature of Appointing Authority)

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 - RESIGNATION</b>	<b>REVISED: 5/22/24</b>

The County recognizes three types of resignations:

- (1) **Formal** - written notice at least two weeks in advance of the effective date of the resignation.
- (2) **Informal** - oral resignation documented by the employee's department head or immediate supervisor and witnessed by a third party.
- (3) **Resignation by default** - an employee who is absent from duty for five or more consecutive working days without approval or notification (4A:2-6.2(b)) or has not returned to duty for 5 or more consecutive business days following an approved leave of absence (4A:2-6.2(c)).

**Employee:**

May resign in good standing after giving 14 days' notice, either written or verbal, to their department head. If less than 14 days' notice is given, the resignation will not be in good standing unless the Board of County Commissioners agrees to accept shorter notice (4A:2-6.1(a) and 4A:2-6.2(a)).

May choose to appeal to the Civil Service Commission when a resignation is alleged to be the result of duress or coercion (4A:2-6.1(d)).

**Department Head/designee:**

Requests that the employee submit a written resignation or if possible have the resignation confirmed by witnesses, should an employee resign orally.

Forwards written notification of an employee resignation to Human Resources by the next working day. At such time, the resignation shall be considered as accepted (4A:2-6.1(b)). For oral resignations, the names of any witnesses should be documented in the written notification.

**Human Resources Director/designee:**

May permit employees to rescind their resignations for good cause within 72 hours after submission.

Notifies the Commissioner Liaison and County Administrator/designee of employees who are considered to have resigned by default.

Prepares the appropriate NEW JERSEY CIVIL SERVICE COMMISSION documents to effectuate an employee hearing regarding an unapproved absence of 5 consecutive days to determine the final outcome of the case.

County of Gloucester  
Human Resources Manual

---

Provides an employee with notice and opportunity to be heard in the case of a resignation not in good standing. An employee shall remain in an unpaid status pending the departmental decision. (NJAC 4A:2-6.2(d)).

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 - TERMINATION</b>	<b>REVISED: 5/22/24</b>

Employment with the County may be involuntarily terminated with the expiration of a statutory term from an appointed position or as an action of major discipline. The County shall consider termination for cause as the final step in a progressive discipline program, unless unusual or critical circumstances warrant immediate termination.

A temporary or interim employee may be terminated at any time, at the discretion of the Appointing Authority. A temporary or interim employee, who has been terminated, has no right of appeal to the Civil Service Commission.

Provisional, unclassified employees and employees in classified service can only be terminated for just cause with written charges. Notice of the removal shall be sent to the employee and a copy to the NEW JERSEY CIVIL SERVICE COMMISSION on the form prescribed by the Commissioner.

Reasons for termination for just cause may include, but are not limited to:

1. Incompetence, inefficiency, or failure to perform duties
2. Insubordination
3. Inability to perform duties
4. Chronic or excessive absenteeism or lateness
5. Conviction of a crime
6. Conduct unbecoming of a public employee
7. Neglect of duty
8. Misuse of public property including motor vehicles
9. Discrimination that affects Equal Employment Opportunity including sexual harassment
10. Violations of Federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and State and local policies issued
11. Other sufficient causes

(4A:2-2.3)

Please refer to HR Chapter 7 for further details on performance and discipline.

**Department Head/designee:**

May make a written recommendation to terminate an employee for cause when he/she feels such action is in the best interests of the County. Such recommendation, including reasons and documentation of progressive discipline actions, shall be submitted to the Human Resources Director (See HR 3.6 Exhibit C - Guide to Termination for Cause).

County of Gloucester  
Human Resources Manual

---

**Human Resources Director/designee:**

Decides whether or not to terminate the employee.

Notifies the Department Head of the decision.

Serves the employee with a Preliminary Notice of Disciplinary action (DPF-31A), followed by a Final Notice of Disciplinary Action (DPF-31b), which outlines the appeal procedure. The employee will then be terminated.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 - TERMINATION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT C – GUIDE TO TERMINATION FOR CAUSE**

Consider the following list when determining whether to seriously discipline or terminate an employee:

1. Is there a written policy or rule that would apply to this particular situation?
2. Have the employees been made aware of the applicable policies or rules?
3. Do the facts indicate that the rule or policy was violated?
4. Have the appropriate series of prior warnings been issued in this case?
5. Are the employee's performance appraisals consistent with the action being taken?
6. How have violations of this particular rule or policy been handled in the past? Is the past practice documented? Would the actions you are considering be consistent with this past practice? Have other employees involved in similar instances been treated in the same way?
7. If more than one employee is involved in this incident, are all those involved being treated in the same manner? Have other employees involved in similar incidents been treated in the same way?
8. Have any statements been made by managers or supervisors that would harm your case?
9. Has there been too long a delay between the conduct of the employee and the action being taken?
10. Is the case properly documented?

County of Gloucester  
Human Resources Manual

---

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 - FORFEITURE OF PUBLIC OFFICE</b>	<b>REVISED: 5/22/24</b>

A person holding any public office, position, or employment, elective or appointive, under the government of the State of New Jersey or any political subdivision thereof, including Gloucester County, who is convicted of an offense shall forfeit such office or position if:

1. He/she is convicted under the laws of New Jersey of an offense involving dishonesty or of a crime of the third degree or above or under the laws of another state or of the United States of an offense or a crime which, if committed in New Jersey, would be such an offense or crime;
2. He/she is convicted of an offense involving or touching such office, position or employment; or
3. The Constitution so provides.

(2C:51-2)

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>8 – RETIREMENT</b>	<b>REVISED: 5/22/24</b>

Employees are strongly encouraged to contact the Human Resources Department about questions regarding retiring from County employment and for details on continuing medical health benefits after retirement.

Eligible employees may be members of either the Public Employees' Retirement System (PERS) or Police and Firemen's Retirement System (PFRS). Membership in one of these retirement systems is generally required by the County, though some exceptions do apply. More information regarding the pension eligibility and enrollment can be found in HR 5.4.

### **PERS Membership Tiers**

- Membership Tier 1 is members who were enrolled prior to July 1, 2007.
- Membership Tier 2 is members who were eligible to enroll on or after July 1, 2007 and prior to November 2, 2008, pursuant to the provisions of Chapters 92 and 103, P.L. 2007.
- Membership Tier 3 is members who were eligible to enroll on or after November 2, 2008 and on or before May 21, 2010, pursuant to the provisions of Chapter 89, P.L. 2008.
- Membership Tier 4 is members who were eligible to enroll after May 21, 2010, pursuant to the provisions of Chapters 1 and 3, P.L. 2010.
- Membership Tier 5 is members who were eligible to enroll on or after June 28, 2011.

### **PFRS Membership Tiers**

The passage of Chapter 1, P.L. 2010, changed compensation and retirement criteria for PFRS members enrolled as of certain dates. These differences in PFRS membership — referred to as “membership tiers” — are defined as follows:

- Membership Tier 1 is members who were enrolled on or before May 21, 2010.
- Membership Tier 2 is members who were enrolled after May 21, 2010.

There are several types of retirement for which an employee may qualify including, but not limited to, those listed below:

#### **(1) Service Retirement:**

**PERS** – Available to Tier 1 and Tier 2 members upon reaching age 60 or older; or to Tier 3 and Tier 4 members upon reaching age 62 or older; or to Tier 5 members upon reaching age 65 or older. No minimum amount of pension service credit is required.

County of Gloucester  
Human Resources Manual

---

**PFRS** – The retirement age is 55 or older without any minimum years of service OR at least 20 years of service at retirement at any age provided the employee is enrolled in the system as of January 18<sup>th</sup>, 2000.

**(2) Early/Special Retirement:**

**PERS** - Available to members who have 25 years or more of pension service credit before reaching age 60 for Tier 1 and Tier 2 members, or age 62 for Tier 3 and Tier 4 members; and available to members who have 30 years or more of pension service credit before reaching age 65 for Tier 5.

The benefit is calculated using the appropriate Service Retirement formula; however, your allowance is permanently reduced if you retire prior to attaining certain ages as defined by your membership tier.

- For Tier 1 members who retire before age 55, your allowance is reduced 1/4 of 1 percent (3 percent per year) for each month under age 55.
- For Tier 2 members who retire before age 60, your allowance is reduced 1/12 of 1 percent (1 percent per year) for each month under age 60 through age 55, and 1/4 of 1 percent (3 percent per year) for each month under age 55.
- For Tier 3 and Tier 4 members who retire before age 62, your allowance is reduced 1/12 of 1 percent (1 percent per year) for each month under age 62 through age 55, and 1/4 of 1 percent (3 percent per year) for each month under age 55.
- For Tier 5 who have at least 30 years of service credit, your allowance is reduced by 3% for each year (1/4 of 1% per month) for each month under age 65.

**PFRS** - Available to members at any age, who have a minimum of 25 years of service credit in the PFRS. The annual benefit calculation for a Special Retirement is equal to 65 percent of your Final Compensation plus 1 percent for each year of creditable service over 25 years but not to exceed 30 years. The maximum allowance is therefore 70 percent of your Final Compensation.

**(3) Deferred Retirement:**

**PERS** – Available to members who have at least 10 years of service credit and are not yet 60 years of age if a Tier 1 or Tier 2 member, or 62 years of age if a Tier 3 or Tier 4 member, or 65 years of age if a Tier 5 member when they terminate employment. The retirement would be effective on the first of the month after attaining the appropriate Deferred Retirement age of 60 or 62. The benefit is calculated using the appropriate Service Retirement formula.

County of Gloucester  
Human Resources Manual

---

You must file an Application for Retirement Allowance for the Deferred Retirement to take effect. You may apply for a Deferred Retirement when you terminate covered employment or any time prior to attaining your Deferred Retirement age of 60 or 62. Under no circumstances can a Deferred Retirement become effective prior to the date the application is received by the Division of Pensions and Benefits.

If a member is removed from employment for cause, the member will be ineligible for Deferred Retirement.

**PFRS** – Available to members who have at least 10 years of service credit and are not yet 55 years of age when they terminate employment. The retirement would be effective on the first of the month after attaining age 55. The benefit calculation for a Deferred Retirement is equal to 2 percent of Final Compensation for each year of service.

You must file an Application for Retirement Allowance for the retirement to take effect. You may apply for a Deferred Retirement when you terminate covered employment or at any time prior to age 55. Under no circumstances can a retirement become effective prior to the date the application is received by the Division of Pensions and Benefits.

If a member is removed from employment for cause on charges of misconduct or delinquency, the member will be ineligible for Deferred Retirement.

**(4) Ordinary Disability:**

**PERS** – Ordinary Disability Retirement is only available to Tier 1, Tier 2, and Tier 3 members. Note: Under the provisions of Chapter 3, P.L. 2010, Tier 4 members may be eligible for disability insurance coverage after one year of continuous employment.

To qualify for an Ordinary Disability Retirement you must:

- Have an active PERS account. Active membership ceases after discontinuance of pension contributions for more than two consecutive years. If more than two years have elapsed since the last contribution, and you terminated employment because you were totally and permanently disabled, and you continue to be disabled for the same reason(s), special rules apply; contact the Division of Pensions and Benefits for more information;
- Have 10 or more years of New Jersey service credit (Out-of-State, Military, and U.S. Government civilian service purchases cannot be used to attain the 10 years);

- Be considered totally and permanently disabled (you must prove that you are physically or mentally incapacitated from performing your normal or assigned job duties or any other position your employer may assign); and
- Submit any and all medical reports or corroborating evidence on file that supports your disability.

**PFRS** – To qualify for an Ordinary Disability Retirement you must:

- Be a member in service at the time the application is filed with the Division of Pensions and Benefits. “Member in service” means that the member or employer was making pension contributions to the retirement system at the time of filing the Application for a Disability Retirement.

It may also mean that the member was on an approved leave of absence, paid or unpaid, or suspension, paid or unpaid, at the time of filing the Application for a Disability Retirement. If the member had pending litigation for wrongful termination filed against the employer, the member has 30 days from the date the litigation is resolved to file for disability retirement in order to be considered a “member in service.”

- Have four or more years of New Jersey service credit (Out-of-State, Military, and U.S.

Government Service purchases cannot be used to attain the four years);

- Be considered totally and permanently disabled (you must prove that you are physically or mentally incapacitated from performing your normal or assigned job duties or any other position your employer may assign); and
- Submit any and all medical reports or corroborating evidence on file that supports your disability.

#### **(5) Accidental Disability:**

**PERS** - Accidental Disability Retirement is only available to Tier 1, Tier 2, and Tier 3 members. Note: Under the provisions of Chapter 3, P.L. 2010, Tier 4 members may be eligible for disability insurance coverage after one year of continuous employment.

To qualify for an Accidental Disability Retirement you must:

- Have an active PERS account. Active membership ceases after discontinuance of pension contributions for more than two consecutive years. If more than two years have elapsed since the last contribution, and you terminated employment because you were totally and permanently disabled, and you continue to be

disabled for the same reason(s), special rules apply, contact the Division of Pensions and Benefits for more information;

- Be considered totally and permanently disabled (you must prove that you are physically or mentally incapacitated from performing your normal or assigned job duties or any other position your employer may assign) as a “direct result of a traumatic event” (see definition below) that happened during and as a direct result of carrying out your regular or assigned job duties;
- Be an active member of the PERS on the date of the “traumatic event”;
- File an Application for Disability Retirement within five years of the date of the “traumatic event”;
- Provide any and all accident reports, witness reports, and corroborating evidence on file for any and all accidents for which you are filing; and
- Be examined by physicians selected by the retirement system. The examination will be scheduled at no cost to you by the Division of Pensions and Benefits. All medical information is kept confidential and used only by the PERS Board of Trustees in reviewing your claim.

PFRS - To qualify for an Accidental Disability Retirement you must:

- Be a member in service at the time the application is filed with the Division of Pensions and Benefits. “Member in service” means that the member or employer was making pension contributions to the retirement system at the time of filing the Application for a Disability Retirement. It may also mean that the member was on an approved leave of absence, paid or unpaid, or suspension, paid or unpaid, at the time of filing the Application for a Disability Retirement. If the member had pending litigation for wrongful termination filed against the employer, the member has 30 days from the date the litigation is resolved to file for disability retirement in order to be considered a “member in service.”
- Be considered totally and permanently disabled (you must prove that you are physically or mentally incapacitated from performing your normal or assigned job duties or any other position your employer may assign) as a “direct result of a traumatic event” (see definition below) that happened during and as a direct result of carrying out your regular or assigned job duties;
- Be an active member of the PFRS on the date of the “traumatic event”;
- File an Application for Disability Retirement within five years of the date of the “traumatic event”;

County of Gloucester  
Human Resources Manual

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- Submit any and all accident reports, witness reports, and corroborating evidence on file or any and all accidents for which you are filing; and
- Be examined by physicians selected by the retirement system. The examination will be scheduled at no cost to you by the Division of Pensions and Benefits. All medical information is kept confidential and used only by the PFRS Board of Trustees in reviewing your claim.

Retirement parties for employees retiring from service in the County of Gloucester will not be sponsored by the County. Employees attending retirement parties will not be reimbursed by the county.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>9 – SEPARATION FROM SERVICE</b>	<b>REVISED: 5/22/24</b>

Before, or on, an employee's last working day, an exit interview shall be conducted by the Department Head/Designee to offer the employee an opportunity to discuss the reason for his/her separation from employment, comment on his/her experiences in working for the County and make suggestions on improving conditions for present or future employees. Department Head/Designee should obtain employee's forwarding address if applicable and advise employee of disposition of his/her final check.

**Department Head/designee:**

Notifies Administration, Human Resources, Treasury and Information & Technology of an employee's resignation as soon as possible via HR 3.9 Exhibit D, titled "Employee Termination Check List."

Communicates with HR to ensure the exit interview is conducted. Whenever possible, contacts the Human Resources Department to set a time and place for the employee to meet with the Human Resources Director/designee for an exit interview. If time is of the essence, the Department Head/designee should conduct the exit interview including the above listed topics. A crucial part of this step is completing the applicable information on the "Exit Interview" form, HR 3.9 E, concerning any leave time that will be included in final pay.

Collects any and all county property assigned to the employee and notifies Human Resources that items are collected.

E-mails the completed HR 3.9 D to [hrdept@co.goucester.nj.us](mailto:hrdept@co.goucester.nj.us).

Fills out the appropriate section of the checklist for IT (page 2 of HR 3.9 D), and when applicable, the checklist for Emergency Response (page 3 of HR 3.9 D) and sends to each of these respective departments

- For IT, send to [ggrasso@co.goucester.nj.us](mailto:ggrasso@co.goucester.nj.us)
- For ER, send to [sbruynell@co.goucester.nj.us](mailto:sbruynell@co.goucester.nj.us)

**Human Resources:**

Communicates effects on pension and health benefits for HR 3.9 E, titled "Exit Interview."

Notifies the appropriate parties such as the benefits administrator, NJCSC, and pensions.

County of Gloucester  
Human Resources Manual

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**Treasurer/designee:**

Verifies whether there are any outstanding debts.

Issues final paycheck.

**Information & Technology Director/designee:**

Deactivates the employee's access to e-mail and internet and notifies Human Resources of the completion of such.

Completes page 2 of HR 3.9 D and e-mails to [hrdept@co.goucester.nj.us](mailto:hrdept@co.goucester.nj.us).

## County of Gloucester Human Resources Manual

<b>CHAPTER: SECTION:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 11/21/06</b>
	<b>9 – SEPARATION FROM SERVICE</b>	<b>REVISED: 5/22/24</b>

## **EXHIBIT D – EMPLOYEE TERMINATION CHECK LIST**

- Department

*This section to be completed by the Department.*

<i>This section to be completed by the Department.</i>	
Employee Name	
Termination Date	Position
Department	Department Head

<input type="checkbox"/> County ID	<input type="checkbox"/> Tools/Equip	<input type="checkbox"/> Beeper	<input type="checkbox"/> Keys
<input type="checkbox"/> Cell Phone	<input type="checkbox"/> Leave Time	<input type="checkbox"/> Uniform	<input type="checkbox"/> Sick Buyback
<input checked="" type="checkbox"/> Gas Pump Privileges	<input type="checkbox"/> Where applicable, coordinate deactivation of Palm Security		
<input type="checkbox"/> Checklist to IT		<input type="checkbox"/> Checklist to HR	
<input type="checkbox"/> Exit Interview Set-Up			

Completed by:	Date:
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County of Gloucester  
Human Resources Manual

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• **Human Resources**

*This section to be completed by Human Resources.*

Employee Name	
Termination Date	Position
Department	Department Head

Department Checklist       IT Checklist       Exit Interview       Workers' Compensation Clearance

Completed by:	Date:
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County of Gloucester  
Human Resources Manual

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• **Information and Technology**

*This section to be completed by IT.*

Employee Name

Termination Date

Department

Edmunds  
 E-Mail

Internet  
 Network

Hardware  
 Software

Deactivate ID Card

Completed by:

Date:

## County of Gloucester Human Resources Manual

<b>CHAPTER: SECTION:</b>	<b>3 - CHANGES IN EMPLOYMENT &amp; SEPARATION FROM SERVICE</b>	<b>ADOPTED: 11/21/06</b>
	<b>9 – SEPARATION FROM SERVICE</b>	<b>REVISED: 5/22/24</b>

## **EXHIBITE – EXIT INTERVIEW**

Employee Name	
Termination Date	Position
Department	Department Head

Reason  
(Check One)  Resignation  Dismissal  Retirement  Other

Summary of Leave Time:  
(Department to complete: Accrued Time in final pay//Unearned Time to be paid back)

Details: \_\_\_\_\_

Pension status:  
(HR to complete)

Health Benefits covered under COBRA:  
(HR to complete)

Workers' Compensation Clearance Document  
(HR/Safety to complete)

Forwarding Address:

Final Check Stub:  E-Mail  Mail

Date: \_\_\_\_\_ Place: \_\_\_\_\_ Interviewer: \_\_\_\_\_

County of Gloucester  
Human Resources Manual

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**Workers' Compensation Clearance**

Employee Name:

Date:

By signing below, I acknowledge that I have reported to Gloucester County, in accordance with Human Resources Policy HR 8.2, all work-related accidents, injuries and illnesses experienced while employed at the County of Gloucester.

During my employment, I have informed the County of the following accidents, injuries and illnesses:

To the best of my knowledge at this time, I have no work-related injuries or illnesses for which I seek Workers' Compensation other than those I already have reported and/or for which I already have sought payment.

Employee Signature: \_\_\_\_\_

Date:

Authorized Signature: \_\_\_\_\_

Date:

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>3 - RECRUITMENT AND PLACEMENT</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 - RE-EMPLOYMENT</b>	<b>REVISED: 5/22/24</b>

Permanent, rank and file, civil service employees who resign in good standing, retire or are voluntarily demoted may, within three years, request the County consider them for re-employment. Police and Firefighter re-employment lists have unlimited durations. (4A:4-7.10)

The County may consider with favor any application for re-employment by a former employee who has resigned in good standing and who has a satisfactory work record during employment with the County.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>4 – COMPENSATION</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – SALARY AND WAGES</b>	<b>REVISED: 5/22/24</b>

All aspects of providing compensation will be carried out in compliance with NJSA 11A and NJAC 4A (4A:3-4.1). Additionally, the County complies with all legal mandates as dictated by the New Jersey Department of Labor and Workforce Development and the U.S. Department of Labor, most especially the Fair Labor Standards Act (“the FLSA”) and the New Jersey Wage and Hour Law.

As applicable, the County establishes compensation for employees in concert with the recognized bargaining agent(s) of the employees. All phases of the compensation plan for these employees are administered according to the terms of the appropriate negotiated agreement(s).

Call-in pay will be in accordance with the terms of the appropriate negotiated contract. Employees called for emergencies shall be paid according to the terms of the negotiated contract.

Employees should refer to HR 4.4 for further compensatory information concerning overtime and compensatory time.

**Department Head/designee:**

Provides authorization to the supervisor and/or employee before scheduling overtime, except in emergency situations.

Ensures that overtime is distributed equitably as much as possible among employees in the same job classification.

Makes certain compensatory time off is used in the same pay period in which any this time was earned whenever possible.

Oversees the scheduling of compensatory time that falls after the pay period in which the overtime was earned.

Ensures that they are notified by the supervisor and/or employee of the use of emergency overtime by the beginning of the next work day following the emergency.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>4 – COMPENSATION</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 – DELIVERY OF PAY</b>	<b>REVISED: 5/22/24</b>

Pay periods for all employees are two weeks in length. Pay is distributed every other Thursday. If a payday falls on an official holiday, pay will be issued the preceding workday.

Salaried and hourly employees are paid for the current pay period.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>4 – COMPENSATION</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – PAYROLL DEDUCTIONS</b>	<b>REVISED: 5/22/24</b>

Mandatory deductions from paychecks include:

1. Federal Income Tax
2. State Withholding Tax
3. Social Security (FICA)
4. Disability Insurance
5. Unemployment Compensation Insurance
6. Pension Deductions
7. Pension Loan Repayments, as applicable
8. Court-ordered Wage Garnishments or other deductions authorized by law
9. Health Benefit Contribution (as applicable)

Employee-authorized deductions may include:

1. PERS Contributory Insurance (mandatory for the first year of enrollment in the Pension System)
2. Union Dues and Representation Fees
3. U.S. Savings Bonds
4. Charitable Campaign Contributions
5. Credit Union
6. Deferred Compensation
7. Insurance Benefits, as applicable
8. Short and Long Term Disability Income Program
9. PERS Supplemental Annuity
10. Other voluntary insurances

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>4 – COMPENSATION</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 – OVERTIME AND COMPENSATORY TIME</b>	<b>REVISED: 5/22/24</b>

Depending upon work needs, non-exempt employees may be scheduled to work overtime. Non-exempt employees working overtime will be paid in accordance with the appropriate negotiated agreements and the FLSA. Overtime may be paid in cash or compensatory time provided that all FLSA standards are met. Non-exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the respective Department Head or designee. Non-exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-union management employees of the County are not eligible for overtime pay. Such employees may receive compensatory time for hours worked beyond the normal expectations of the job function and not the normal work day. Such time, when required shall be documented and will be taken with approval from the Department Head.

Department Heads are not eligible for overtime pay and may be awarded compensatory time. However, recognizing the excessive time demands of such a position, a reasonable amount of compensatory time may be granted to the Department Head with the approval of County Administration.

Employees shall be permitted to use compensatory time within a reasonable time after making the request provided such use does not unduly disrupt the operations of the agency. Every effort should be made by the employee to use earned compensatory time within the pay period that it was earned and no later than 60 days of accrual. Compensatory time shall not carryover into the next calendar year unless extreme circumstances warrant such action. Prior written approval to carry over compensatory time must be obtained in advance from the Human Resources.

**Department Head:**

Ensures that permanent records for compensatory time are established and maintained for each non-union management employee and sent to the County Treasurer's Office upon accrual.

Provides written approval for the accrual of compensatory time.

Makes certain that the usage of compensatory time is entered in the weekly payroll.

Seeks the approval of compensatory time carryover into the next calendar year from the Commissioner Liaison with notification to the County Administrator and Human Resources.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED:</b> 3/7/06
<b>SECTION:</b>	<b>1 - HEALTH BENEFITS</b>	<b>REVISED:</b> 5/22/24

Eligible employees and their dependents, as applicable, are afforded health benefits through their employment with the County. Furthermore, eligible retirees are offered a continuation of medical and prescription benefits. Employees that have benefits through retirement from another public entity are not eligible for benefits with the County.

Errors in either enrollment or claim forms are the responsibility of the employee and not the employer.

If an employee does not expect the need for medical or prescription benefits and has coverage elsewhere, employees may choose to waive this coverage (see HR 5.2 for more details). PLEASE NOTE: state statute specifically prohibits two members who are each enrolled in SHBP from covering each other. Therefore, an eligible individual may only enroll in the SHBP as an employee or retiree, or be covered as a dependent.

Questions about employee health benefits should be directed to:

County of Gloucester  
Department of Human Resources  
Mailing Address: P.O. Box 337, Woodbury, NJ 08096  
Location: County Administration Building, 2 South Broad Street, 3<sup>rd</sup> Floor, Woodbury, NJ 08096  
Phone: (856) 853-3264  
Fax: (856) 853-3266

Contact information for benefit providers can be found on the County of Gloucester web page: <https://gloucestercountynj.gov/210/Employee-Services>

In accordance with Chapter 78, P.L. 2011, effective June 28<sup>th</sup> 2011, employees receiving health benefits (medical, prescription, dental and vision) pay a contribution towards the cost of health benefits. Section 80 of the law allows employers time for a practical and prospective implementation of increased employee contributions. When implemented after the effective date, there is no retroactive impact. The provision allows for administrative convenience and does not affect the effective date.

The minimum health contribution required is 1.5% of salary and the law requires that the percent of premium contribution found at <https://www.nj.gov/treasury/pensions/hb-info-active.shtml>.

Employees hired on or after the effective date of Chapter 78, P.L. 2011, (June 28<sup>th</sup>, 2011) shall contribute at the highest level (Year 4). Health benefit contribution payments can be made on a pre-tax basis through the Section 125 plan.

## Medical

All full-time employees and certain part-time employees in accordance with the appropriate negotiated agreement, and eligible dependents of eligible employees, may choose to select one of the NJ State Health Benefit plans according to the negotiated contracts.

All employees must select a plan or indicate that they wish no coverage (see HR 5.2 for more details).

Coverage for new employees will begin exactly 60 days from the date of hire or eligibility for Medical and Prescription benefits and 60 days following the first of the month for Dental and Vision Plan benefits.

Identification cards will be distributed from the insurance carriers for medical coverage.

After retirement, termination of coverage, or while on an approved leave of absence, medical health benefit coverage may be continued. You must notify Human Resources of your retirement/termination date to ensure uninterrupted group coverage and also must log into the My New Jersey Benefit HUB [https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_nu\\_m=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_nu_m=31756&co_affid=stateofnewjersey) to verify the accuracy of your coverage.

Please see HR 2.7 Exhibit C explains Continuation of Coverage forms for employees, dependents, and separated/divorced spouses/civilly unionized partners.

Any employee who fails to enroll his/her dependents or wishes to change from one plan to another may only make changes to medical and prescription during the Annual Open Enrollment period in October, with coverage effective January 1.

*The only other time you may make changes to your plan is if you experience a Life Changing Event or if you or your dependent(s) experience a loss of coverage. A Life Changing Event is defined as death, divorce/dissolution of civil union, marriage/civil union, or birth. If you experience a life changing event, you have 60 days to notify the NJ State Health Benefits Program and Human Resources. If an employee or eligible dependents are not enrolled within 60 days of the time they first become eligible for coverage, the employee must wait until the next annual Open Enrollment period to do so.*

Please note that if you have a change of address, or name, you must notify Human Resources and My NJ Benefits HUB

[https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_nu\\_m=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_nu_m=31756&co_affid=stateofnewjersey) (see HR 9.3).

## **Dental**

Single dental coverage is available for all full-time and eligible part-time employees in accordance with the current negotiated contracts.

Gloucester County also offers the opportunity for employees in accordance with the current negotiated contracts to elect a group dental plan for spouses/civilly unionized partners and/or dependents. The additional cost above the traditional, employee only, dental plan must be partially paid through payroll deduction by the employee.

*Annual Open Enrollment for dental and vision is held in October for an effective date of January 1.*

## **Prescription**

Gloucester County provides prescription coverage for all full-time employees, eligible part-time employees in accordance with the current negotiated contracts, and their eligible dependents. The plan is offered in accordance with State Health Plan Benefits.

Coverage for new employees follows the same as medical coverage above.

Prescription cards will be distributed by the prescription carrier prior to the effective date of coverage.

## **Vision**

The County of Gloucester offers is a vision plan benefit that is offered in accordance with the appropriate negotiated collective bargaining agreement.

*Annual Open Enrollment for dental and vision is held in October for an effective date of January 1.*

## **Retirement Health Benefits**

Insurance coverage for medial and prescription benefits will be provided to retirees as follows:

The Employer shall continue medical coverage for employees who retire on pension with at least twenty-five (25) years or more credited service in PERS or PFRS, together with their dependents.

The employer will provide for continuation of prescription benefits to all employees who retire with at least twenty-five (25) years of pension time.

County of Gloucester  
Human Resources Manual

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Active employees who have 25 years or more years of service credit as of the effective date of Chapter 78 (June 28<sup>th</sup>, 2011) are grandfathered and are governed by the terms applicable on the date they accrue 25 years of service credit.

Employees who retire on an approved disability retirement, or who had 20 or more years of service credit at June 28<sup>th</sup>, 2011 and later retire with 25 or more years of service credit, are not subject to the contribution provisions of Chapter 78.

Employees who are not grandfathered (see preceding two paragraphs), who do not fall within the above provisions, and who become eligible for employer-paid post-retirement benefits after 25 years of service, will be subject to a contribution toward postretirement medical coverage based on the applicable percentage of premium as determined by the annual retirement allowance, including any cost-of-living adjustments. A minimum contribution of 1.5% of the monthly retirement allowance is required.

**Employee:**

All new, eligible employees:

Please note that you are not covered until you enroll in the SHBP. You must fill out a *Health Benefits Program Application* and provide all the information requested along with any required supporting documentation can be found on My New Jersey Benefit HUB  
[https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_num=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_num=31756&co_affid=stateofnewjersey)

or

Elect no coverage (see HR 5.2).

Should notify Human Resources and the State of New Jersey [Divisions of Pensions and Benefits, PO Box 295, Trenton, NJ 08625-0295, Phone number: (609) 292-7524] of changes in coverage (additions or deletions of dependents) as soon as possible to ensure proper coverage (HR 5.1) and also on the New Jersey Benefit HUB at [https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_num=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_num=31756&co_affid=stateofnewjersey). Please note that if you do not enroll all eligible members of your family within 60 days of the time you or they first become eligible for coverage, you must wait until the next Open Enrollment period to do so

Should contact Human Resources and the State of New Jersey [Divisions of Pensions and Benefits, PO Box 295, Trenton, NJ 08625-0295, Phone number: (609) 292-7524] as early as possible for complete details on continuing medical health benefits after retirement, termination of coverage, or while on an approved leave of absence to ensure uninterrupted group coverage.

County of Gloucester  
Human Resources Manual

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**Human Resources:**

Provides enrollment forms and information about the features of the available health, dental, prescription and vision benefit programs for all eligible employees.

Oversees changes in coverage or questions pertaining to coverage as applicable.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1- HEALTH BENEFITS</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – NOTICE OF CHANGE  
IN MEDICAL BENEFIT OR WAIVER STATUS**

Name: \_\_\_\_\_ Department: \_\_\_\_\_

If you have any questions or need assistance completing this form, please contact Human Resources at (856) 853-3264.

1. Choose one of the following changes in your dependent(s) benefit enrollment status:

*Increase in Dependent(s)*

Birth or Adoption  
 Marriage or Civil Union

*Decrease in Dependent(s)*

Death  
 Divorce or Dissolution of Civil Union  
 Dependent reached age 26  
 Insurance available through another source

2. Date of Occurrence: \_\_\_\_\_

3. Choose one of the following coverage options to show what coverage should be in effect after the change in dependent(s) status:

Remains the same  
 Single (Employee Only)  
 Parent/Child (Employee & Child)  
 Family (Employee & 2 or more dependents)  
 Husband & Wife/Civil Union  
(Employee & Spouse/Partner)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please complete and return to Human Resources. Thank you!**

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 - WAIVING MEDICAL AND/OR PRESCRIPTION COVERAGE</b>	<b>REVISED: 5/22/24</b>

County employees may be eligible to waive their medical or prescription benefits. *The choice to waive should be made only if the employee does not expect these benefits to be needed.* Employees who waive their medical benefits **must produce proof** that they have medical coverage through another source (such as a spouse's/civil union partner's employer provided coverage).

Waivers will take effect as of the pay period that follows the disenrollment of the benefit and will continue unless the employee subsequently chooses to sign-up for medical and/or prescription coverage. Employees may enroll during the October open enrollment period or in such circumstances where an employee experiences a loss of medical coverage, upon giving notice to the County and proper application to the State Health Benefits Plan, will be enrolled in the medical plan within 60 days. PLEASE NOTE: Coverage changes involving the addition of dependents are effective retroactive to the date of the event (marriage, civil union, birth, adoption, etc.) provided that the application and all required supporting documentation is filed within 60 days of the event.

**Employee:**

Should submit to the Human Resources Department and New Jersey Benefit HUB ([https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_n um=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_n um=31756&co_affid=stateofnewjersey)) during the Open Enrollment period a "**Health Benefits Program Application**" when opting to waive coverage.

Should submit a "Notice of Change in Medical Benefit or Waiver Status" (HR 5.1 Exhibit A) to the Human Resources Office and New Jersey Benefit HUB ([https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_n um=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_n um=31756&co_affid=stateofnewjersey)) whenever the employee experiences an increase or decrease in dependents within thirty (30) days of the triggering event.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – GROUP LIFE INSURANCE</b>	<b>REVISED: 5/22/24</b>

## **PERS**

Employees that are members of the New Jersey public employee retirement system, PERS, receive group life insurance benefits at no cost to the member. The amount of life insurance benefits depends on the employee's earnings, as well as his/her age and membership status at the time of death. Members of PERS are insured for non-contributory life insurance, which is paid for by the County. Enrollment in group life insurance is accomplished through completion of the pension enrollment application, and coverage is effective beginning on the date of pension membership. Some restrictions may apply, or in rare cases, cause ineligibility.

Members who are enrolled in PERS must carry additional contributory life insurance for the first 12 months of employment. The employee contribution rate for this policy is currently .50 of 1% of the base salary, with deductions beginning on the date of enrollment.

1. After 12 months, employees may discontinue the contributory life insurance by completing a "Notice of Withdraw from Contributory Life Insurance" form and filing it with PERS before the desired termination date.
2. Once an employee withdraws from contributory life, he/she cannot be reinstated. By law, there shall be no return of contributions made to the contributory life insurance program for any reason.

If an employee terminates employment before retirement, or if the insured period expires during a leave of absence, coverage will continue for 31 days. During this time, employees may convert all or part of the coverage to an individual policy without a medical exam.

A leave of absence without pay may affect this benefit. Please contact Human Resources for more information.

## **PFRS**

For members of the New Jersey police and firemen's retirement system, PFRS, your employer pays the cost of your group life insurance. You receive an individual certificate from the Division of Pensions and Benefits that you should keep with your important papers. The group policy number is G-14800. A leave of absence without pay may affect this benefit. Please contact the Treasurer's Office for more information.

County of Gloucester  
Human Resources Manual

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**Group Life Insurance Benefits for Active Employees**

<i>Retirement System</i>	<i>Noncontributory Group Life Insurance</i>	<i>Contributory Group Life Insurance</i>	<i>Total</i>
PERS	1.5 X Salary*	1.5 X Salary*	3.0 X Salary*
PFRS	3.5 X Salary*	None	3.5 X Salary*

If death occurs within the first year of enrollment, the amount on **noncontributory** insurance is based on base salary earned until the date of death. The amount of **contributory** insurance, however, is based on the full annual base salary.

---

**Paid Up Group Life Insurance Upon Retirement**

	WHILE ACTIVE		WHEN RETIRED	
<i>Retirement System</i>	<i>If Member has Noncontributory Insurance</i>	<i>If Member has Contributory Insurance</i>	<i>If Member had Contributory Insurance</i>	<i>If Member had Noncontributory Insurance</i>
PERS	1.5 X Salary*	1.5 X Salary*	N/A	18.75% X Salary*
PERS Prosecutor's	1.5 X Salary*	1.5 X Salary*	N/A	50% X Salary*
PFRS	3.5 X Salary*	N/A	N/A	50% X Salary*

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\*The definition of "salary" is the total base salary upon which pension contributions were based during the last 12 months preceding the death of the member during active service.

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**Coverage for RETIRED PERS Members**

<i>Type of Retirement</i>	<i>Death before age 60</i>	<i>Death at age 60 &amp; older</i>
Disability	1.5 X Salary	18.75 % X Salary
Early	18.75% X Salary	18.75% X Salary
Deferred	None	18.75% X Salary
Service	N/A	18.75% X Salary

---

### **Coverage for RETIRED PFRS Members**

If you die after retirement, your named beneficiary (or estate where there is no named beneficiary) will receive an amount equal to  $\frac{1}{2}$  of your Final Compensation, the total base salary upon which your pension contributions were based during the year preceding your retirement. However, if you retire on a Disability Retirement, the amount will be equal to  $3\frac{1}{2}$  times your Final Compensation until age 55 when it will be reduced to  $\frac{1}{2}$  of Final Compensation. If a retiree was enrolled as a member of the PFRS on or after July 1, 1971, life insurance is payable only if the member retired with 10 or more years of pension membership credit or retired on a disability retirement.

---

#### **Human Resources Office:**

Provides employees with the necessary enrollment forms.

Is available to employees to answer questions and provide direction.

#### **Employee:**

Must complete and return the enrollment forms to the Human Resources office as soon as possible.

Should contact either his/her payroll clerk or the Human Resources Department to withdraw, as applicable.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 - PENSION PLANS</b>	<b>REVISED: 5/22/24</b>

Eligible County employees belong to one of three pension plans, the Public Employees' Retirement System (PERS) or Police and Firemen's Retirement System (PFRS). Please refer to HR 3.8 for information concerning retirement under these pension plans.

## **PERS**

The following information concerning pension plans is intended to assist the County employee in making decisions concerning their future as an employee and retiree. Complete terms governing PERS are set forth in N.J.S.A. 43:15A et seq. The pension enrollment rules described below are in general terms and may not cover all situations.

### **PERS Membership Tiers**

- Membership Tier 1 is members who were enrolled prior to July 1, 2007.
- Membership Tier 2 is members who were eligible to enroll on or after July 1, 2007 and prior to November 2, 2008, pursuant to the provisions of Chapters 92 and 103, P.L. 2007.
- Membership Tier 3 is members who were eligible to enroll on or after November 2, 2008 and on or before May 21, 2010, pursuant to the provisions of Chapter 89, P.L. 2008.
- Membership Tier 4 is members who were eligible to enroll after May 21, 2010, pursuant to the provisions of Chapters 1 and 3, P.L. 2010.
- Membership Tier 5 is members who were eligible to enroll on or after June 28, 2011.

### **Eligibility Criteria**

Membership in the retirement system is generally required as a condition of employment for most employees. You are required to enroll in the PERS if:

- You are employed on a regular basis in a position covered by Social Security; and
- You are eligible for Tier 1 or Tier 2 membership and the annual salary is \$1,500 or more, or you are eligible for Tier 3 membership and the annual salary is \$7,700\* or more; and
- You are eligible for Tier 4 membership and you work at least 32 hours per week required for enrollment; and
- You are not required to be a member of any other State or local government retirement system on the basis of the same position; or if:
- You are receiving a monthly retirement allowance from the PERS, you work more than the minimum number of hours per week required for PERS Tier 4 enrollment (see above).

County of Gloucester  
Human Resources Manual

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*Additional information including factors for ineligibility and the rules governing Elected or Appointed Officials is available by visiting the State of New Jersey website at [www.state.nj.us/treasury/pensions/](http://www.state.nj.us/treasury/pensions/).*

Payroll deductions for the pension plan are based on a percentage of the employee's salary. These deductions begin once the enrollment process is complete and are reflected on the employee's pay stub.

If the employment terminates before retirement, the employee may receive a refund of his/her contributions to the pension system. All rights and privileges then end.

Retirement begins on the first of a month. Retirement allowances are paid after the end of a month. No benefits are paid unless it is for an entire month.

An employee who is actively contributing to PERS may get a loan from the retirement system once he/she has been a contributory member for three years and three months. Employees may borrow up to half of their accumulated contributions. Repayments are deducted from employee paychecks with interest. Loans are limited to no more than two per calendar year.

## **PFRS**

All police officers and firefighters appointed after June, 1944, in municipalities where local police and fire pension funds existed, or where this system was adopted by referendum or resolution, are required to become members of the Police and Firemen's Retirement System. Certain State and County law enforcement job titles are also covered.

Eligibility in the PFRS is determined by your job title, your age, and your health. State and county employees in eligible PFRS titles, who do not meet the age and medical requirements, are eligible to enroll in the Public Employees' Retirement System (PERS) and possibly, depending on job title, as Law Enforcement Officers (LEOs) in the PERS. Over the years, the eligibility criteria for membership in the PFRS has been subject to change and reinterpretation. If you have specific questions concerning eligibility for enrollment in the PFRS you may wish to contact the Division of Pensions and Benefits for additional information.

Enrollment in the PFRS is required for permanent, full-time employees appointed to positions in law enforcement or fire fighting in the State of New Jersey. The date of enrollment for the PFRS is the date of permanent appointment to the position, even if the enrollee has yet to complete law enforcement or fire fighter training.

### **PFRS Membership Tiers**

The passage of Chapter 1, P.L. 2010, changed compensation and retirement criteria for PFRS members enrolled as of certain dates. These differences in PFRS membership — referred to as “membership tiers” — are defined as follows:

- Membership Tier 1 — PFRS Members who were enrolled on or before May 21, 2010.
- Membership Tier 2 — PFRS Members who were enrolled after May 21, 2010.

#### **Human Resources Office:**

Receives the Certification of Payroll Deductions once processing is completed by the State and takes the appropriate measures to begin deductions.

Provides all forms, additional information and direction.

#### **Employee:**

Receives notice from the State that processing is complete via a Certification of Payroll Deductions.

Contacts the Human Resource’s office at least 6 months before the anticipated retirement date.

Files a retirement application with the Division of Pensions.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 – EDUCATIONAL BENEFITS</b>	<b>REVISED: 5/22/24</b>

Employees are encouraged to receive job-related education by attending college courses and trainings. The County provides tuition reimbursement as an educational benefit for employees with satisfactory performance with the maximum reimbursement amount for educational expenses being set in accordance with negotiated union contracts.

Employees may seek reimbursement for satisfactorily completed, pre-approved courses. Reimbursement is available for tuition only and does not include books or other associated fees. Requests and approvals for tuition reimbursement must be completed prior to the start of the class. Any requests received after the start of a course will be denied reimbursement.

**Employee:**

Submits a written request to the Human Resources for advance approval of college/university tuition reimbursement, which includes the following items:

1. A brief description of the course
2. Copy of the registration for the course
3. Paid tuition receipt

Provides proof that course was successfully completed in instances where grades are awarded.

For reimbursement of continuing education trainings and other similar types of educational pursuits, the employee must follow departmental procedure including obtaining preapproval from the Department Head with reimbursement paid from a qualified conference, or education and training, budget as applicable.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 – WORKER’S COMPENSATION</b>	<b>REVISED: 5/22/24</b>

All employees, by State law, are provided with Worker's Compensation Disability Insurance (N.J.S.A. 34:15-1 et seq). The Worker's Compensation law seeks to ensure employees who are injured on-the-job receive proper care and benefits while at the same time protecting employers from minor or subjective complaints. The County provides for the cost of this coverage for Gloucester County employees.

Gloucester County provides paid disability leave to employees who are injured on-the-job (please refer to HR 6.11 titled "Disability Leave" for more details).

While an employee is collecting Worker's Compensation, the following benefits will continue:

1. All health benefits.
2. Pension - the employee contribution will be deducted from his/her wages.
3. Non-contributory life insurance and contributory life insurance – the employee contribution will be deducted from his/her wages.

Any salary or wages paid to an employee while on such leave will be reduced by the amount of any Worker's Compensation award for the same injury or illness. (N.J.S.A. 34:15-1 et seq.)

Please refer to HR 8.2 titled "Injuries On-the-Job" for further information.

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 - LIGHT DUTY</b>	<b>REVISED: 5/22/24</b>

The County of Gloucester recognizes the need of employees who suffer an on-the-job injury or illness to return to work as soon as medically feasible. Therefore, the County offers temporary light-duty jobs only for occupationally-injured workers. This Light Duty program exists to provide eligible employees with the opportunity to perform a job within the scope of their medical restrictions. Light Duty assignments are for temporary periods only.

The County Authorized Treating Physician identifies the employee's restrictions in relation to the employee's capacity and ability to return to work. In turn, the Human Resources Department will determine how to best accommodate restrictions provided by the County Authorized Treating Physician. An employee working in the Light Duty program may be accommodated *temporarily* in any or all of the following manners:

1. Modification of employee's current position to meet all restrictions required by a County Authorized Treating Physician.
2. Change in the shift and/or hours that the employee works.
3. Placement in another position in the same department.
4. Placement in another department.

Any changes in restrictions may require a change in placement, hours, or shift to allow for the appropriate accommodations as specified under Terms of Participation (HR 5.7 Exhibit A "Light Duty Agreement"). The Safety Unit of County Administration is responsible for ensuring that the Light Duty Agreement is completed and signed prior to the employee returning to work in the Light Duty program.

Clarification of restrictions may be requested by the employee, the department employed, the department assigned, or by the County Authorized Treating Physician. The employee should continue working while restrictions are reviewed.

Employees will be paid their regular salary while performing Light Duty. Furthermore, employees on light duty will not be eligible for additional regular or overtime hours. Exceptions may be made on a case by case basis by the Human Resources if an emergent situation arises and as long as the restrictions are upheld.

Employees participating in the Light Duty program will be held to the same standards of performance as any other employee.

County of Gloucester  
Human Resources Manual

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The following factors apply should an employee refuse to participate in the Light Duty program:

1. An employee who refuses a Light Duty position may choose to seek medical leave. Please refer to HR 6.11 for the policies and procedures of Family and Medical Leaves of Absence.
2. If the employee is not eligible for FMLA Leave or has exhausted his/her entitlement, then refusal of a suitable Light Duty position may result in the employee's ineligibility for leave extensions resulting in termination of employment.
3. Worker's Compensation disability benefits may cease.

The County maintains no *permanent* Light Duty assignments or accommodations.

Employees not eligible to participate in the light duty program are those who incurred injuries or illnesses that were not a result of workplace conditions or if such injuries or illnesses are of a permanent nature.

The County of Gloucester reserves the rights to amend, modify, or terminate this program at any time with or without prior notice to employees.

Please refer to HR 8.2 titled "Injuries On-the-Job" for further information.

County of Gloucester  
Human Resources Manual

CHAPTER:	5 - EMPLOYEE BENEFITS	ADOPTED: 3/7/06
SECTION:	7 - LIGHT DUTY	REVISED: 5/22/24

**EXHIBIT A – LIGHT DUTY AGREEMENT (Work Related Injuries)**

**IT IS THE RESPONSIBILITY OF THE EMPLOYEE TO SIGN ALL NOTES FOR EACH AND EVERY VISIT TO A MEDICAL PROVIDER AND TO NOTIFY HIS/HER DEPARTMENT OF WORK STATUS IMMEDIATELY AFTER EACH DOCTOR'S VISIT.**

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Department (Regular): \_\_\_\_\_  
Department (Light Duty): \_\_\_\_\_

*I have been advised that my physical activities at work have been restricted.*

DURATION OF RESTRICTION: \_\_\_\_\_  
DATE TO BE RE-EVALUATED: \_\_\_\_\_

I understand that my limitations are as detailed on the attached form that has been completed by the Authorized Treating Physician.

By co-signing this agreement with me, my Department Head/Supervisor acknowledges this restriction and is able to accommodate my limitations or provide alternative work for me while I am on light duty.

I acknowledge that it is my personal responsibility to maintain my light duty status for as long as it is in effect. Therefore, if I am asked to perform a task, which is outside of the limits as outlined above, I should not perform that task and immediately notify my Supervisor and Department Head to intervene.

I further acknowledge that should I perform activities outside my limitations, I will be subject to disciplinary action.

Employee \_\_\_\_\_ Date \_\_\_\_\_ Department Head/Supervisor (Regular) \_\_\_\_\_ Date \_\_\_\_\_

County Administrator/Designee \_\_\_\_\_ Date \_\_\_\_\_ Department Head/Supervisor (Light Duty) \_\_\_\_\_ Date \_\_\_\_\_

County of Gloucester  
Human Resources Manual

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**Light Duty Refusal**

I refuse light duty. My rights and benefits have been explained to me, and I understand my worker's compensation temporary disability benefits may be terminated.

*Employee*

*Date*

*Department Head/Supervisor*

*Date*

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED:</b>
<b>SECTION:</b>	<b>8 - UNEMPLOYMENT COMPENSATION</b>	<b>REVISED: 5/22/24</b>

Employees who lose their jobs through circumstances beyond their control or who are working less than full-time because of a lack of full-time employment are covered by the Unemployment Insurance program through the New Jersey Department of Labor and Workforce Development.

**Employee:**

Contributes to unemployment insurance through deduction from wages with the amount of deduction noted on the pay stub. The employee contribution is subject to change each calendar year.

If laid off, files a claim for benefits with the New Jersey Department of Labor and Workforce Development, Reemployment Call Center, on the first working day following the layoff. The phone number for the Reemployment Call Center serving South Jersey is (856) 507-2340.

<b>CHAPTER:</b>	<b>5 - EMPLOYEE BENEFITS</b>	<b>ADOPTED:</b>
<b>SECTION:</b>	<b>9 – DISABILITY BENEFITS</b>	<b>REVISED: 5/22/24</b>

Disability benefits for an employee who cannot work because of sickness or injury NOT caused by the employee's job (including pregnancy and childbirth) are available to Gloucester County employees that qualify. These disability benefits are categorized into two main types: *temporary disability* through the State of New Jersey and *elective disability* insurance which is available for purchase by the employee. *In case of disability due to illness or injury as a result of, or arising from, an employee's job, please also see HR 5.6 and HR 8.2.*

### **Temporary Disability**

Program Governed by State Law - The Temporary Disability Benefits Ordinance adopted by the County shall be governed by N.J.S.A. 43:21-25 et seq. of the laws of the State of New Jersey, and any inconsistencies existing between this and state laws shall be governed by state law.

Voluntary Participation – The temporary disability plan shall be voluntary for all eligible employees. All full-time employees wishing to participate must advise the Human Resource/Payroll Department at initial hire date or during open enrollment period of each calendar year. Employees wishing to terminate their coverage may do so at any time by notifying the Human Resource/Payroll Office in writing.

Annual Contribution – The annual contribution by each employee shall be the maximum amount permitted under the state plan.

Benefits and Limits – The maximum benefits paid to any employee shall be determined and promulgated to match the state plan, but not to exceed the maximum weekly benefit as determined by the state plan disability insurance. “Average weekly wage” shall be defined as the amount derived by dividing the wages earned during the eight (8) calendar weeks immediately preceding the calendar week in which the disability commenced by the number of said weeks. The limit payable to any employee shall be the maximum benefit as determined and promulgated under the state plan (by the Commissioner of Labor and Industry in accordance with N.J.S.A. 43:21-3(c)).

Eligibility – Employees participating in the disability plan shall be eligible for benefits immediately upon the occurrence of an accident provided the employee is absent from work at least five (5) consecutive work days because of the accident. In the event of sickness, participating employees shall be eligible for benefits on the expiration of a “waiting week” consisting of the first seven (7) consecutive days of each period of disability. However, if eligible for benefits in each of the three (3)

County of Gloucester  
Human Resources Manual

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consecutive weeks next following the waiting week, benefits shall also be payable retroactively with respect to the waiting week. Employee's participating in the County Disability Plan will be required to complete and submit all County provided forms.

In order to be eligible, an employee must have worked at least twenty weeks earning at least a minimum set annually by the State in each of those weeks, or have earned at least a minimum set annually by the State in earnings during the fifty-two calendar weeks prior to the week in which his/her disability commenced. Call the Payroll Office for the current year's minimums.

Before an employee is eligible for benefits, he or she must use up to two (2) work weeks of accrued sick time before receiving temporary disability benefits, however an employee shall not be required to use their last work week of accrued sick time before receiving benefits.

Childbirth – Female employees participating in the disability plan shall be entitled to disability benefits for pregnancy, childbirth or related medical conditions for a period commencing four (4) weeks prior to the expected date of confinement and continuing until six (6) weeks (in the case of a normal delivery) or eight (8) weeks (if complications or Caesarian section delivery) after the expected date of confinement. If, however, there are complications, employee shall be entitled to disability benefits for up to a period of twenty-six (26) weeks, including the weeks prior to the expected date of confinement.

Physical Examination – Employees may be required to submit to a physical examination by a medical professional to support their disability claim at no cost to the employee. Failure to submit to an examination is cause for the denial of further benefits.

Return to Work – Employees qualifying for disability must submit a medical certificate in order to return to work. The medical certificate must state that the employee's disability no longer inhibits the employee's ability to perform the essential functions of the job. The employee will not be permitted to return to work without the medical certificate. The County reserves the right to have an independent medical evaluation performed by a professional chosen by the County at the County's expense.

### **Elective Disability Insurance**

The County provides for voluntary disability insurance at the employee's expense. Several different types of short-term and/or long-term insurance policies are available to supplement the State's disability program. Some restrictions may apply. New employees may enroll through orientation. Other employees may enroll during open enrollment or by appointment with a representative. Employees may contact the Human Resources Department for the name and telephone number of the representative.

County of Gloucester  
Human Resources Manual

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Disability insurance is designed to serve the employee by mail. Claims are filed by mailing the application for benefits, form DS-1, to the Disability Insurance Office in Trenton. Form DS-1 may be obtained through the website:

[https://www.nj.gov/labor/myleavebenefits/worker/tdi/?\\_gl=1\\*c5gumm\\*\\_ga\\*NTU5MDk2NTk0LjE3MTM1MDUzMzY.\\*\\_ga\\_N8RFJ4LE4D\\*MTcxNTI4MDMzMNy4yLjAuMTcxNTI4MDMzMNy4wLjAuMA..\\*\\_ga\\_2F7W0D0NDJ\\*MTcxNTI4MDMzMNy4yLjAuMTcxNTI4MDMzMNy4wLjAuMA..&\\_ga=2.1955633.1436013751.1715276984-559096594.1713505336](https://www.nj.gov/labor/myleavebenefits/worker/tdi/?_gl=1*c5gumm*_ga*NTU5MDk2NTk0LjE3MTM1MDUzMzY.*_ga_N8RFJ4LE4D*MTcxNTI4MDMzMNy4yLjAuMTcxNTI4MDMzMNy4wLjAuMA..*_ga_2F7W0D0NDJ*MTcxNTI4MDMzMNy4yLjAuMTcxNTI4MDMzMNy4wLjAuMA..&_ga=2.1955633.1436013751.1715276984-559096594.1713505336)

Or, by writing or telephoning the employee's department, union, One Stop Office, or the Division of Temporary Disability Insurance, PO Box 387, Trenton, New Jersey 08625-0387, (609) 292-7060.

The application for benefits consists of three segments: the employee, the employee's Department and the employee's treating physician. Under N.J.A.C. 12:18-1.6, medical practitioners are prohibited from charging a fee for completing this form. The claim must be submitted to the Division of Temporary Disability Insurance within 30 days of the onset of the disability. If a claim is submitted late, a written explanation as to why the claim was delayed will be considered.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>5 – EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 – EMPLOYEE ASSISTANCE PROGRAM</b>	<b>REVISED: 5/22/24</b>

The County offers a program called the Employee Assistance Program (EAP). If an employee is experiencing difficulties that interfere with functioning at work and/or at home, EAP is available to assist the employee. EAP helps employees identify problem areas, offers counsel and training. If necessary, referrals are made to appropriate treatment resources. EAP, established through a joint management-labor committee, maintains a coordinated and flexible system of service to help employees and their families.

All contacts with the EAP, whether initiated by the County through referrals or by the employee through direct contact, are handled with the strictest confidentiality.

The program includes, but is not limited to, counsel and training for:

- (1) Emotional Difficulties
- (2) Drug and Alcohol Abuse
- (3) Compulsive Gambling
- (4) Financial Concerns
- (5) Legal Concerns
- (6) Family Issues

Penn Medicine provides the Gloucester County program. Anyone seeking additional information regarding this program, should contact Human Resources at (856) 853-3264 or the Employee Assistance Program directly and toll free at (888) 321-4433.

An employee's participation in EAP is not a substitute for actual improvement in job performance. Where applicable, the employee remains responsible for making any required improvements in job performance whether or not he/she agrees to participate in EAP.

The County may require an employee as a condition of continued employment to go to the EAP as a formal and mandatory referral. Non-compliance of such a referral may result in disciplinary procedures up to and including termination. Depending on the nature of the situation, the EAP may require the employee to a substance abuse professional (SAP). Any costs associated with the SAP are the responsibility of the employee. However, in most cases, this cost is covered by the employee's medical plan.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>5 – EMPLOYEE BENEFITS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>11 – DISEASE PREVENTION</b>	<b>REVISED: 5/22/24</b>

The County of Gloucester takes a proactive approach to preventing diseases, such as those illnesses associated with Hepatitis B, blood borne pathogens, HIV, West Nile Virus, and Lyme. With the cooperation of the Gloucester County Division of Health, every affected employee will receive training and education to minimize the risks of contracting illnesses.

Certain employees deemed at risk will receive training and education and be advised to consult with their personal physician regarding inoculation. The County will pay any out of pocket expenses incurred by an employee participating in this program.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>5 – EMPLOYEE BENEFITS</b>	<b>ADOPTED: 11/21/06</b>
<b>SECTION:</b>	<b>12 – ADDITIONAL OPTIONAL BENEFITS</b>	<b>REVISED: 5/22/24</b>

Gloucester County offers several optional benefits that employees may opt to participate in and/or purchase including credit union banking, deferred compensation, as well as a variety of insurance products and services. Employees can learn more about these options at new employee orientation, at open enrollments or by appointment.

<b>CHAPTER:</b>	<b>5 – EMPLOYEE BENEFITS</b>	<b>ADOPTED: 2/5/20</b>
<b>SECTION:</b>	<b>13 – NJ CIVIL SERVICE PUBLIC EMPLOYERS DOMESTIC VIOLENCE POLICY</b>	<b>REVISED: 5/22/24</b>

## **PURPOSE**

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers (herein "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees.

## **DEFINITIONS**

The following terms are defined solely for the purpose of this policy:

**Domestic Violence** - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

**Abuser/Perpetrator** - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

**Human Resources Officer (HRO)** –An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

**Intimate Partner** - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are

dating or have dated in the past.

**Temporary Restraining Order (TRO)** -A civil court order issued by a judge to protect the life, health or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

**Victim** - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

**Workplace-Related Incidents**- Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

## **PERSONS COVERED BY THIS POLICY**

All employees of the County of Gloucester are covered under this policy, including full and part time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location.

## **RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER**

The County of Gloucester hereby designates the following employees as the Primary HRO and Secondary HRO, to assist employees who are victims of domestic violence.

**Primary HRO:** Anthony Wilcox, Human Resources Confidential Assistant  
(856) 384-6991 / [awilcox@co.goucester.nj.us](mailto:awilcox@co.goucester.nj.us)  
Shady Lane Complex, 254 County House Rd, Clarksboro, 08020

**Secondary HRO:** Emmett Primas, Assistant County Counsel  
(856) 384-6891 / [eprimas@co.goucester.nj.us](mailto:eprimas@co.goucester.nj.us)  
2 South Broad St, Woodbury, 08096

The designated Primary and Secondary HRO shall receive training on responding to and assisting employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all employees by dissemination of this policy.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

## **DOMESTIC VIOLENCE REPORTING PROCEDURES**

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee, are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an employee from contacting 911 in emergency situations. Indeed, HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

- A. Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
- B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- C. Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact

County of Gloucester  
Human Resources Manual

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the appropriate Employee Assistance Program to assist with securing resources and confidential services.

- D. Refer the employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced under Section VIII of this policy.
- E. In cases where domestic violence involved a sexual touching or sexual assault between state employees, the HRO is also required to report the incident to their agency's EEO Officer or Title IX Officer, at (856) 384-6903 / [eeo@co.glooucester.nj.us](mailto:eeo@co.glooucester.nj.us).
- F. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team, (856) 384-5555.
- G. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy. (See Section VI).
- H. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.

## **CONFIDENTIALITY POLICY**

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

## **CONFIDENTIALITY OF EMPLOYEE RECORDS**

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

## **THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT**

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

- 1) Seeking medical attention;
- 2) Obtaining services from a victim services organization;
- 3) Obtaining psychological or other counseling;
- 4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
- 5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
- 6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

**County of Gloucester**  
**Human Resources Manual**

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The full text of the New Jersey SAFE Act is provided in the Appendix to this policy.

**PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN**

The County of Gloucester has developed the following action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

- A. Designate an HRO with responsibilities pursuant to Sections IV and V of this policy.
- B. Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
- C. Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the employer.
- D. Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TDI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
- E. Commit to adherence to the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an employee is a victim of domestic violence.
- F. Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.
- G. Employers, their designated HRO, and employees should familiarize themselves with this policy. This policy shall be provided to all employees upon execution and to all new employees upon hiring. Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias,

breakrooms, and where other resource information is located.

## **RESOURCES**

This policy provides an Appendix listing resources and program information readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

## **DISTRIBUTION OF POLICY**

The Gloucester County Department of Human Resources will be responsible for distributing this policy to employees, volunteers, and other employees identified above.

The Gloucester County Department of Human Resources will be responsible for updating this policy at least annually to reflect circumstances changes in the organization.

The Gloucester County Department of Human Resources will be responsible for monitoring The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs for modifications thereto, to public employers.

## **OTHER APPLICABLE REQUIREMENTS**

In addition to this policy, the HRO and the public employer's appointing authority must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General Directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in this policy conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

## **POLICY MODIFICATION AND REVIEW**

A public employer may seek to modify this policy, to create additional protocols to protect victims of domestic violence but may not modify in a way that reduces or compromises the safeguards and processes set out in this policy.

The Civil Service Commission will review and modify this policy periodically and as needed.

## **POLICY ENFORCEABILITY**

The provisions of this policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

County of Gloucester  
Human Resources Manual

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**POLICY INQUIRIES & EFFECTIVE DATE**

Any questions concerning the interpretation or implementation of this policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. This policy shall be enforceable upon the HRO's completion of training on this policy.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – INTRODUCTION TO LEAVE TIME</b>	<b>REVISED: 5/22/24</b>

Employees of Gloucester County are entitled to several types of leave. Please reference your appropriate collective bargaining agreement that specifics leave entitlement.

Examples of leave include: Holidays, Vacation Time, Sick Leave, Administrative Leave/Personal Days, Bereavement Leave, Military Leave, Convention Leave, Jury Duty and Disability Leave for cases of disability due to illness or injury as a result of, or arising from, an employee's job. Requesting approval for paid leave is an internal process within a given department.

Furthermore, leaves of absence without pay may be granted at the sole discretion of the Commissioner Board to employees for certain reasons including but not limited to family and medical necessity.

The form "Leave Request," HR 6.1 Exhibit A, may be used when scheduling leave. Employees should seek further guidance from their Department Head/designee.

In addition to the leave request, each specific type of leave may have additional requirements. Please review each applicable section for more details.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>6 - LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – INTRODUCTION TO PAID AND UNPAID LEAVE</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – LEAVE REQUEST**

**DEPARTMENT:** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **DIVISION:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Please refer to the respective Human Resources policy and any applicable union contract when requesting leave. If you choose to cancel a request, write the word "CANCEL" across the entire form and resubmit to your payroll point person.

	<i>Date(s)/Time Requested</i>	<i>Total Amount of Time</i>
<b>Administrative/Personnel</b>	_____	_____
<b>Vacation</b>	_____	_____
<b>Bereavement</b>	_____	_____
<i>Employee's relationship to the Deceased:</i>	_____	_____
<b>Sick</b>	_____	_____
<b>Leave Without Pay</b>	_____	_____
<b>Furlough</b>	_____	_____
<b>Other: Specify</b> _____	_____	_____
<b>Compensatory Time</b>	_____	_____
<i>Date comp time earned:</i> _____	_____	_____

\*\*\*\*\*

**DEPARTMENT HEAD/DESIGNEE:** \_\_\_\_\_ **APPROVED** \_\_\_\_\_ **DISAPPROVED** \_\_\_\_\_

**Comments/Notes:** \_\_\_\_\_

\_\_\_\_\_  
(Signature) \_\_\_\_\_ **Date:** \_\_\_\_\_

Department Payroll Received (Initials): \_\_\_\_\_ Date: \_\_\_\_\_

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\*Reason given for call-out by the employee:

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 – HOLIDAYS</b>	<b>REVISED: 5/22/24</b>

Full-time employees are entitled to paid holidays. Please consult the appropriate collective bargaining agreement or refer to the annual approved holiday memorandum supplied through the County Administrator's Office.

Employees who are employed part-time working on average at least 10 hours or more per week are entitled to holiday pay at proportionate amounts.

If specified in the collective bargaining agreement, a paid holiday falls on a Sunday will be observed on the following Monday, and a paid holiday falls on a Saturday will be observed on the proceeding Friday.

To be paid holiday pay for an un-worked holiday, an employee must be on active pay status and must have received payment for his/her last scheduled day before and first scheduled day after the holiday.

If a paid holiday occurs while an employee is on approved vacation or sick leave, the employee shall not have that holiday charged as sick or vacation time.

If a paid holiday occurs on the normal work day of a part-time employee who works 10 or more hours per week, the employee is entitled to his/her regular part-time pay.

When it is necessary for an employee to work on a paid holiday to maintain operations, the employee will be compensated in accordance with the provisions in the appropriate negotiated agreements.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – VACATION</b>	<b>REVISED: 5/22/24</b>

Title 4A:6-1.1(a) specifies the rules governing minimum vacation leave for local government employees. Part-time employees are entitled to proportionate amounts of paid vacation leave unless they work on average less than 10 hours per week and are provisional or temporary (4A:6-1.2(d)). Furthermore, annual vacation leave is determined in accordance with the appropriate negotiated contracts.

Vacation requests will not be unreasonably denied. However, proper staffing of departments and County facilities as well as operational needs of the County must take precedence over all other considerations in scheduling vacations.

Vacation leave will be scheduled in accordance with the appropriate negotiated contract. Preference in vacation scheduling is given to those requests which are submitted first; provided, however, that if two or more requests are received simultaneously, seniority will prevail.

Vacation leave not taken during the calendar year because of the pressure of official business shall be used during the next succeeding year only and shall be scheduled to avoid losing the leave in accordance with CSC rules.

Any employee who exhausts all of his/her vacation leave in any one year shall not be credited with any additional paid vacation leave until the beginning of the next calendar year.

The total number of unused vacation time that may be carried over to the next calendar year is determined in accordance with negotiated contracts. However, at no time shall an employee be allowed to carry over into the next year more leave time than they accrued in that year.

Accrued, unused vacation leave shall be paid to the estate of a deceased employee.

If employment terminates prior to the end of the calendar year, an adjustment will be made in the employee's final paycheck for any vacation leave which has been used, but not yet earned.

Other provisions which may affect vacation procedures may be found in the appropriate negotiated agreements.

County of Gloucester  
Human Resources Manual

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**Employee:**

Requests vacation from the Department Head/designee.

Submits a written request to change vacation leave to sick leave to the Department Head in the event the employee was hospitalized for an injury or illness for two or more days while on vacation leave. Proof of hospitalization should accompany such a request.

**Department Head/designee:**

Will honor vacation requests if at all possible with the understanding that proper staffing of department units and County operational needs take precedence over all other considerations in scheduling vacations.

Recommends to Human Resources Director approval/disapproval of employees' requests to change vacation leave to sick leave in the event the employee was hospitalized for an injury or illness for two or more days while on vacation leave. Medical documentation will be required from employees for this request.

**Human Resources:**

Issues decision of approval/disapproval of employees' requests to change vacation leave to sick leave in the case of a serious illness or accident.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 – SICK LEAVE</b>	<b>REVISED: 5/22/24</b>

Title 4A:6-1.1(a) specifies the rules governing minimum sick leave for local government employees.

During the initial month of employment, full-time employees will receive 1 working day of sick leave if they begin work on the 1<sup>st</sup> through 15<sup>th</sup> day of the calendar month, and 1/2 working day if they begin work on the 16<sup>th</sup> through the 23<sup>rd</sup> day of the month. No credit is earned if an employee begins work on the 24<sup>th</sup> day of the month or after (4A:6-1.3(a)1).

After the initial month and up to the end of the first calendar year, full-time employees earn 1 working day for each month of service.

At the beginning of each calendar year thereafter, full-time employees shall have 15 working days of sick leave credited in anticipation of continued employment (4A:6-1.3(a)2).

Part-time employees are entitled to proportionate amounts of paid sick leave (4A:6-1.3(b)).

Failure to follow the procedure for notification of absence due to illness could result in denial of sick leave for that absence and/or other disciplinary action.

Employees may be required to submit official proof of illness or inability to work when:

- (1) They have been absent on sick leave for 5 or more consecutive working days;
- (2) They have been absent on sick leave for an aggregate of more than 15 days in a 12-month period;
- (3) The department head determines such requirement appears reasonable.

Sick leave may be used for personal illness or injury, exposure to contagious disease, care for a seriously ill member of an employee's immediate family, or death in an employee's immediate family (4A:6-1.3(g)). For the purposes of this policy, immediate family shall include any relations as are deemed within the definition of family members under the NJFLA and the federal FMLA (please refer to HR 6.12 Exhibits A and A1 General Information"). In general, immediate family is defined as a parent, child, and spouse or civil union partner. Expanded definitions of immediate family may be found in the appropriate negotiated contract.

The County may require a medical certificate from an attending physician stating an employee is able to return to his/her regular duties and that returning to work would not jeopardize the health of the employee, other employees, or the public at large. At its

County of Gloucester  
Human Resources Manual

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discretion, the County may further require that an employee obtain a medical release from the County physician.

If an illness is of a chronic or recurring nature, employees shall only be required to provide one proof of illness every six months. Such proof must specify the nature of the illness and that it is likely to cause periodic absences.

Paid sick days shall not accrue during a leave of absence without pay, during a suspension, or after an employee has resigned even if his/her name remains on the payroll until vacation or other compensatory time is exhausted (4A:6-1.3(c) and (d)).

An employee who exhausts all of his/her paid sick leave in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year (4A:6-1.3(e)).

Unused sick leave shall accumulate from year to year without limit (4A:6-1.3(f)).

Sick leave may be used in half hour increments.

Medical and dental appointments should be made outside normal working hours, whenever possible. If it is necessary that such appointments be scheduled during regular working hours, the normal procedure for requesting sick time will be followed.

When a County employee retires, the County will buy back a portion of unused sick leave in accordance with the terms of the appropriate negotiated agreement and under State law.

If an employee terminates employment prior to the end of the calendar year, an adjustment will be made in the final paycheck for any sick leave which has been used but not yet earned.

In the case of a serious illness or accident, an employee may request approval from Human Resources to change vacation leave to sick leave. Such requests must be made at the time the condition occurs and not when the employee returns to work. The employee must have supportive medical documentation.

Additional provisions concerning sick leave are outlined in accordance with appropriate negotiated agreements.

**Employee:**

Employee should consult their Department Head/designee if they will be absent due to illness.

Provides proof of illness or inability to work when requested by Department Head.

County of Gloucester  
Human Resources Manual

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May request approval to change vacation leave to sick leave in the case of a serious illness or accident at the time the condition occurs. The employee must provide supportive medical documentation.

**Department Head/designee:**

Sends a memo to Human Resources stating the anticipated length of an employee's absence for long-term illnesses. Please refer to HR 5.9 titled "Disability Benefits," HR 6.11 titled "Disability Leave" and HR 6.12 "Unpaid Leave" for more information relevant to long-term illnesses.

Forwards medical certificates, whenever applicable, to Human Resources for the employee's personnel file (a medical certification is documentation from an attending physician stating an employee is able to return to his/her regular duties and that returning to work would not jeopardize the health of the employee, other employees or the public at large).

**Human Resources:**

Receives correspondences concerning anticipated leaves for long-term illnesses.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 - LEAVE TIME</b>	<b>ADOPTED: 03/07/06</b>
<b>SECTION:</b>	<b>5 – NJ EARNED SICK LEAVE LAW</b>	<b>REVISED: 05/22/24</b>

The employees of the County of Gloucester who are provided with sick leave at full pay under N.J.S.A. 11A and N.J.A.C. 4A are **exempt** from coverage under the NJ Earned Sick Leave Law; employees (such as seasonal, temporary and substitute) with the County of Gloucester who are *not* provided with sick leave at full pay under N.J.S.A. 11A and N.J.A.C. 4A are covered under the NJ Earned Sick Leave Law and are permitted to accrue and use earned sick leave in accordance with the requirements of the NJ Earned Sick Leave Law. Independent contractors are not covered by the NJ Earned Sick Leave Law. This policy is provided to offer guidance to Department Heads/designees and those aforementioned employees (such as seasonal, temporary, and substitute employees) who are subject to the NJ Earned Sick Leave Law.

Effective October 29, 2018, for every 30 hours worked, the employee who is covered under the NJ Earned Sick Leave Law shall accrue one hour of earned sick leave and be permitted to accrue and use a maximum of 40 hours of earned sick leave in any benefit year. Employees covered under the NJ Earned Sick Leave Law must wait 120 days to begin using accrued earned sick leave. The benefit year is January 1 to December 31<sup>st</sup> of the calendar year. Earned sick leave shall be taken in whole days (equal to the number of hours the employee was scheduled to work during that shift) or half hour increments thereof.

Permissible reasons for an employee who is **covered under the NJ Earned Sick Leave Law** to take sick leave are (1) Diagnosis, care, treatment or recovery for the employee's own mental or physical condition, (2) Diagnosis, care, treatment or recovery for a family member's mental or physical condition, (3) Time needed as a result of an employee's or family member's status as a victim of domestic or sexual violence, (4) Time when the workplace, school or childcare is closed by order of a public official due to a public health concern, and (5) Time to attend a school-related conference or meeting. *Please note that these reasons are separate and apart from the permissible reasons that pertain to the employees of the County of Gloucester who are provided with sick leave at full pay under N.J.S.A. 11A and N.J.A.C. 4A are covered under this policy and exempt from coverage under the NJ Earned Sick Leave Law.*

Family member is defined by the NJ Earned Sick Leave Law as a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee; a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee; or a sibling of a spouse, domestic partner, or civil union partner of the employee. Notably, the term family member also includes any other individual related by blood to the employee of whose close association with the employee is the equivalent of a family relationship.

County of Gloucester  
Human Resources Manual

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Department Heads are responsible for notifying these employees of the requirements for seeking sick leave and for providing procedures for the employee to follow when providing notification of the intent to use sick leave.

Employees covered under the NJ Earned Sick Leave Law are required to provide advance written notice of the need to use earned sick leave that is foreseeable. Such required advance written notice is seven calendar days prior to the date the earned sick leave is to begin and must include notice of the intention to use the leave and its expected duration. Where the employee's need to use earned sick leave is foreseeable, the employee shall make a reasonable effort to schedule the use of earned sick leave in a manner that does not unduly disrupt the operations of the County. For purposes of this subsection, the need to use earned sick leave shall be considered "foreseeable," when the employee is able to predict or know in advance that he or she will need to use earned sick leave, such as a scheduled doctor's visit, a regularly occurring medical treatment, or regularly scheduled therapy appointment.

If the reason for the leave is not foreseeable, the employee must give notice of the intention to use the leave as soon as practicable and prior to start of shift.

The County of Gloucester may prohibit the employee from using earned sick leave on certain dates which are limited to verifiable high-volume periods or special events, during which permitting the use of foreseeable earned sick leave would unduly disrupt the operations of the Employer. Department Heads are responsible for notifying these employees of these dates in advance where possible.

Where the employee's need to use earned sick leave is not foreseeable and the employee seeks to use such earned sick leave during any of the "certain dates" described in the preceding paragraph, or where the employee uses earned sick leave for three or more consecutive days, the County requires the employee to provide reasonable documentation that the leave is being taken for a permissible purpose.

In the final month (December) of the Employer's benefit year, the County shall permit the employee to carry-over any unused earned sick leave up to a maximum of 40 hours.

An employee shall not be entitled to a payout of unused earned sick leave upon separation from employment, and upon termination of employment, unused sick leave will not be paid.

It should be noted that an employer may not retaliate against an employee for exercising or attempting to exercise rights under the law.

More information about the NJ Earned Sick Leave Law can be found at:  
[https://nj.gov/labor/wagehour/content/NJ\\_Earned\\_Sick\\_Leave.html](https://nj.gov/labor/wagehour/content/NJ_Earned_Sick_Leave.html).

**Seasonal/Temporary/Substitute Employee:**

Follows departmental procedures when providing notification of the intent to use sick leave, including 7-days advance written notice to the Department Head when need for sick leave is foreseeable.

Provides proof of illness or inability to work when requested by Department Head.

**Department Head/designee:**

Provides the seasonal/temporary/substitute employee with procedures to follow when providing notification of the intent to use sick leave, including but not limited to 7-days advance notice for foreseeable use of sick leave.

Provides in advance to the seasonal/temporary/substitute employee any certain dates which prohibit foreseeable and permissible sick leave due to verifiable high-volume periods or special event, during which permitting the use of foreseeable earned sick leave would unduly disrupt the operations of the Employer.

Requires the seasonal/temporary/substitute employees to provide reasonable documentation where the employee's need to use earned sick leave is not foreseeable and/or the employee seeks to use such earned sick leave during any of the "certain dates" described in the preceding paragraph, and/or where the employee uses earned sick leave for three or more consecutive days.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 – ADMINISTRATIVE LEAVE</b>	<b>REVISED: 5/22/24</b>

Administrative leave (also known as Personal Days) is provided in accordance with negotiated union contracts. During the first year of employment, administrative leave days may be reduced in relation to the hire date. Part-time employees working fewer than five (5) days per week are entitled to one administrative leave day.

Administrative leave is not cumulative.

Administrative leave may be taken in full or half days and will be scheduled in accordance with the appropriate negotiated contract.

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

Administrative leave requests will be honored if at all possible; however, proper staffing of department units must take precedence over all other considerations in scheduling leave time.

**Employee:**

Employee shall consult their appropriate Collective Bargaining Agreement for requests for administrative leave

**Department Head/designee:**

Will honor administrative leave requests if at all possible with the understanding that proper staffing of department units takes precedence over all other considerations in scheduling administrative leave.

Provides approval or denial within 1 day of the receipt of the request.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 – BEREAVEMENT</b>	<b>REVISED: 5/22/24</b>

The County provides bereavement leave to employees. Please consult your appropriate bargaining agreement. The terms of bereavement leave can be found in the appropriate negotiated contract including the total amount of time per year or per occurrence and inclusive family members.

Bereavement leave shall not be charged to sick or vacation leave. Such leave is not cumulative and shall be prorated for part-time employees.

Employees who request an extension of bereavement leave beyond the established number of days shall have such extensions charged to accumulated, unused vacation/sick leave. If an employee has exhausted all vacation/sick leave, extended bereavement leave will be considered as a request for leave of absence without pay.

Reasonable documentation of a death in the employee's immediate family should be produced by the employee if requested by the Employer. Although failure to produce documentation shall not be considered a disciplinary offense *per se*, it is understood that such failure may result in denial of bereavement leave.

**Employee:**

Communicates requests for bereavement leave to the Department Head as soon as possible.

May be required to submit proof of death.

<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>8 – MILITARY LEAVE</b>	<b>REVISED: 5/22/24</b>

The County will grant military leave for eligible employees in accordance with applicable federal and state laws and regulations.

Upon returning from military leave, an employee shall be reinstated by the County without loss of benefits or seniority if he/she reports to work within 90 days of discharge from military service unless the separation was by a dishonorable discharge. (N.J.S.A. 38:23-4). Furthermore, seniority and all steps and increments to gross base pay will be given to employees on active duty military leave at the time and at the rate that the employees would normally be due them.

The employee may choose to stop or modify all voluntary deductions (deferred compensation, additional life and disability insurance, etc.) during this period. The County will not assume any responsibility in the payment of any voluntary deductions.

If the differential pay is insufficient to cover regular pension deductions in effect at the time of activation, the employer will pay the deductions for an employee's regular pension contribution and contributory group life insurance. Upon return from leave (except in the event of a dishonorable discharge), these employees will be setup on a repayment plan.

### **Pay Provisions for United States Military Active Duty**

A permanent or full-time temporary officer or employee of the County, who is a member of the organized reserve of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, including the National Guard of other States, shall be entitled, in addition to pay received, if any, from the Armed Forces of the United States, a leave of absence from his or her employment without loss of pay or time on all work days on which he or she shall be engaged in any period of Federal Active Duty, provided, however, that such leaves of absence shall not exceed thirty (30) days in any calendar year (N.J.S.A. 38:23-1). Such leave of absence shall be in addition to the regular vacation or other accrued leave of such officer or employee.

Those County employees who are engaged in Federal Active Duty in excess of thirty (30) days for the calendar year shall be compensated by the County, beginning on the thirty first (31st) day of such duty, the difference between their base County pay and their base military pay (if any) for the period of time in which they are engaged in Federal Active Duty for the calendar year.

### **Pay Provisions for NJ National Guard Active Duty**

All County employees who are members of the "organized militia", which is defined as "All the military forces of this State", are entitled to ninety (90) days leave of absence in a calendar year without loss of pay or time on all days during which the employee is engaged in any period of State or Federal Active Duty. (N.J.S.A. 38A:4-4). The leave of absence for such military duty shall be in addition to the regular vacation or other accrued leave of the employee.

Those County employees who are engaged in State or Federal Active Duty in excess of ninety (90) days for the calendar year will be compensated by the County, beginning on the ninety first (91st) day of such duty, the difference between their base County pay and their base military pay (if any) for the period of time in which they are engaged in State or Federal Active Duty for the calendar year. The rationale for the difference between (90) and (30) day leaves of absence is that those members of any military force of this State are charged with State responsibilities in addition to Federal responsibilities, as opposed to their Federal counterparts who are only charged with Federal responsibilities.

### **Leave Provisions for "Drill Weekends" or Inactive Duty Training**

The county grants paid Military Leave to any employee with valid orders to report for drills and/or training.

#### **Employee:**

Submits a written request for military leave to their Department Heads with official military orders.

Notifies the Human Resources Department 30 days before discharge from military service of his/her intent to return to work.

Provides copies of military deployment papers immediately to the County Human Resources Department.

Provides copies of military pay stubs immediately to designated payroll/contact person in the County Treasurer's Office.

#### **Department Head/designee:**

Forwards the written request and supporting documentation to the Human Resources by the end of the next working day.

County of Gloucester  
Human Resources Manual

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**Human Resources:**

Responds to the request in writing to the employee and Department Head within five days.

For all military leaves without pay, Human Resources will maintain all records of such leaves, including the type of leave, report leaves to the NJ CSC, and place copies of all documents in the employee's personnel file.

**Treasurer's Office:**

Calculates the difference in County base pay and military base pay.

Adjusts County pay accordingly and forwards pay to military personnel by mailing to designated contact person, the employee, or direct deposit.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>9 – CONVENTION LEAVE</b>	<b>REVISED: 5/22/24</b>

The County will grant Convention Leave with pay for an aggregate period not to exceed five days in any calendar year, in accordance with NJSA 38:23-2.

Convention Leave will be granted for the purpose of traveling to and from the convention, and for attending as an authorized representative one or more of the following organizations:

Grand Army of the Republic, United Spanish-American War Veterans, Disabled American Veterans, Disabled American Veterans' Auxiliary, Veterans of Foreign Wars, Ladies Auxiliaries of Veterans of Foreign Wars, Ladies Auxiliary, Veterans of World War I of the U.S.A., American Gold Star Mothers, Indian War Veterans, American Legion, American Legion Auxiliary, Jewish War Veterans of the United States, Ladies Auxiliary, Department of New Jersey, Jewish War Veterans of the U.S.A., Catholic War Veterans of the United States, Ladies Auxiliary of New Jersey State Department, Catholic War Veterans, The 369th Veterans Association, Incorporated, Women's Overseas Service League, American Veterans of World War Two, Korea and Vietnam, and AMVETS Ladies Auxiliary, Reserve Officers Association of the United States, Marine Corps League of the United States, Army and Navy Legion of Valor, the Twenty-ninth Division Association, Council of State Employees, War Veteran Public Employees Association, New Jersey Civil Service Association, Blind Veterans Association of New Jersey, Army and Air National Guard Association of New Jersey, The National Guard Association of the United States, The United States Coast Guard Auxiliary, Navy League, Veterans of World War I of the United States of America, Polish Legion of American Veterans, Polish Legion of American Veterans, Ladies Auxiliary, the Italian American War Veterans of the United States, Incorporated, the Ladies Auxiliary, Italian American War Veterans of the United States, Incorporated, the New Jersey Firemen's Association, the New Jersey State Exempt Firemen's Association and the Tuskegee Airmen, Incorporated.

**Employee:**

Requests in advance approval of Convention Leave from the employee's Department Head.

**Department Head/designee:**

Forwards the request to Human Resources for approval and ensures that leave is coded properly in the payroll system.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 – JURY DUTY</b>	<b>REVISED: 5/22/24</b>

Employees summoned to serve jury duty shall be paid their regular rate of pay by the County for the entire length of jury duty. In the case of shift workers, paid time off shall be granted for the shift immediately preceding or immediately following the affected day shift. Any compensation received by the employee as a juror, except for meal and travel expenses, shall be returned to the County.

If an employee is dismissed from jury duty before the end of his or her shift, the employee shall be expected to return to work, unless expressly excused by the appropriate supervisor or department head.

**Employee:**

When summoned as grand or petit jurors, submits a copy of the summons with a written request for leave to his/her Department Head indicating the anticipated date of return.

Notifies his/her Department Head as soon as possible if the length of jury duty has been extended beyond the original return date.

On the first day of his/her return to work, presents a jury attendance slip which is provided by a court authority to his/her Department Head.

Reimburses the County by check or money order for any compensation received as a juror, except meal and travel expenses, upon receipt of such compensation.

**Department Head:**

Forwards the written request and the copy of the summons to Human Resources by the end of the next working day.

Ensures jury attendance slips are attached to the weekly time sheet(s).

**Human Resources:**

Approves the leave in writing to the employee and the department head by the end of the next working day.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>11 – DISABILITY LEAVE</b>	<b>REVISED: 5/22/24</b>

In case of disability due to illness or injury as a result of, or arising from, an employee's job, the County pays Disability Leave in accordance with the appropriate negotiated contract.

Employees shall not be required to use their regular sick leave in such cases, provided the insurance carrier has determined that the disability is job-related (please see "Injury on the Job"). In the event the employee receives Worker's Compensation benefits (please see HR 5.6), disability leave payments will be offset or reduced correspondingly to prevent duplication.

Unpaid Leave for those employees who cannot work because of sickness or injury NOT caused by the employee's job is available to Gloucester County employees that qualify. Please see HR 5.9 titled "Disability Benefits" and HR 6.12 titled "Unpaid Leave" for more details.

<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>12 – UNPAID LEAVE</b>	<b>REVISED: 5/22/24</b>

A leave of absence without pay may be granted for but is not limited to the following:

1. Any applicable provision of the New Jersey Family Leave Act (NJFLA) and/or the federal Family and Medical Leave Act (FMLA), including but not limited to: care for a newborn child, a newly adopted child, or a newly placed foster child, as well as care for a parent, child, civil union partner, or spouse with a serious health condition. (Please refer to HR 6.12 Exhibits A and A1 for more details).
2. Serious health condition on the part of the employee which extends beyond accumulated sick, vacation or other paid leave as provided by the FMLA (NJFLA does not provide leave for one's own health condition). (Please refer to HR 6.12 Exhibits A and A1 for more details).
3. Other circumstances warranting such a leave (solely granted at the discretion of the Board of County Commissioners).
4. Promotions to another job within the jurisdiction.

**FMLA Eligibility** – To be eligible for FMLA leave, an employee must have: (i) worked for the County for at least twelve (12) months; (ii) worked at least 1,250 hours in the twelve (12) months immediately preceding commencement of the leave; and (iii) be employed at a worksite where the employer has at least fifty (50) employees within seventy-five (75) miles. The twelve (12) months the staff member must have been employed need not be consecutive months pursuant to 29 CFR §825.110(b). The minimum 1,250 hours worked shall be determined according to the principles established under the Fair Labor Standards Act (“FLSA”) for determining compensable hours of work pursuant to 29 CFR §785. Entitlement to FMLA leave taken for the birth of a son or daughter or placement of a son or daughter with the staff member for adoption or foster care shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

Pursuant to 29 CFR §825.201(b), married couples both employed by the County are limited to a combined total of twelve (12) weeks of leave during the applicable twelve (12) month period if the leave is taken for the birth of a child, or to care for such child after birth; for placement of a child with the staff member for adoption or foster care or in order to care for the child after placement; or to care for the staff member's parent with a serious health condition.

**Returning from FMLA Leave** – Upon return from FMLA leave, an employee shall be entitled to the position he/she held when the FMLA leave commenced, or to an equivalent position of like seniority, status, employment benefits, pay, and other

County of Gloucester  
Human Resources Manual

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conditions of employment. If the County experiences a reduction in force or layoff and the employee would have lost his/her position had the staff member not been on family leave as a result of the reduction in force or pursuant to the good faith operation of a bona fide layoff and recall system, including a system under any collective bargaining agreement, the employee shall be entitled to reinstatement to the former or an equivalent position in accordance with applicable statutes, codes, and laws.

**Certification of Health Care Provider** – The County expects that requests for FMLA leave for the purposes of the employee’s own serious health condition, or to care for a family member with a serious health condition, shall be accompanied by a completed Certification of Health Care Provider (attached). Notwithstanding, following submission of a request for FMLA leave, an employee shall have up to fifteen (15) calendar days to provide the Employer with a completed Certification.

Prior to designating an employee for FMLA leave, he/she shall be required to provide the County with the attached FMLA Certification of Health Care Provider form, completed by the employee’s and/or employee’s family member’s health care provider. The information contained in the completed Certification shall guide the County in appropriate designation of the employee’s leave of absence. The County reserves the right to seek additional documentation necessary to initiate/continue an employee’s FMLA leave, in accordance with applicable FMLA regulations. Knowingly provided false information or other abuse of protected leave will lead to discipline up to and including termination.

**FMLA Entitlement Period** – The method to determine the twelve (12) month period in which the twelve (12) weeks of FMLA leave entitlement occurs will be a “rolling” twelve (12) month period measured backward from the date an employee uses any family leave.

**Employment While on FMLA Leave** – An employee designated for FMLA leave is prohibited from performing any services on a full-time basis for any person for whom the employee did not provide services immediately prior to commencement of the leave. An employee using FMLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the County. The employee may continue the part-time employment that commenced prior to the FMLA leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

**NJFLA Leave** – The NJFLA entitles eligible employees with up to twelve (12) weeks of unpaid, job-protected leave in a defined twenty-four (24) month period for the following reasons:

- a. the birth of a child and in order to care for such child;
- b. the placement of a child with the employee for adoption or foster care;

- c. in order to care for the family member of the employee who is suffering from a serious health condition;
- d. because of any qualifying exigency arising out of the fact that the employee's family member is a military member on active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty); or
- e. In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:
  - a. requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
  - b. prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or
  - c. results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

NJFLA Eligibility – To be eligible for NJFLA leave, an employee must have: (i) worked for the County for at least twelve (12) months; and (ii) worked at least 1,000 hours in the twelve (12) months immediately preceding commencement of the leave. The calculation of the twelve-month period to determine eligibility shall commence with the commencement of the NJFLA leave. NJFLA leave taken for the birth or adoption of a healthy child may commence at any time within a year after the date of the birth or placement for adoption.

Employment While on NJFLA Leave – An employee designated for NJFLA leave is prohibited from performing any services on a full-time basis for any person for whom the employee did not provide services immediately prior to commencement of the leave. An employee on NJFLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the County. The employee may continue the part-time employment that commenced prior to the NJFLA leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

County of Gloucester  
Human Resources Manual

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NJFLA Entitlement Period – The method to determine the twenty-four (24) month period in which the twelve (12) weeks of NJFLA leave entitlement occurs will be a “rolling” twenty-four (24) month period measured backward from the date an employee uses any leave.

Intermittent and/or Reduced Schedule Leave – Requests for intermittent and/or reduced schedule leave under both the FMLA and the NJFLA shall be reviewed by the Employer on a case-by-case basis and in accordance with the federal and State laws and regulations promulgated thereto.

Relationship to Other Laws – If the employee is eligible for leave for reasons provided under both the FMLA and NJFLA, then the leave time taken shall be concurrent and be applied to both laws. In the event the reason for the family leave is recognized under one law and not the other law, the employee is eligible for each law’s leave entitlements within one twelve (12) month period. For example, an employee may use his/her FMLA leave for a twelve (12) week family leave for their own pregnancy, which is considered a “serious health condition” under FMLA, and upon conclusion of the twelve (12) weeks of FMLA leave, the employee would be eligible for a twelve (12) week NJFLA leave to care for their newborn or any other reasons pursuant to the NJFLA.

Following exhaustion and/or termination of the FMLA/NJFLA leave period, the Employer may continue an employee’s group health benefits, at the employee’s request. In the event that the employee determines to continue his/her group health benefits following a period of designated FMLA/NJFLA leave, he/she shall be solely responsible for the full premium amount due.

Family Temporary Disability. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up to twelve (12) weeks of Family Leave Insurance (“FLI”) payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement, and will thus run concurrently with FMLA and/or FLA leaves.

Leaves of absence will NOT be granted for temporary family moves to another location, the acceptance of a job outside the County government, and/or other reasons that are unacceptable to the employer.

Permanent employees may be granted leaves of absence without pay for a period not to exceed one year. For exceptional circumstances, such leave may be extended beyond one year, subject to written approval by the New Jersey Department of Personnel. (4A:6-1.1(a)2).

For more information on family and medical leaves, see Chapter 6, Section 12 Exhibits A and A1, and the US Department of Labor (DOL) "Notice of Eligibility and Rights & Responsibilities" and "Certification of Health Care Provider for Employee's Serious Health Condition" and/or "Certification of Health Care Provider for Family Member's

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"Serious Health Condition" and "Designation Notice". These US DOL notices and forms are available on the Human Resources (HR) webpage at [www.gloucestercountyuj.gov](http://www.gloucestercountyuj.gov) as well as by request to HR.

Any employee taking an unpaid leave of absence shall be permitted to continue his/her health benefit coverage after the employer-paid coverage ends by paying the monthly premiums prior to the coverage month. Concurrently, an eligible employee who takes leave qualifying under NJFLA, the FMLA, or other leave protected by statute may have coverage continued by the Employer during such leave. The FMLA requires that the employer maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Thus, as stated in HR 5.1 titled "Health Benefits," employees receiving health benefits pay a contribution towards the cost of health benefits (Chapter 78, P.L. 2011). Therefore, the employee contribution will remain in effect during an unpaid leave.

### **Temporary Disability Leave**

Program Governed by State Law - The Temporary Disability Benefits Ordinance adopted by the County shall be governed by N.J.S.A. 43:21-25 et seq. of the laws of the State of New Jersey, and any inconsistencies existing between this and state laws shall be governed by state law.

Voluntary Participation – The temporary disability plan shall be voluntary for all eligible employees. All full-time employees wishing to participate must advise the Human Resource/Payroll Department at initial hire date or during open enrollment period of each calendar year. Employees wishing to terminate their coverage may do so at any time by notifying the Human Resource/Payroll Office in writing.

Annual Contribution – The annual contribution by each employee shall be the maximum amount permitted under the state plan.

Benefits and Limits – The maximum benefits paid to any employee shall be determined and promulgated to match the state plan, but not to exceed the maximum weekly benefit as determined by the state plan disability insurance. "Average weekly wage" shall be defined as the amount derived by dividing the wages earned during the eight (8) calendar weeks immediately preceding the calendar week in which the disability commenced by the number of said weeks. The limit payable to any employee shall be the maximum benefit as determined and promulgated under the state plan (by the Commissioner of Labor and Industry in accordance with N.J.S.A. 43:21-3(c)).

Eligibility – Employees participating in the disability plan shall be eligible for benefits immediately upon the occurrence of an accident provided the employee is absent from work at least five (5) consecutive work days because of the accident. In the event of sickness, participating employees shall be eligible for benefits on the

County of Gloucester  
Human Resources Manual

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expiration of a "waiting week" consisting of the first seven (7) consecutive days of each period of disability. However, if eligible for benefits in each of the three (3) consecutive weeks next following the waiting week, benefits shall also be payable retroactively with respect to the waiting week. Employee's participating in the County Disability Plan will be required to complete and submit all County provided forms.

In order to be eligible, an employee must have worked at least twenty weeks earning at least a minimum set annually by the State in each of those weeks, or have earned at least a minimum set annually by the State in earnings during the fifty-two calendar weeks prior to the week in which his/her disability commenced. Call the Payroll Office for the current year's minimums.

Before an employee is eligible for benefits, he or she must use up to two (2) work weeks of accrued sick time before receiving temporary disability benefits, however an employee shall not be required to use their last work week of accrued sick time before receiving benefits.

Childbirth – Female employees participating in the disability plan shall be entitled to disability benefits for pregnancy, childbirth or related medical conditions for a period commencing four (4) weeks prior to the expected date of confinement and continuing until six (6) weeks (in the case of a normal delivery) or eight (8) weeks (if complications or Caesarian section delivery) after the expected date of confinement. If, however, there are complications, employee shall be entitled to disability benefits for up to a period of twenty-six (26) weeks, including the weeks prior to the expected date of confinement.

Physical Examination – Employees may be required to submit to a physical examination by a medical professional to support their disability claim at no cost to the employee. Failure to submit to an examination is cause for the denial of further benefits.

Return to Work – Employees qualifying for disability must submit a medical certificate in order to return to work. The medical certificate must state that the employee's disability no longer inhibits the employee's ability to perform the essential functions of the job. The employee will not be permitted to return to work without the medical certificate. The County reserves the right to have an independent medical evaluation performed by a professional chosen by the County at the County's expense.

**An employer may also grant an unpaid union leave pursuant to N.J.A.C. 4A:6-1.16.**

Documents related to an employee's leave of absence shall be placed in his/her personnel file. However, any medical information shall be maintained in a separate file.

Paid sick days shall not accrue during a leave of absence without pay (4A:6-1.3, 2, c).

County of Gloucester  
Human Resources Manual

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An employee who goes on a leave of absence without pay before the end of the calendar year shall have his or her leave prorated based on time earned. An employee who is on the payroll for greater than 23 days shall earn a full month's allowance, and earn one-half month's allowance if he or she is on the payroll from the 9th through the 23rd day of the month (4A:6-1.5, b).

Intermittent days off without pay shall be aggregated and considered as a continuous leave without pay for calculation of reduced vacation and sick leave credits, when intermittent days off without pay other than voluntary furlough or furlough extension days equal 11 working days, the employee's vacation and sick leave credit shall be reduced by one-half of one month's entitlement (4A:6-1.5, c).

If a holiday occurs on a regular workday of an employee and the employee does not report for duty, he or she shall not be eligible for overtime compensation or an alternate day off for that holiday (4A:3-5.8, c, 3).

Employees are liable for vacation and sick leave days taken in excess of their entitlements (4A:6-1.5, a).

An employee shall reimburse the appointing authority for paid working days used in excess of his or her prorated and accumulated entitlements (4A:6-1.5, b, 1),

An employee who returns to work from a leave of absence shall not be credited with paid vacation or sick leave until the amount of leave used in excess of the prorated entitlement has been reimbursed (4A:6-1.5, b, 2).

**Employee:**

Should submit a written request for a leave of absence to Human Resources stating the reason for and the inclusive dates of the leave (utilizing HR 6.12 Exhibits A and A1 as applicable). Requests for FMLA or NJFLA should be submitted as soon as possible (at least 30 days in advance of the birth or adoption of a child or 15 days in advance if caring for a seriously ill family member.) (Please note that this time requirement may be waived in emergency situations by the County Administrator/Designee).

If a request is denied, the employee may appeal the County Administrator/Designee's decision to the County Administrator and/or Designee.

Should contact the County Administrator/Designee to discuss the possible continuation of benefits since leaves of absence may affect certain employee benefits.

Employees granted leaves of absence without pay must, in writing, either confirm the date of return or request an extension.

For leaves of six months or more in duration, written notification of intent to return should be submitted four weeks before the leave expires.

County of Gloucester  
Human Resources Manual

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For leaves of six months or less, written notification of intent to return should be submitted at least one week before the leave expires.

If an employee wishes to extend a leave without pay beyond one year, submits a written request to his/her department head stating the reason for the extension and the inclusive dates of the additional leave.

**Department Head/Designee:**

If any request is received at the department level, forwards the request to the County Administration within two days with a recommendation to approve or deny the request. Department Heads should also contact administration is an employee appears to meet the criteria for a protected leave.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 - LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>12 - UNPAID LEAVE</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A-FAMILY/MEDICAL LEAVE NOTIFICATION**

(NOTE: All Family and Medical Leave requests are subject to the conditions set forth in HR 6.11 Exhibit R titled "Family and Medical Leaves of Absence")

Name \_\_\_\_\_ Department \_\_\_\_\_

Title \_\_\_\_\_ Date of Hire \_\_\_\_\_

Under the provisions of the New Jersey Family Leave Act (NJFLA), N.J.S.A. 34:11B-1 *et seq.* and/or the federal Family and Medical Leave Act (FMLA):

(1) I am requesting leave (accrued, as applicable, and/or unpaid)  
(2) During the twelve (12) months immediately preceding this request, I have worked for the County over 1,000 hours, exclusive of overtime (NJFLA) and/or at least 12 months (which need not be consecutive) for the County and worked at least 1,250 hours during the 12 months preceding the leave (FMLA).

(3) The reason for my leave is: (Check one)

The birth or the placement of a child for adoption or foster care;

To care for a family member who has a serious health condition.

Name of family member and relationship to you:

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A serious health condition that I need care for.

(4) I expect the leave to begin on or about \_\_\_\_\_.

I expect to return to work on or about \_\_\_\_\_.

(Check one of the following if it is applicable to you)

County of Gloucester  
Human Resources Manual

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- I am requesting a reduced leave schedule (attach proposed schedule to this request).
- I am requesting an intermittent leave schedule (attach proposed schedule and supporting medical documentation to this request).

(5) My leave is: (Check one)

- due to the birth or adoption of a child and I will provide a medical certificate from a health care provider which will include the date of birth or placement of the child.
- due to the serious health condition of a family member and I will provide the County with a medical certificate from health care provider (within 14 days) which will include:
  - (a) the date on which the medical condition began;
  - (b) the probable duration of the condition;
  - (c) the medical facts within the health care provider's knowledge regarding the condition.

(6) I am not presently working over twenty (20) hours, including overtime, per week for any employer other than the County.

(7) I realize that I may not work over twenty (20) hours, including overtime, per week for any other employer while I am on leave from my position with the County.

NOTE: If you are not presently working full-time for an employer other than the County, under certain conditions, you may not do so during your leave.

(8) During my leave, the County will continue to provide my health insurance benefits (For example, major medical, hospitalization, dental, prescription and vision). If any premium or payments need to be made by me, I understand and agree to make such payments. If I fail to make such payments, I understand that the County may cancel my health insurance benefits. Other insurance benefits (for example, disability insurance, group life insurance) will only be continued until the end of the month in which my leave begins.

(9) I have read, understand, and agree to comply with the attached General Information Section and certify that I have been provided with a copy of both the General Information Section and this application.

County of Gloucester  
Human Resources Manual

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(10) I realize that failure to sign this certification may result in my being denied this leave.

I certify that the foregoing statements are true to the best of my knowledge and belief. If any of them are willfully or knowingly false, I may be subject to disciplinary action.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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FOR COUNTY USE ONLY

Approved [ ] Disapproved [ ]

By: \_\_\_\_\_

Date: \_\_\_\_\_

cc: Human Resources  
Employee's Personnel File

<b>CHAPTER:</b>	<b>6 - LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>12 - UNPAID LEAVE</b>	<b>REVISED: 5/22/24</b>

### **EXHIBIT A – FAMILY AND MEDICAL LEAVES OF ABSENCE**

The purpose of this policy is to clarify employees' rights and obligations under state and federal law regarding family and medical leaves of absence.

Full-time employees (and some part-time employees) may be eligible for family or medical leave under state or federal law, after they have worked for the County for at least one year. Because eligibility requirements differ under state and federal law, employees should consult with Human Resources prior to requesting leave to determine if they are eligible for leave.

Please refer to HR 6.11 Exhibit R-1 for "Employee Rights and Responsibilities under the FMLA." Under the federal Family and Medical Leave Act ("FMLA"), any County employee who is eligible under the Act may receive up to twelve (12) weeks of unpaid leave in a twelve (12) month period, for any of the following reasons:

1. Birth of your child, and to care for your newborn child (within twelve (12) months of birth);
2. Placement of a child with you for adoption or foster care (within twelve (12) months of placement);
3. Care for an immediate family member (defined under FMLA as your spouse, child or parent) with a serious health condition; or
4. A personal, serious health condition that leaves you unable to perform the essential functions of your job.

To be eligible under the FMLA, an employee must have, on the date the leave begins:

1. Worked for the County for at least twelve (12) months; and
2. Worked at least 1,250 hours (including only those hours actually worked) for the County during the twelve (12) months immediately preceding the leave.

Under the New Jersey Family Leave Act ("NJFLA"), any County employee who is eligible under the NJFLA may receive up to twelve (12) weeks of unpaid leave in a twenty-four (24) month period, for any of the following reasons:

1. Birth of your child, and to care for your newborn child (within twelve (12) months of birth);
2. Placement of a child with you for adoption or foster care (within twelve (12) months of placement); or

County of Gloucester  
Human Resources Manual

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3. Care for a family member (defined under NJFLA as your child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, or one partner in a civil union couple, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) with a serious health condition.

To be eligible under the NJFLA, an employee must have, on the date the leave begins:

1. Worked for the County for at least twelve (12) months; and
2. Worked at least 1,000 hours (including those hours actually worked, not including overtime) for the County during the twelve (12) months immediately preceding the leave.

A serious health condition is defined as a condition that involves: (1) in-patient care in a hospital, hospice or residential care facility; or (2) any period of incapacity requiring absence from work of more than three calendar days that also involves continuing treatment by a health care provider; or (3) continuing care by a health care provider for a chronic condition; or (4) prenatal care. Employees with questions about whether specific illnesses are covered under this policy or under the County's sick leave policy are encouraged to make the appropriate inquiry of the County Administrator/Human Resources Director/designees.

**Notice of Leave:** Where the necessity for leave is foreseeable, requests for leave under this policy should be submitted to the County in writing at least thirty (30) days prior to the date on which an employee wishes to commence leave. If it is not possible to give thirty (30) days notice, then the employee must provide as much notice as possible. Where the necessity for leave is not foreseeable, an employee should notify the County of the need to take leave as soon as possible.

An employee's request for leave and/or the taking of leave will not negatively affect an employee's employment or standing with the County.

HR 6.11 Exhibit S titled "Family/Medical Leave Notification" has been provided for employees to use in notifying the County of requests for such leave. In turn, the County utilizes the US Department of Labor (DOL) "Notice of Eligibility and Rights & Responsibilities," to acknowledge the employee request. Furthermore, the County utilizes the US DOL "Designation Notice" to notify the employee of approval or need for additional information.

**Certification Requirements:** Where leave is taken for the employee's own serious health condition or to care for the immediate family member suffering from a serious health condition, employees will be required to submit a medical certification from a health care provider documenting the employee's or the immediate family member's

**County of Gloucester  
Human Resources Manual**

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serious health condition. If deemed necessary, the County may require that the employee obtain the opinion of a second health care provider designated by the County, which will be paid for by the County. If there is a conflict between the original medical opinion and the second opinion, the County may require a third opinion by a health care provider jointly selected by the County and the employee and paid for by the County. The third opinion will be considered final and binding.

The County provides employees with the US DOL "Certification of Health Care Provider" forms, one that applies to an employee's medical condition and one that applies to a family member's medical condition. One of these forms, as applicable, should be utilized to satisfy this requirement.

The County may require an employee who takes leave for the employee's own serious health condition or to care for an immediate family member suffering from a serious health condition to obtain subsequent recertification's on a reasonable basis. The County also may require an employee returning from leave due to the employee's own serious health condition to submit a medical certification of fitness-for-duty.

#### **RIGHTS UNDER FAMILY AND MEDICAL LEAVE**

An employee taking an approved family or medical leave of absence will be entitled to reinstatement to his or her former position, or to another position of substantially equivalent compensation, benefits, status and responsibility, if he or she returns from the leave on the agreed upon date (including any approved extensions), and the entire leave lasts no more than twelve (12) weeks, provided that the County may choose to deny job restoration to certain highly compensated "key" employees. The County will endeavor to advise key employees who may be denied job restoration of this status at the time they request leave.

However, if the County deems it necessary to deny job restoration to a key employee who already is out on a leave of absence, the County will inform the employee of its intention to do so and will offer the employee the opportunity to return to work immediately.

Throughout an approved family or medical leave of absence, employees may continue their medical coverage under the same terms which the medical insurance coverage was offered prior to the leave, provided that the employee makes timely payment to the County of the employee's share of the premium cost. To maintain uninterrupted coverage, the employee will have to continue to pay his/her share of insurance premium payments. This payment shall be made either in person or by mail to the County of Gloucester, Department of Human Resources (Mailing address is P.O. Box 337, Woodbury, NJ 08096 and location is 2 South Broad Street, Woodbury, NJ 08096) by the 1<sup>st</sup> day of each month that the employee is on leave. If an employee's payment becomes more than thirty (30) days overdue at any time during the leave, coverage will be terminated by the County.

County of Gloucester  
Human Resources Manual

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If an employee fails to return to work upon the scheduled expiration of the leave of absence without obtaining an extension, for reasons other than a documented continuous serious health condition, the County will exercise its right to recover from the employee the premium cost which the County paid for the employees health insurance coverage during the term of the leave. Employees seeking an extension of an approved leave must submit their request to Human Resources at least one (1) week prior to expiration of the approved portion of the leave.

An employee may not work full-time for another employer or be self-employed during any leave under the NJFLA unless the employee was providing those services immediately prior to the commencement of the leave. An employee's leave may be canceled and disciplinary action may be taken, including immediate termination, prior to the expiration of the leave period, if this policy is violated. In addition, any employee who willfully misleads the employer regarding the nature of or the need for FMLA or NJFLA leave, or who falsifies documents related to the employee's request for FMLA or NJFLA leave may be subject to disciplinary action, including immediate termination from his/her employment prior to the expiration of the leave period.

## **PERSONAL LEAVE**

Non-represented employees who desire an unpaid leave of absence for reasons which do not qualify under the provisions of FMLA may request up to six (6) months of unpaid leave.

County employees who are members of collective bargaining units may submit requests as provided under the terms of their respective collective bargaining agreements.

<b>CHAPTER:</b>	<b>6 - LEAVE TIME</b>	<b>ADOPTED: 11/22/11</b>
<b>SECTION:</b>	<b>12 - UNPAID LEAVE</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A-1 – EMPLOYEE RIGHTS AND RESPONSIBILITIES  
UNDER THE FAMILY AND MEDICAL LEAVE ACT**

**Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

**Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

**County of Gloucester  
Human Resources Manual**

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Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is

for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures**

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#### **For additional information:**

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

WHD Publication 1420 Revised January 2009

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## BENEFITS & PROTECTIONS

## ELIGIBILITY REQUIREMENTS

## REQUESTING LEAVE

## EMPLOYER RESPONSIBILITIES

## ENFORCEMENT

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:

**1-866-4-USWAGE**

(1-866-487-9243) TTY: 1-877-889-5627



**www.dol.gov/whd**

U.S. Department of Labor | Wage and Hour Division



**WHD**  
WAGE AND HOUR DIVISION

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>13 – LEAVE DONATION</b>	<b>REVISED: 5/22/24</b>

Any employee who has suffered from a catastrophic illness or injury may receive sick or vacation leave voluntarily donated by fellow employees, subject to the following conditions:

1. A catastrophic illness or injury shall be understood as a condition based on a medical prognosis, which requires a period of treatment or recuperation, as a result of which the employee is unable to work, or is expected to be out of work, for at least two months of consecutive work time or on an intermittent basis equivalent to two months work time.
2. An employee may receive donated sick leave for personal illness or injury or care for a seriously ill member of an employee's immediate family. For the purposes of this policy, immediate family shall include any relations as are deemed within the definition of family members under the NJFLA and the federal FMLA (please refer to HR 6.12, HR 6.12 Exhibit A titled "NJFLA and FMLA General Information"). In general, immediate family is defined as a parent, child, and spouse or civil union partner.
3. An employee will be eligible to receive up to 90 days of donated sick leave, provided he or she has exhausted all accrued sick, vacation, and administrative leave.
4. An employee may donate up to 5 sick days to another employee provided he or she retains a balance of at least 40 sick days. An employee may donate up to 10 days provided he or she retains a balance of 80 days, or up to 15 days with a balance of 120 days. Donated leave is deducted equitably among the donors in no more than one weekly increment at a time and is not deducted until the recipient uses the donated time.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>6 – LEAVE TIME</b>	<b>ADOPTED: 10/15/08</b>
<b>SECTION:</b>	<b>14 – PAID FAMILY LEAVE</b>	<b>REVISED: 5/22/24</b>

On May 2, 2008 the State of New Jersey adopted the Paid Family Leave Act (PFLA), also known as Family Leave Insurance (FLI). The PFLA benefit is funded 100% through employee contributions (i.e. payroll deductions). The taxable wage base is the same as Unemployment Insurance and Temporary Disability Insurance, thus it changes each calendar year.

The PFLA extends temporary disability insurance (please refer to HR 5.9 for additional information on temporary disability) to provide paid family leave benefits of up to six weeks during any twelve month period for employees caring for sick family members, newborn children, and newly adopted children. Benefits under this law are substantially the same as for employees on temporary disability leave for their own disabilities. Employees are entitled to collect two-thirds of their weekly salaries, up to a maximum weekly benefit rate. In most cases there is a one-week waiting period before benefits can be received.

Furthermore, PFLA or FLI is a benefit (monetary) entitlement, not a leave entitlement program, and it does not on its own, grant employees any entitlement to job reinstatement. However, for Gloucester County employees, paid leave under the PFLA may run concurrently with any unpaid leave under the New Jersey Family Leave Act (NJFLA) or the federal Family and Medical Leave Act (FMLA) (please refer to HR 6.12 for more details about these types of leave). Therefore, Gloucester County will remain sensitive to all requests for leave, since such requests could qualify for job restoration under the NJFLA or the FMLA. In addition, Gloucester County and its employees should be aware of any Americans with Disabilities Act (ADA) and New Jersey Law Against Discrimination (NJLAD) components that may be applicable (please refer to HR 1.6 for additional information on these laws).

**Employee:**

Employees must give notice to the County of Gloucester of their intention to take paid leave under this act. Furthermore, the number of days notice given varies per reason for leave. However, it is understood that emergency circumstances may provide for little or no notice, and in these circumstances the employee should provide notice as soon as possible.

All inquiries regarding eligibility and the application process should be directed to the Human Resources Department.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – PERFORMANCE EVALUATION</b>	<b>REVISED: 5/22/24</b>

The County recognizes the importance of conducting periodic evaluations of employee performance to assist in the growth and development of all employees.

Such evaluations shall identify employee strengths as well as weaknesses, and will become the basis for creating a development plan for the employee.

Employees shall be evaluated formally, in writing, at least once a year, with periodic interim evaluations as management deemed necessary.

Each year, an annual evaluation will be prepared for each employee utilizing the Employee Performance Evaluation Form (HR 7.1). A copy of the evaluation and accompanying documents must be forwarded to the Human Resources Department for placement in the employee's personnel file.

The evaluator will discuss its contents with the employee. As part of this process, plans for future career development may be discussed.

Furthermore, if necessary, the evaluation process will include the development of a practical plan for improving employee performance. Areas may be identified that with additional training or professional counseling help the employee improve performance. The evaluator and the employee will discuss the points of this plan and its implementation.

**Department Head/Designee:**

Ensures all evaluations are done in accordance with the prescribed procedures and timelines.

Forwards a copy of the evaluation and accompanying documents to the Human Resources Department for placement in the employee's personnel file.

Seeks to provide guidance and additional training as deemed necessary to assist the employee in carrying out the duties of his/her job.

# EMPLOYEE PERFORMANCE EVALUATIONS



EMPLOYEE NAME \_\_\_\_\_

EVALUATOR \_\_\_\_\_

DATE: \_\_\_\_\_

Question	Needs Improvement	Average	Above Average
Communicates effectively with the Supervisor	1	2	3
Communicates effectively with co-workers	1	2	3
Takes appropriate initiative to accomplish tasks	1	2	3
Produces expected levels of quality work	1	2	3
Meets work schedules & specified deadlines	1	2	3
Adheres to county policies and procedures	1	2	3
Adheres to county safety policies & procedures	1	2	3
Adheres to work schedule & follows time recording procedures	1	2	3
Effectively uses resources	1	2	3

PREVIOUS YEAR SCORE: \_\_\_\_\_

CURRENT SCORE: \_\_\_\_\_

\* TOTAL SCORE OF 26 OR BELOW – NEEDS IMPROVEMENT

# EMPLOYEE PERFORMANCE EVALUATIONS



**Evaluator Comments:**

**Employee Comments:**

Supervisor Signature: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Department Head Signature: \_\_\_\_\_

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 – INAPPROPRIATE BEHAVIOR</b>	<b>REVISED: 5/22/24</b>

Employees are expected to conduct themselves in a manner which exhibits a respect for the rights and property of the County, fellow employees, and the general public. While many of these behaviors are addressed under specific policies, the following list, while not all inclusive, further identifies examples of inappropriate behavior:

- (1) Failure to maintain workplace, area cleanliness and orderliness.
- (2) Failure to treat all clients/residents, visitors, and fellow employees in a courteous manner.
- (3) Behavior or conduct which is offensive, undesirable or is subject to disciplinary action.
- (4) Possession of firearms or other weapons on County property or while on official business.
- (5) Insubordination or the refusal by an employee to follow management's instructions concerning job-related matters.
- (6) Gambling on County property.
- (7) Falsifying or altering County records or reports, such as applications for employment, medical reports, production reports, personnel records, time records, expense accounts, absentee reports or shipping and receiving records.
- (8) Smoking where prohibited by ordinance, law, or County rules.
- (9) Horseplay, pranks, or practical jokes.
- (10) Unauthorized sleeping on the job.
- (11) Improper attire or inappropriate personal appearance.
- (12) Engaging in any form of harassment or discrimination.
- (13) Violation of County policies on solicitation or distribution.
- (14) Soliciting or accepting gratuities from clients/residents.

County of Gloucester  
Human Resources Manual

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- (15) Excessive, unnecessary or unauthorized use of County supplies, particularly for personal purposes.
- (16) Fighting or using obscene, abusive, or threatening language or gestures.
- (17) Theft or attempted theft of property from co-workers, clients/residents or the County.
- (18) Failure to maintain the confidentiality of County information.
- (19) Disregarding safety or security regulations.
- (20) Receiving personal mail, catalogs and any other personal business through the County mail system or through personal delivery services ( i.e. UPS, Fed Ex, etc.).
- (21) Failure to report absences or report to work when scheduled.
- (22) Being under the influence on County property and at any time during work hours.
- (23) Possession, sale, transfer or use of illegal drugs/alcohol on County property and/or any time during work hours.
- (24) Deliberate destruction or damage to County property.
- (25) Chronic tardiness.
- (26) Failure to adequately perform duties, inefficiency or substandard performance.
- (27) Conviction of a crime.
- (28) Conduct unbecoming a County employee.
- (29) Violation of NJ residency requirements as set forth in P.L. 2011, c. 70

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – DISCIPLINE</b>	<b>REVISED: 5/22/24</b>

Corrective, disciplinary action, as appropriate, will be taken against any employee found to be in violation of established policies or for just cause.

All disciplinary action shall be based upon total concern for the employee, the employee's relationship with his/her fellow workers, the employee's relationship with his/her department head, and the best interests of the County. Such disciplinary action shall be of a positive, educative, and corrective nature, and shall not be used in an abusive or vindictive manner.

Discipline is considered to be major or minor. Minor discipline is a formal written reprimand or a suspension or fine of 5 or less days (see 4A:2-3.1). Major discipline shall include:

- (1) Removal
- (2) Disciplinary Demotion
- (3) Suspension or fine (see 4A:2-2.2 for more details)

An employee may be subject to discipline for:

1. Incompetency, inefficiency or failure to perform duties;
2. Insubordination;
3. Inability to perform duties;
4. Chronic or excessive absenteeism or lateness;
5. Conviction of a crime;
6. Conduct unbecoming a public employee;
7. Neglect of duty;
8. Misuse of public property, including motor vehicles;
9. Discrimination that affects equal employment opportunity (as defined in N.J.A.C. 4A:7-1.1), including sexual harassment;
10. Violation of Federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and State and local policies issued thereunder;

County of Gloucester  
Human Resources Manual

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11. Violation of New Jersey residency requirements as set forth in P.L. 2011, c. 70; and

12. Other sufficient cause: (4A:2-2.3)

Discipline shall be progressive in nature and includes the following actions:

- Informal, private discussion with the Supervisor and/or Department
- Written Warning by the Department Head/designee or Human Resources
- Suspension without Pay
- Monetary Fine
- Termination of Employment

The Disciplinary Memorandum (HR 7.3 Exhibit A) should be used to document progressive discipline. In steps one through four shown above, the Department Head, or designee as applicable, and employee must develop a jointly written improvement plan for the employee. The plan shall include time frames for the completion of the plan and for progress reviews. The Employee Performance Evaluation (H.R. 7.1 Exhibit A) should be used for this purpose.

In instances where such action seems warranted, employees may be referred to the Employee Assistance Program (EAP). Please note that the employee remains responsible for making the required job improvement whether or not he/she agrees to participate in EAP.

In certain circumstances, discipline may be imposed outside of progressive discipline upon the seriousness and egregiousness nature of the offense. Termination of County employment will only take place for just cause or the expiration of a statutory term from an appointed position.

Please refer to the appropriate HR Chapter 7 sections for further guidance on disciplinary matters.

**Department Head/designee:**

Is responsible for taking appropriate action any time an employee's behavior or performance raises any question about the employee's ability or physical condition to do his/her job safely and properly.

Should discuss the problem and the intended action first with Human Resources understanding that disciplinary action shall only be implemented in instances where grounds for such action have been fully documented and are warranted.

Handles employees exhibiting behavior problems, like any other disciplinary problem, as discreetly as possible.

Gives the employee a chance to explain, selecting a private location out of the hearing range of other employees.

Offers the employee the opportunity for union representation and makes the necessary arrangements.

Confines questions and statements to specific performance and behavior, and does not ask about drug or alcohol use. However, the department head may ask the employee if he/she is taking any medication which might affect behavior.

Arranges for transportation home for the employee if necessary.

Should discuss the performance problem with the employee, and if appropriate, describe the available EAP services which are a supplement to, but not as a substitute for, disciplinary action (please see HR 5.10 titled "Employee Assistance Program").

Makes any EAP referrals tactfully and privately. A public referral could expose the employer to claims of defamation, intentional infliction of emotional distress, invasion of privacy, or other legal action.

Makes the employee aware that participation in EAP is strictly voluntary and confidential.

Should point out to the employee that attendance in the EAP program is not a substitute for actual improvement in job performance.

Advises employees that the rules against drug, narcotic, or alcohol usage will be enforced even though the County maintains an EAP program to help abusers. In fact, documentation of poor performance and of disciplinary action can be a positive influence in helping a Department Head convince an employee to seek help and in responding to recalcitrant employees who resist their treatment in an EAP.

Sets an appropriate schedule and performance standards for improving the employee's behavior and inform the employee that he or she can be discharged if the performance does not improve. The department head should then make a record of the discussion.

Ensures copies of the jointly written improvement plan (H.R. 7.1 Exhibit A and 7.3 Exhibit A) are on file within the department and are given to the employee and Human Resources for the employee's personnel file.

### **Do's and Don'ts**

County of Gloucester  
Human Resources Manual

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DON'T try to diagnose personal issues.

DON'T moralize. Limit criticism to job performance, interpersonal relationships with fellow employees, tardiness, or unusual bizarre behavior (problems within management's purview).

DON'T be misled by "con" stories or sympathy evoking tactics at which problem employees and emotionally disturbed persons excel.

DON'T "cover up" for a good acquaintance or a "friend." Remember behavioral and/or emotional disorders are progressive illnesses that may be fatal if left untreated.

DO emphasize that you, the Department Head/designee, are concerned only with job performance.

DO, if in doubt at any point, consult with the Employee Assistance Program at (877) 747-1200.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED:</b> 3/7/06
<b>SECTION:</b>	<b>4 – HOURS OF WORK</b>	<b>REVISED:</b> 5/22/24

The current hours of work including rest and meal periods shall be maintained according to department procedure and, where applicable, the current negotiated contract.

Employees are expected to be at their work stations and ready for work at their prescribed starting time, unless an alternative start time has been approved. Furthermore, employees are expected to work a full day and to work until their prescribed ending time, unless an alternative end time has been approved. Employees may be excused from their work stations for rest and meal periods as well as to leave on county business. Approval and oversight of employee's work time is the responsibility of the department head and/or designee. Furthermore, as detailed below, whenever County business takes an employee away from the worksite for an entire workday, permission must be sought in advance by both the Department Head and County Administration.

### **Rest and Meal Periods**

Meal Periods (aka Lunch Breaks) may be determined as per the negotiated contract and work schedule or may be determined by department procedure. All other rest periods are determined according to department procedures, typically a 15-minute rest period is allowed in the first half of a workday and another 15-minute rest period is allowed in the second half of the workday.

All breaks will be scheduled by the Department Head/designee, who will stagger such breaks to assure coverage of services and office telephones.

For regular workdays, Monday through Friday, lunch breaks will be scheduled starting as early as 11:00 am and concluding no later than 2:00 pm. Breaks may not be scheduled during the first or last 15 minutes of the work day.

When available, employees are encouraged to utilize the facilities for rest and meal periods.

### **Leaving on County Business**

County staff may report directly to off-site locations and/or leave the primary work site during regular work hours for such work duties as appointments with clients, meetings, field work, training, seminars, or conferences as long as the employee has obtained prior approval in accordance with this policy.

- When leaving the primary work site on County business for a *portion* of the full work day, the employee must do so in accordance with current department policy.

County of Gloucester  
Human Resources Manual

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No employee may leave the office for any reason without prior authorization or approval and use of appropriate Kronos Time Management System.

- When seeking leave from the primary work site, the employee will note his/her departure time, destination, reason, and time of anticipated return.
- When returning, the employee will complete the previous entry with the actual return time.
- *Employees are expected to return to the primary work site when off-site County business is completed and time in the workday remains.*
- When County business takes an employee away from the worksite for an *entire* workday, permission must be sought *in advance* for the employee by both the Department Head and County Administration utilizing the form "Approval Request Workday Off-Site", found in HR Manual 7.4 Exhibit B.
- Please note that at the discretion of the County Administrator and/or the Department Head, proof of attendance will be required.

**Employee:**

Takes rest and meal periods at scheduled times.

Seeks approval prior to leaving on County business. When County business takes the employee away from the primary work site for the an entire day, seeks permission in advance utilizing the appropriate form, "Approval Request Workday Off-Site" HR 7.4 Exhibit B.

Reports departure time, destination, reason, anticipated return time and actual return time in accordance with departmental procedures and utilize the Kronos Time Management System.

Provides proof of attendance for County business away from primary work site when required.

Should refer to HR Chapter 6 for Leave Time policies and procedures for other authorized absences.

Adheres to work hours and seeks approval of schedule changes utilizing the form "Schedule Change Request" HR 7.4 Exhibit A.

**Department Head/Designee:**

Schedules breaks to assure coverage of services and office telephones.

Ensures department procedures for leaving on county business for a portion of the workday include communicating departure time, destination, reason, and anticipated return time as well as actual return time.

County of Gloucester  
Human Resources Manual

---

Ensures that Administration approval is sought in advance for County business that takes an employee away from the worksite for an *entire* workday.

Reviews schedule change requests and makes recommendation to Administration.

Ensures any temporary schedule changes are monitored and concluded timely.

**Administrator/Designee:**

Issues decision on any schedule change requests.

Determines approval for requests to attend to County business off-site for entire workday.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 4/18/18</b>
<b>SECTION:</b>	<b>4 – HOURS OF WORK</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – SCHEDULE CHANGE REQUEST FORM**

<b>Employee Name:</b>	
<b>Department:</b>	
<i>Requested Schedule</i>	
<b>Start:</b>	
<b>End:</b>	
<b>Lunch:</b>	
<b>Workweek:</b>	
<b>Reason for requested schedule change:</b>	
<b>Effective Date:</b>	
<b>Expected Duration:</b>	
<b>Employee Signature</b>	<b>Date</b>
<b>Department Recommendation:</b>	<b>Yes or No</b>
<b>Department Head/Designee Signature</b>	<b>Date</b>
<b>Department Comments:</b>	
<b>Administration Approval:</b>	<b>Yes or No</b>
<b>Administrator/Designee Signature</b>	<b>Date</b>

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 10/2/19</b>
<b>SECTION:</b>	<b>4 – HOURS OF WORK</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT B – APPROVAL REQUEST WORKDAY OFF-SITE**

To: \_\_\_\_\_ (County Administration)

From: \_\_\_\_\_ (Department Head)

Employee: \_\_\_\_\_ Travel Date(s): \_\_\_\_\_

Department: \_\_\_\_\_ Destination: \_\_\_\_\_

**Purpose (detail):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Approvals:**

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

County Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Proof of attendance required? YES or NO

Post off-site date, proof of attendance received

Initials

Department Head/County Administrator/Designee

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 – ABSENCE AND TARDINESS</b>	<b>REVISED: 5/22/24</b>

Absence and tardiness increases the burden on other employee workloads and interferes with maintaining satisfactory levels of County services.

Each Department has procedures for time and attendance record keeping (i.e. time clock, sign-in sheets, etc). Any employee that does not follow procedure creates evidence of an attendance problem and shall be reviewed for disciplinary action. Employees should not “sign-in” for another employee. Any employee found in violation of this policy may be subject to disciplinary action up to and including termination.

The County may request medical evidence to verify illness for purposes of granting sick leave.

To minimize the negative impact on both employees and the general public, employee time records will be reviewed regularly to identify chronic absenteeism and/or tardiness problems.

Employees who exhibit attendance and/or tardiness problems will be subject to established progressive disciplinary procedures.

Punctuality in reporting for duty or returning from authorized breaks is considered to be the contractual obligation of all employees.

Chronic tardiness may be considered as grounds for disciplinary action.

**Employee:**

Follows departmental procedures for time and attendance record keeping.

When anticipating a late arrival for work or when returning late from break, should telephone department, indicating the reason for the lateness and anticipated arrival time.

**Department Head/designee:**

Ensures procedures to accurately record time and attendance.

Documents verbal warnings in writing.

Reports employees with chronic lateness to Administration in writing, providing full documentation of such abuse.

County of Gloucester  
Human Resources Manual

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Develops an appropriate course of action to rectify the problems of chronic lateness in conjunction with Administration.

Docks employees for any time that cannot be verified through established policies and procedures.

Follows procedures for disciplinary action as necessary.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 – DRUGS AND ALCOHOL</b>	<b>REVISED: 5/22/24</b>

The County is strongly committed to a workplace free of alcohol and drugs for the safety of its employees and the citizens entrusted to their care. It is the policy of the County to institute the components of the Drug-Free Workplace Act of 1988. As required by federal regulations, this policy is provided to offer guidance to Department Heads/designees and employees in dealing with drug and alcohol abuse. This policy is intended to enhance productivity and safety, and to foster excellence by maintaining a safe and healthy environment for employees.

The County strongly urges employees to use the Employee Assistance Program (EAP) for help with alcohol or drug problems. EAP offers counsel, and if necessary, makes referrals to appropriate treatment resources (please refer to HR 5.10 for more details about the EAP). It is each employee's responsibility to seek assistance from EAP before the problem affects judgment, performance or behavior.

To further this commitment to providing a safe, drug-free and alcohol-free environment, the County has adopted the following policies:

- An employee and supervisor education and training program;
- A drug and alcohol testing program for employees and applicants for employment in, but not limited to, safety-sensitive positions;
- A program for evaluating employees who violate the drug and alcohol abuse policy;
- And administrative procedures for record keeping.

#### **Employee Categories Subject to Testing:**

Participation in this drug and alcohol testing program is a condition of employment for, but not limited to, each safety-sensitive employee or volunteer. Applicants for safety-sensitive positions are also subject to this drug and alcohol policy.

Anyone designated in Department of Transportation (DOT) regulations as a safety sensitive employee is subject to DOT drug and alcohol testing. All applicable employees working for the County or applying for a position are covered. This includes employees covered by 49 CFR Part 655, regulations commonly referred to as the Federal Transit Administration (FTA), and 49 CFR Part 382, regulations commonly referred to as the Federal Motor Carrier Safety Administration (FMCSA), when performing safety sensitive functions as defined by the respective regulations.

All employees who have a commercial driver's license (CDL) and/or perform safety-sensitive functions will be included in the drug and alcohol testing program. This

**County of Gloucester  
Human Resources Manual**

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includes, but is not limited to, and is subject to amendment at any time, the following departments: Public Works including Highway and Fleet Management, Transportation Services, and Emergency Response.

Law Enforcement employees that work in the Sheriff's Office, the Prosecutor's Office, and the Department of Corrections are subject to the New Jersey Attorney General's Law Enforcement Drug Testing Policy.

Furthermore, any employee may be tested due to reasonable suspicion (see subsection entitled 'Reasonable Suspicion' for further details).

**Prohibited Conduct:**

Manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace is prohibited pursuant to the Drug-Free Workplace Act. It is County policy that any employee who manufactures, distributes, dispenses, processes, sells, attempts to sell, or arranges to sell a controlled substance to any other person while on duty or on County property shall be subject to discipline up to and including discharge. Pursuant to the County policy, any employee who reports for work, performs work, or is on County property with any detectable level of blood alcohol content or any detectable level of a controlled substance in his or her urine shall be subject to disciplinary action up to and including discharge. Employees who perform a safety-sensitive function are strictly prohibited from using or ingesting prohibited drugs in accordance with applicable DOT regulations.

This prohibition also covers all legal or prescription drugs which impair an employee's ability to perform his/her job safely or properly. Employees using prescription drugs that may affect job performance or safety must notify, along with acceptable medical documentation, Human Resources and/or their supervisor or Department Head who is required to maintain the confidentiality of any information regarding an employee's medical condition. A determination will then be made as to whether the employee should be able to perform his/her job safely and properly by Human Resources. Employees who fail to report the use of legal or prescription drugs which may affect performance or safety shall be subject to disciplinary action up to and including discharge.

The ingestion of alcohol for up to four hours before the performance of safety sensitive functions is prohibited regardless of the resulting alcohol concentration level by both FTA and FMCSA. In addition FTA specifically prohibits the consumption of alcohol for the specified on-call hours of each covered employee who is on-call. The procedure shall include: (1) The opportunity for the covered employee to acknowledge the use of alcohol at the time he or she is called to report to duty and the inability to perform his or her safety-sensitive function. (2) The requirement that the covered employee take an alcohol test, if the covered employee has acknowledged the use of alcohol, but claims ability to perform his or her safety-sensitive function. FTA and FMCSA prohibit the ingestion of

alcohol for up to eight hours following an accident by any employee involved in an accident unless the employee has already performed a post accident alcohol test if required.

As referred to in this policy, *alcohol* means any food, beverage, mixture, or preparation, including any medication, containing ethyl alcohol. *Controlled substance* means a stimulant, hallucinogen narcotic, **cannabinoid**, or derivative or combination thereof, or any other substance controlled by the law. The County intends this definition also to apply to any other substance that impairs one's ability to fully and safely perform his or her job. The U.S. Department of Transportation (DOT) regulations currently prohibit the performance of safety-sensitive functions when a prohibited level of any specified drug is detectable in the employee's urine. Testing of safety-sensitive employees for these drugs is therefore performed under the authority of and pursuant to DOT regulations.

#### **Testing-General:**

For DOT subject employees all testing will be performed in accordance with the provisions set forth in 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

The County will adhere to all required standards of confidentiality. Testing records and results will be released only to those authorized to receive such information.

Typically, administration of breath tests for alcohol will be performed concurrently with urine collections. However, the County reserves the right to administer breath tests separately from urine collections and to administer breath tests and/or urine collections on County premises.

Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

For DOT drug and alcohol tests: Refusal to submit means any circumstance outlined in 49 CFR 40.191 and 49 CFR 40.261 as well as 49 CFR 382 and 49 CFR 655; including:

- Failure to provide a breath or urine sample
- Provide an insufficient volume without valid medical explanation
- Adulterate or substitute a specimen
- Failure to appear within a reasonable time
- Leave the scene of an accident without just cause prior to submitting to a test
- Leave the collection facility prior to test completion

- Failure to permit an observed or monitored collection when required. An observed or monitored collection includes following the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- Failure to take a second test when required
- Failure to undergo a medical examination when required
- Failure to cooperate with any part of the testing process
- Failure to sign Step 2 of alcohol test form
- Once test is underway, failure to remain at site and provide a specimen
- Verification from the MRO that you provided an adulterated/substituted sample.

For pre-employment tests only, DOT regulations indicate that failure to appear, aborting the collection before the test commences, or failure to remain at the site prior to commencement does not constitute a refusal.

#### **Testing for Controlled Substances:**

Drug testing of safety-sensitive employees authorized by DOT regulations is limited to the following substances:

- Marijuana metabolites/THC
- Cocaine metabolites
- Amphetamines, Methamphetamines, MethyleneDioxyMethAmphetamine (MDMA), and Methylenedioxymphetamine (MDA)
- Opiate metabolites (including codeine, heroin (6-AM), morphine)
- Phencyclidine (PCP)
- Semi-Synthetic Opioids (hydrocodone, oxycodone, hydromorphone, oxymorphone)

#### **Testing for Alcohol:**

FMCSA specifically prohibits any driver tested in accordance with the regulations and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 from performing or continue to perform safety-sensitive functions for an employer, including driving a commercial motor vehicle, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test. FMCSA regulation prohibits a driver with an alcohol concentration of 0.04 or greater from performing any safety-sensitive functions until he/she has been evaluated by an SAP and has passed a return-to-duty test.

FTA specifically prohibits any covered employee tested in accordance with the regulations and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 to perform or continue to perform safety-sensitive functions, until the employee's alcohol concentration measures less than 0.02; or the start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

**Role of the Medical Review Officer (MRO):**

All urinalysis drug results will be communicated by the laboratory to a specially trained physician serving as MRO. The MRO will report all drug test results to the Employer. If the test is positive, the MRO will contact the employee to discuss the test and determine if the positive result is valid. The MRO reports drug test results and medical information learned as part of the verification process to third parties without the employee's consent if determined, in the MRO's reasonable medical judgment, that: (1) The information is likely to result in the employee being determined to be medically unqualified under an applicable DOT agency regulation; (2) The information indicates that continued performance by the employee of his or her safety-sensitive function is likely to pose a significant safety risk; or (3) when the drug test results in disciplinary action against the employee which is subject to litigation.

The third parties to whom the MRO is authorized to provide information are the employer, a physician or other health care provider responsible for determining the medical qualifications of the employee under an applicable DOT agency safety regulation or as part of an employer-initiated fitness for duty examination, a SAP evaluating the employee as part of the return to duty process (see §40.293(g)), a DOT agency, or the National Transportation Safety Board in the course of an accident investigation.

**Role of the Outside Contractor:**

The County has engaged a contractor to perform specific services such as arranging collection sites, laboratory testing, chain of custody procedures, etc. The contractor will provide the MRO(s) and BAT(s) in accordance with applicable DOT regulations.

**Types of Testing:**

The County will perform the following types of drug and alcohol testing:

- Pre-Employment Testing;
- Reasonable Suspicion Testing;
- Post Accident Testing;
- Random Testing;
- Return to Duty Testing;
- Follow-Up Testing;

County of Gloucester  
Human Resources Manual

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For those employees subjected to DOT regulations, alcohol and drug testing will be in accordance with and as specified in applicable regulations.

The County of Gloucester adopts, but is not limited to, the safety sensitive definitions as provided by the Federal Motor Carrier Safety Administration and the Federal Transit Agency.

Under FMCSA, safety sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include but are not limited to:

- Driving a commercial motor vehicle which requires the driver to have a commercial driver's license (CDL)
- Inspecting, servicing, or repairing any commercial motor vehicle
- Waiting to be dispatched to operate a commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle
- Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments being loaded or unloaded
- Performing driver requirements associated with an accident
- Repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle

Under FTA an employee is a safety-sensitive employee if he/she performs any of the following but not limited to:

- Operation of a non-revenue vehicle requiring a CDL
- Contractor employees that stand in the shoes of Transit System employees also have to comply
- Covered employee means a person, including an applicant or transferee, who performs or will perform a safety-sensitive function.
- A volunteer is a covered employee if: The volunteer is required to hold a commercial driver's license to operate the vehicle; or the volunteer performs a safety-sensitive function for an entity subject to this part and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity.

Furthermore, the County has designated other employees as "safety sensitive" and therefore, those employees are also subject to testing as set forth in the "Employee Categories Subject to Testing" section of this policy.

*Pre-Employment Testing*

All applicants for employment (Post-Offer, Pre-Employment) or employees being transferred into safety-sensitive positions will be informed of the testing requirements and will undergo pre-employment drug tests. The County will not hire an applicant or transfer an employee to a safety-sensitive position unless the applicant or employee passes the pre-employment drug test.

A positive pre-employment test for drugs shall be considered sufficient grounds to disqualify the applicant from employment with the County or to disqualify an incumbent employee's application for transfer into a safety-sensitive position. In addition, an incumbent employee whose test result is positive will be subject to the same procedures as for a positive random test.

The County will not hire an applicant that has failed a drug test or who has refused to take the test. Furthermore, the County will not assign an employee who has failed or refused to take a drug test to a safety-sensitive position. If such an applicant later applies for County employment or if such an employee later applies for a safety-sensitive position, the County may, in its sole discretion, administer another drug test. If the employee or applicant passes the second pre-employment test, the County may, in its sole discretion, hire the applicant or assign the employee to work in a safety-sensitive position.

**FMCSA Exception:** The driver has participated in a controlled substances testing program that meets the requirements of part 382.301 within the previous 30 days; and while participating in that program, either was tested for controlled substances within the past 6 months (from the date of application), or participated in the random controlled substances testing program for the previous 12 months (from the date of application); and no prior employer of the driver, of whom the County has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six months.

FTA requires that employees who have not performed a safety-sensitive function for 90 consecutive calendar days regardless of the reason, and have not been available to participate in the random selection pool during that time, must take a pre-employment drug test with a verified negative result prior to performance of safety sensitive duties.

The exceptions contained in the FMCSA for pre-employment testing are not applicable to individuals applying for non-FMCSA regulated positions.

*Reasonable Suspicion Testing*

Reasonable suspicion is established if two trained supervisors reasonably conclude based on their observation that an employee has used drugs or misused alcohol. The

County of Gloucester  
Human Resources Manual

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determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulate observations concerning the appearance, behavior, speech, or body odors of the employees. The reasonable suspicion observations of the supervisor or County official must be documented on HR 7.6 Exhibit A titled Reasonable Suspicion Checklist.

An employee who undergoes reasonable suspicion testing will be removed from service pending the test results. If the test results are negative, the employee will be returned to work and paid for any time lost. If the result is positive, the employee will be subject to discipline, up to and including discharge, as determined by the County. If the employee is not discharged, the employee shall, at a minimum, be subject to the same requirements regarding assessment by an SAP, rehabilitation, and return to work drug and alcohol testing as applied to employees following a positive random drug or alcohol test (see below).

The employee will be transported to and from the testing site by a supervisor to reduce the potential danger to the employee and/or others.

- For employees who perform a *safety-sensitive* function, the County will require the employee to submit to a drug or alcohol test when the County has a reasonable suspicion that the employee is under the influence or has impaired judgment during working hours, while on County premises or while using County property. Employees may undergo reasonable suspicion testing for alcohol only while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.

If an alcohol test is not administered within two hours following the determination of reasonable suspicion, written documentation will be prepared and maintained on file. This record will detail the reasons the alcohol test was not promptly administered. If an alcohol test is not administered within eight hours following the determination, there will be no more attempts to administer an alcohol test. Written documentation detailing the reasons for not administering the test is required. FMCSA regulations state that if no alcohol test is administered, 24 hours must elapse from the time of original determination before performance of safety sensitive functions.

- For an employee whose job responsibilities are *not* safety-sensitive and are not law enforcement, and whose job performance is affected and impairment is suspected, the first step the Department Head or designee should take is to have the employee removed from the job. If this occurs during regular weekday hours, the Department Head/designee should contact Human Resources for further guidance.

If this occurs (impairment and job performance is affected) on an evening, night or weekend shift, the Department Head/designee should contact Ambassador Medical Services at (856) 810-0242 unless health and safety is a concern in which case the Department Head/designee should call 911. The Employee Assistance Program (EAP) is available to assist management in handling such situations, 24 hours a day, seven days a week (refer to HR 5.10 for the name and phone number of the County's EAP provider).

The Department Head/designee should document the occurrence including notes on employee's behavior, appearance, and speech as well as any other factors that lead to the suspicion of impairment (see HR 7.6 Exhibit M titled Reasonable Suspicion Checklist). The Department Head should contact Human Resources the next weekday day shift immediately following the occurrence for further direction.

#### *Post-Accident Testing*

Testing of drivers and those defined as performing safety sensitive functions, is mandatory as required by DOT regulations following an accident as defined in 49 CFR 382.303 and 49 CFR 655.44.

FMCSA requires post accident alcohol testing as soon as practicable. Tests performed after 2 hours are required to have documentation in the file detailing the reasons the test was delayed. After a delay of eight hours or more, no more attempts will be made and written documentation is required.

FMCSA requires post accident drug testing as soon as possible, but within 32 hours following the accident. After 32 hours, no testing will be made and the file will be provided with written documentation regarding the reason.

FMCSA requires drivers subject to post accident testing to remain available for such testing. Failure to do so may be construed as a refusal to submit to testing. This does not include leaving the scene to receive emergency medical care.

The results of a blood, urine, or breath test for the use of prohibited drugs or alcohol misuse, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements provided that the test results are obtained by the employer. Such test results may be used only when the employer is unable to perform a post-accident test within the required period.

Employees and supervisors should follow the following steps in a post accident situation:

- Treat injuries first;
- Cooperate with local law enforcement officers;

County of Gloucester  
Human Resources Manual

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- Explain to employees the need for testing;
- Conduct tests promptly; and
- Collect accident documentation promptly.

*Random Testing*

Random testing will be conducted for all employees performing a safety-sensitive function at a frequency established by law, the controlling collective bargaining agreement, or County HR policy. Random tests will be spread reasonably throughout the year. There will be no pattern to when random tests will be conducted. Random tests will be unannounced and all employees performing a safety-sensitive function will have an equal chance of being selected for testing from the random pool. Employees shall remain in the pool even after being selected and tested. An employee may therefore be selected for a random test more than once during the year. Employees will be selected anonymously using an identification number having no correlation to actual employee names. The employee must report immediately to the collection site after receiving notification of his/her selection from the random pool.

If the result of a random urinalysis test is positive, the employee will be immediately removed from his or her job. The same applies to a confirmed positive breath test where the employee's BAC is not a level that would warrant immediate discharge without recourse to rehabilitation. The employee may then apply for reinstatement, subject to the Return-to-Duty conditions (described below).

*Return-to-Duty Testing*

An employee with a verified positive drug test result, an alcohol test result of 0.04 or greater, a refusal to submit to a test or any other activity violating this policy or state or federal law (including DOT regulations) may not return to work until the employee is evaluated by a substance abuse professional and passes a return-to-duty test. The employee must successfully complete the return-to-duty requirements as determined by Part 40. To pass the return-to-duty test, the result must be a verified negative drug test or an alcohol test result of less than 0.02. The substance abuse professional will determine whether the employee needs to participate in a rehabilitation program and whether the employee has followed the recommendations for corrective action.

A return-to-duty test will be performed only after the substance abuse professional has determined that the employee has followed the corrective action recommendations and complied with the recommended treatment and education. The employee must then have a return-to-duty test and the test result must be negative prior to returning to duty.

This policy is not to be interpreted to mean that the return of an employee to duty after compliance with these provisions is mandatory and/or immediate and any return to duty is subject to any disciplinary action taken against an employee.

### *Follow-Up Testing*

In accordance with DOT requirements, employees permitted to return to duty are subject to unannounced follow-up testing for at least 12 months and not more than 60 months. The County will determine the frequency and duration of the follow-up testing in consultation with the substance abuse professional. A minimum of 6 follow-up tests during the first 12 months after the employee has returned to duty will be performed. This follow-up testing is separate from and in addition to the regular random testing program. Accordingly, employees subject to follow-up testing will remain in the standard random pool and will be tested whenever their names come up for random testing, even if it means being tested twice in the same day, week, or month. All testing will meet the requirements detailed in 49 CFR 40, Subpart O, for employees subject to that regulation.

If an employee is subject to follow-up drug tests, the employee may be required to take one or more follow-up alcohol tests and pass with a result of less than 0.04. As previously noted, an employee with an alcohol concentration of 0.02 or greater but less than 0.04 is prohibited from performing or continuing to perform safety-sensitive functions, until the employee's alcohol concentration measures less than 0.02; or the start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

If the employee is subject to alcohol tests, the employee may be required to take one or more follow-up drug tests with a verified negative result.

The County is responsible for ensuring that the employee is tested according to the SAP's follow-up plan. These tests can be for drugs or alcohol or both. Any positive test result for an employee who is subject to follow-up testing (including the positive result of a safety-sensitive job transfer, random, reasonable suspicion, post-accident, or other test) will be grounds for immediate discharge.

### **Retesting at the Employee's Request:**

DOT regulations provide for a "split sample" procedure which requires a portion of each urine specimen to be retained in a separate, sealed container. The employee whose urine test is positive may request that the split sample be tested at a separate laboratory meeting the required Federal certification. Federal regulations require the request to be made within seventy-two (72) hours.

All costs associated with the re-testing or split sample testing must be prepaid by the employee, including shipping and handling, transportation, testing and reporting to the MRO. If the result of the retest or split sample is negative, these costs will be reimbursed to the employee.

### **Notification of Convictions:**

Pursuant to the requirements of the Drug-Free Workplace Act of 1988 employees must promptly notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

**Consequences for Engaging in Drug and Alcohol Related Conduct:**

An employee who tests positive for drugs, refuses to submit to a test, or violates any provisions of this policy must immediately be removed from performing a safety-sensitive position. An employee who tests positive for drugs or refuses to submit to a drug test may not perform a safety-sensitive function until the employee has been evaluated by the substance abuse professional, completed all recommended treatment, and been subject to return-to-duty drug test with a verified negative result, as mandated by 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs. The County retains the right to terminate an employee who tests positive for drugs or refuses to submit to a drug test.

An employee who has an alcohol concentration of 0.02 or greater but less than 0.04 may not perform a safety-sensitive function until the employee's alcohol concentration measures less than 0.02.

An employee who has an alcohol concentration of 0.04 or greater may not perform a safety-sensitive function until the employee has been seen by a substance abuse professional, completed all recommended treatment, and passed the return-to-duty test with an alcohol concentration of less than 0.02. The County retains the right to terminate an employee who tests positive for alcohol or refuses to submit to an alcohol test.

The County will review the results of a retest in consultation with laboratory staff and the MRO. If the results of the test are negative, the County reserves the right to require the employee to provide a new urine sample for testing. If the County declines to require a new test, or if the results of this new test are negative, the employee will be reinstated with no loss of seniority and paid back for wages lost.

For DOT subject employees:

- Reports of dilute specimens; dilute positives will be treated as verified positives.
- For dilute negatives, all employees will be required to immediately take another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- Drug tests that are reported as invalid require that the employee immediately provide a new specimen under direct observation.
- Cancelled drug tests results require the immediate provision of another specimen.

**Contact Person:**

Federal regulations require that a single contact person be identified to answer questions about this policy. For the purposes of this policy, the contact person will be:

**Joann Schneider**  
**County of Gloucester, P.O. Box 337, Woodbury, NJ 08096**  
**856-853-3264**

Copies of relevant regulations are also available at this address.

**Effects of Alcohol and Drug Addiction:**

The Human Resource Manual will provide information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and or referral to management. Please refer to HR 5.10 titled Employee Assistance Program as well as HR 7.6 Exhibit B titled Commonly Abused Drugs (Source: National Institute on Drug Abuse; National Institutes of Health; U.S. Department of Health and Human Services).

**Education and Training:**

For, but not limited to, employees performing a safety-sensitive function, the County will provide educational materials explaining the requirements of the Federal Drug and Alcohol Testing Regulations and its policies and procedures. Employees performing a safety-sensitive function will also be provided with training on the effects and indicators of alcohol and drug use in accordance with federal regulations. Employees will be required to sign a form indicating that they have received a copy of the policies and procedures; the form will be filed in employee personnel files.

**Shared Responsibility:**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

**Certificate of Receipt:**

Subject employees will be required to sign a statement certifying that he or she has received a copy of these materials described in this section. The County shall maintain the original of the signed certificate.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 – DRUGS AND ALCOHOL</b>	<b>REVISED: 5/22/24</b>

The County is strongly committed to a workplace free of alcohol and drugs for the safety of its employees and the citizens entrusted to their care. It is the policy of the County to institute the components of the Drug-Free Workplace Act of 1988. As required by federal regulations, this policy is provided to offer guidance to Department Heads/designees and employees in dealing with drug and alcohol abuse. This policy is intended to enhance productivity and safety, and to foster excellence by maintaining a safe and healthy environment for employees.

The County strongly urges employees to use the Employee Assistance Program (EAP) for help with alcohol or drug problems. EAP offers counsel, and if necessary, makes referrals to appropriate treatment resources (please refer to HR 5.10 for more details about the EAP). It is each employee's responsibility to seek assistance from EAP before the problem affects judgment, performance or behavior.

To further this commitment to providing a safe, drug-free and alcohol-free environment, the County has adopted the following policies:

- An employee and supervisor education and training program;
- A drug and alcohol testing program for employees and applicants for employment in, but not limited to, safety-sensitive positions;
- A program for evaluating employees who violate the drug and alcohol abuse policy;
- And administrative procedures for record keeping.

#### **Employee Categories Subject to Testing:**

Participation in this drug and alcohol testing program is a condition of employment for, but not limited to, each safety-sensitive employee or volunteer. Applicants for safety-sensitive positions are also subject to this drug and alcohol policy.

Anyone designated in Department of Transportation (DOT) regulations as a safety sensitive employee is subject to DOT drug and alcohol testing. All applicable employees working for the County or applying for a position are covered. This includes employees covered by 49 CFR Part 655, regulations commonly referred to as the Federal Transit Administration (FTA), and 49 CFR Part 382, regulations commonly referred to as the Federal Motor Carrier Safety Administration (FMCSA), when performing safety sensitive functions as defined by the respective regulations.

All employees who have a commercial driver's license (CDL) and/or perform safety-sensitive functions will be included in the drug and alcohol testing program. This

**County of Gloucester  
Human Resources Manual**

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includes, but is not limited to, and is subject to amendment at any time, the following departments: Public Works including Highway and Fleet Management, Transportation Services, and Emergency Response.

Law Enforcement employees that work in the Sheriff's Office, the Prosecutor's Office, and the Department of Corrections are subject to the New Jersey Attorney General's Law Enforcement Drug Testing Policy.

Furthermore, any employee may be tested due to reasonable suspicion (see subsection entitled 'Reasonable Suspicion' for further details).

**Prohibited Conduct:**

Manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace is prohibited pursuant to the Drug-Free Workplace Act. It is County policy that any employee who manufactures, distributes, dispenses, processes, sells, attempts to sell, or arranges to sell a controlled substance to any other person while on duty or on County property shall be subject to discipline up to and including discharge. Pursuant to the County policy, any employee who reports for work, performs work, or is on County property with any detectable level of blood alcohol content or any detectable level of a controlled substance in his or her urine shall be subject to disciplinary action up to and including discharge. Employees who perform a safety-sensitive function are strictly prohibited from using or ingesting prohibited drugs in accordance with applicable DOT regulations.

This prohibition also covers all legal or prescription drugs which impair an employee's ability to perform his/her job safely or properly. Employees using prescription drugs that may affect job performance or safety must notify, along with acceptable medical documentation, Human Resources and/or their supervisor or Department Head who is required to maintain the confidentiality of any information regarding an employee's medical condition. A determination will then be made as to whether the employee should be able to perform his/her job safely and properly by Human Resources. Employees who fail to report the use of legal or prescription drugs which may affect performance or safety shall be subject to disciplinary action up to and including discharge.

The ingestion of alcohol for up to four hours before the performance of safety sensitive functions is prohibited regardless of the resulting alcohol concentration level by both FTA and FMCSA. In addition FTA specifically prohibits the consumption of alcohol for the specified on-call hours of each covered employee who is on-call. The procedure shall include: (1) The opportunity for the covered employee to acknowledge the use of alcohol at the time he or she is called to report to duty and the inability to perform his or her safety-sensitive function. (2) The requirement that the covered employee take an alcohol test, if the covered employee has acknowledged the use of alcohol, but claims ability to perform his or her safety-sensitive function. FTA and FMCSA prohibit the ingestion of

alcohol for up to eight hours following an accident by any employee involved in an accident unless the employee has already performed a post accident alcohol test if required.

As referred to in this policy, *alcohol* means any food, beverage, mixture, or preparation, including any medication, containing ethyl alcohol. *Controlled substance* means a stimulant, hallucinogen, narcotic, cannabinoid, or derivative or combination thereof, or any other substance controlled by the law. The County intends this definition also to apply to any other substance that impairs one's ability to fully and safely perform his or her job. The U.S. Department of Transportation (DOT) regulations currently prohibit the performance of safety-sensitive functions when a prohibited level of any specified drug is detectable in the employee's urine. Testing of safety-sensitive employees for these drugs is therefore performed under the authority of and pursuant to DOT regulations.

**Testing-General:**

For DOT subject employees all testing will be performed in accordance with the provisions set forth in 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

The County will adhere to all required standards of confidentiality. Testing records and results will be released only to those authorized to receive such information.

Typically, administration of breath tests for alcohol will be performed concurrently with urine collections. However, the County reserves the right to administer breath tests separately from urine collections and to administer breath tests and/or urine collections on County premises.

Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

For DOT drug and alcohol tests: Refusal to submit means any circumstance outlined in 49 CFR 40.191 and 49 CFR 40.261 as well as 49 CFR 382 and 49 CFR 655; including:

- Failure to provide a breath or urine sample
- Provide an insufficient volume without valid medical explanation
- Adulterate or substitute a specimen
- Failure to appear within a reasonable time
- Leave the scene of an accident without just cause prior to submitting to a test
- Leave the collection facility prior to test completion

County of Gloucester  
Human Resources Manual

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- Failure to permit an observed or monitored collection when required. An observed or monitored collection includes following the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- Failure to take a second test when required
- Failure to undergo a medical examination when required
- Failure to cooperate with any part of the testing process
- Failure to sign Step 2 of alcohol test form
- Once test is underway, failure to remain at site and provide a specimen
- Verification from the MRO that you provided an adulterated/substituted sample.

For pre-employment tests only, DOT regulations indicate that failure to appear, aborting the collection before the test commences, or failure to remain at the site prior to commencement does not constitute a refusal.

**Testing for Controlled Substances:**

Drug testing of safety-sensitive employees authorized by DOT regulations is limited to the following substances:

- Marijuana metabolites/THC
- Cocaine metabolites
- Amphetamines, Methamphetamines, MethyleneDioxyMethAmphetamine (MDMA), and Methylenedioxymethamphetamine (MDA)
- Opiate metabolites (including codeine, heroin (6-AM), morphine)
- Phencyclidine (PCP)
- Semi-Synthetic Opioids (hydrocodone, oxycodone, hydromorphone, oxymorphone)

**Testing for Alcohol:**

FMCSA specifically prohibits any driver tested in accordance with the regulations and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 from performing or continue to perform safety-sensitive functions for an employer, including driving a commercial motor vehicle, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test. FMCSA regulation prohibits a driver with an alcohol concentration of 0.04 or greater from performing any safety-sensitive functions until he/she has been evaluated by an SAP and has passed a return-to-duty test.

FTA specifically prohibits any covered employee tested in accordance with the regulations and who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 to perform or continue to perform safety-sensitive functions, until the employee's alcohol concentration measures less than 0.02; or the start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

**Role of the Medical Review Officer (MRO):**

All urinalysis drug results will be communicated by the laboratory to a specially trained physician serving as MRO. The MRO will report all drug test results to the Employer. If the test is positive, the MRO will contact the employee to discuss the test and determine if the positive result is valid. The MRO reports drug test results and medical information learned as part of the verification process to third parties without the employee's consent if determined, in the MRO's reasonable medical judgment, that: (1) The information is likely to result in the employee being determined to be medically unqualified under an applicable DOT agency regulation; (2) The information indicates that continued performance by the employee of his or her safety-sensitive function is likely to pose a significant safety risk; or (3) when the drug test results in disciplinary action against the employee which is subject to litigation.

The third parties to whom the MRO is authorized to provide information are the employer, a physician or other health care provider responsible for determining the medical qualifications of the employee under an applicable DOT agency safety regulation or as part of an employer-initiated fitness for duty examination, a SAP evaluating the employee as part of the return to duty process (see §40.293(g)), a DOT agency, or the National Transportation Safety Board in the course of an accident investigation.

**Role of the Outside Contractor:**

The County has engaged a contractor to perform specific services such as arranging collection sites, laboratory testing, chain of custody procedures, etc. The contractor will provide the MRO(s) and BAT(s) in accordance with applicable DOT regulations.

**Types of Testing:**

The County will perform the following types of drug and alcohol testing:

- Pre-Employment Testing;
- Reasonable Suspicion Testing;
- Post Accident Testing;
- Random Testing;
- Return to Duty Testing;
- Follow-Up Testing;

County of Gloucester  
Human Resources Manual

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For those employees subjected to DOT regulations, alcohol and drug testing will be in accordance with and as specified in applicable regulations.

The County of Gloucester adopts, but is not limited to, the safety sensitive definitions as provided by the Federal Motor Carrier Safety Administration and the Federal Transit Agency.

Under FMCSA, safety sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include but are not limited to:

- Driving a commercial motor vehicle which requires the driver to have a commercial driver's license (CDL)
- Inspecting, servicing, or repairing any commercial motor vehicle
- Waiting to be dispatched to operate a commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle
- Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments being loaded or unloaded
- Performing driver requirements associated with an accident
- Repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle

Under FTA an employee is a safety-sensitive employee if he/she performs any of the following but not limited to:

- Operation of a non-revenue vehicle requiring a CDL
- Contractor employees that stand in the shoes of Transit System employees also have to comply
- Covered employee means a person, including an applicant or transferee, who performs or will perform a safety-sensitive function.
- A volunteer is a covered employee if: The volunteer is required to hold a commercial driver's license to operate the vehicle; or the volunteer performs a safety-sensitive function for an entity subject to this part and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity.

Furthermore, the County has designated other employees as "safety sensitive" and therefore, those employees are also subject to testing as set forth in the "Employee Categories Subject to Testing" section of this policy.

*Pre-Employment Testing*

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**County of Gloucester  
Human Resources Manual**

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All applicants for employment (Post-Offer, Pre-Employment) or employees being transferred into safety-sensitive positions will be informed of the testing requirements and will undergo pre-employment drug tests. The County will not hire an applicant or transfer an employee to a safety-sensitive position unless the applicant or employee passes the pre-employment drug test.

A positive pre-employment test for drugs shall be considered sufficient grounds to disqualify the applicant from employment with the County or to disqualify an incumbent employee's application for transfer into a safety-sensitive position. In addition, an incumbent employee whose test result is positive will be subject to the same procedures as for a positive random test.

The County will not hire an applicant that has failed a drug test or who has refused to take the test. Furthermore, the County will not assign an employee who has failed or refused to take a drug test to a safety-sensitive position. If such an applicant later applies for County employment or if such an employee later applies for a safety-sensitive position, the County may, in its sole discretion, administer another drug test. If the employee or applicant passes the second pre-employment test, the County may, in its sole discretion, hire the applicant or assign the employee to work in a safety-sensitive position.

**FMCSA Exception:** The driver has participated in a controlled substances testing program that meets the requirements of part 382.301 within the previous 30 days; and while participating in that program, either was tested for controlled substances within the past 6 months (from the date of application), or participated in the random controlled substances testing program for the previous 12 months (from the date of application); and no prior employer of the driver, of whom the County has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six months.

FTA requires that employees who have not performed a safety-sensitive function for 90 consecutive calendar days regardless of the reason, and have not been available to participate in the random selection pool during that time, must take a pre-employment drug test with a verified negative result prior to performance of safety sensitive duties.

The exceptions contained in the FMCSA for pre-employment testing are not applicable to individuals applying for non-FMCSA regulated positions.

***Reasonable Suspicion Testing***

Reasonable suspicion is established if two trained supervisors reasonably conclude based on their observation that an employee has used drugs or misused alcohol. The determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulate observations concerning the appearance, behavior, speech,

County of Gloucester  
Human Resources Manual

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or body odors of the employees. The reasonable suspicion observations of the supervisor or County official must be documented on HR 7.6 Exhibit A titled Reasonable Suspicion Checklist.

An employee who undergoes reasonable suspicion testing will be removed from service pending the test results. If the test results are negative, the employee will be returned to work and paid for any time lost. If the result is positive, the employee will be subject to discipline, up to and including discharge, as determined by the County. If the employee is not discharged, the employee shall, at a minimum, be subject to the same requirements regarding assessment by an SAP, rehabilitation, and return to work drug and alcohol testing as applied to employees following a positive random drug or alcohol test (see below).

The employee will be transported to and from the testing site by a supervisor to reduce the potential danger to the employee and/or others.

- For employees who perform a *safety-sensitive* function, the County will require the employee to submit to a drug or alcohol test when the County has a reasonable suspicion that the employee is under the influence or has impaired judgment during working hours, while on County premises or while using County property. Employees may undergo reasonable suspicion testing for alcohol only while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.

If an alcohol test is not administered within two hours following the determination of reasonable suspicion, written documentation will be prepared and maintained on file. This record will detail the reasons the alcohol test was not promptly administered. If an alcohol test is not administered within eight hours following the determination, there will be no more attempts to administer an alcohol test. Written documentation detailing the reasons for not administering the test is required. FMCSA regulations state that if no alcohol test is administered, 24 hours must elapse from the time of original determination before performance of safety sensitive functions.

- For an employee whose job responsibilities are *not* safety-sensitive and are not law enforcement, and whose job performance is affected and impairment is suspected, the first step the Department Head or designee should take is to have the employee removed from the job. If this occurs during regular weekday hours, the Department Head/designee should contact Human Resources for further guidance.

County of Gloucester  
Human Resources Manual

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If this occurs (impairment and job performance is affected) on an evening, night or weekend shift, the Department Head/designee should contact Ambassador Medical Services at (856) 810-0242 unless health and safety is a concern in which case the Department Head/designee should call 911. The Employee Assistance Program (EAP) is available to assist management in handling such situations, 24 hours a day, seven days a week (refer to HR 5.10 for the name and phone number of the County's EAP provider).

The Department Head/designee should document the occurrence including notes on employee's behavior, appearance, and speech as well as any other factors that lead to the suspicion of impairment (see HR 7.6 Exhibit M titled Reasonable Suspicion Checklist). The Department Head should contact Human Resources the next weekday day shift immediately following the occurrence for further direction.

*Post-Accident Testing*

Testing of drivers and those defined as performing safety sensitive functions, is mandatory as required by DOT regulations following an accident as defined in 49 CFR 382.303 and 49 CFR 655.44.

FMCSA requires post accident alcohol testing as soon as practicable. Tests performed after 2 hours are required to have documentation in the file detailing the reasons the test was delayed. After a delay of eight hours or more, no more attempts will be made and written documentation is required.

FMCSA requires post accident drug testing as soon as possible, but within 32 hours following the accident. After 32 hours, no testing will be made and the file will be provided with written documentation regarding the reason.

FMCSA requires drivers subject to post accident testing to remain available for such testing. Failure to do so may be construed as a refusal to submit to testing. This does not include leaving the scene to receive emergency medical care.

The results of a blood, urine, or breath test for the use of prohibited drugs or alcohol misuse, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements provided that the test results are obtained by the employer. Such test results may be used only when the employer is unable to perform a post-accident test within the required period.

**County of Gloucester  
Human Resources Manual**

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Employees and supervisors should follow the following steps in a post accident situation:

- Treat injuries first;
- Cooperate with local law enforcement officers;
- Explain to employees the need for testing;
- Conduct tests promptly; and
- Collect accident documentation promptly.

*Random Testing*

Random testing will be conducted for all employees performing a safety-sensitive function at a frequency established by law, the controlling collective bargaining agreement, or County HR policy. Random tests will be spread reasonably throughout the year. There will be no pattern to when random tests will be conducted. Random tests will be unannounced and all employees performing a safety-sensitive function will have an equal chance of being selected for testing from the random pool. Employees shall remain in the pool even after being selected and tested. An employee may therefore be selected for a random test more than once during the year. Employees will be selected anonymously using an identification number having no correlation to actual employee names. The employee must report immediately to the collection site after receiving notification of his/her selection from the random pool.

If the result of a random urinalysis test is positive, the employee will be immediately removed from his or her job. The same applies to a confirmed positive breath test where the employee's BAC is not a level that would warrant immediate discharge without recourse to rehabilitation. The employee may then apply for reinstatement, subject to the Return-to-Duty conditions (described below).

*Return-to-Duty Testing*

An employee with a verified positive drug test result, an alcohol test result of 0.04 or greater, a refusal to submit to a test or any other activity violating this policy or state or federal law (including DOT regulations) may not return to work until the employee is evaluated by a substance abuse professional and passes a return-to-duty test. The employee must successfully complete the return-to-duty requirements as determined by Part 40. To pass the return-to-duty test, the result must be a verified negative drug test or an alcohol test result of less than 0.02. The substance abuse professional will determine whether the employee needs to participate in a rehabilitation program and whether the employee has followed the recommendations for corrective action.

A return-to-duty test will be performed only after the substance abuse professional has determined that the employee has followed the corrective action recommendations and complied with the recommended treatment and education. The employee must then have a return-to-duty test and the test result must be negative prior to returning to duty.

This policy is not to be interpreted to mean that the return of an employee to duty after compliance with these provisions is mandatory and/or immediate and any return to duty is subject to any disciplinary action taken against an employee.

*Follow-Up Testing*

In accordance with DOT requirements, employees permitted to return to duty are subject to unannounced follow-up testing for at least 12 months and not more than 60 months. The County will determine the frequency and duration of the follow-up testing in consultation with the substance abuse professional. A minimum of 6 follow-up tests during the first 12 months after the employee has returned to duty will be performed. This follow-up testing is separate from and in addition to the regular random testing program. Accordingly, employees subject to follow-up testing will remain in the standard random pool and will be tested whenever their names come up for random testing, even if it means being tested twice in the same day, week, or month. All testing will meet the requirements detailed in 49 CFR 40, Subpart O, for employees subject to that regulation.

If an employee is subject to follow-up drug tests, the employee may be required to take one or more follow-up alcohol tests and pass with a result of less than 0.04. As previously noted, an employee with an alcohol concentration of 0.02 or greater but less than 0.04 is prohibited from performing or continuing to perform safety-sensitive functions, until the employee's alcohol concentration measures less than 0.02; or the start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

If the employee is subject to alcohol tests, the employee may be required to take one or more follow-up drug tests with a verified negative result.

The County is responsible for ensuring that the employee is tested according to the SAP's follow-up plan. These tests can be for drugs or alcohol or both. Any positive test result for an employee who is subject to follow-up testing (including the positive result of a safety-sensitive job transfer, random, reasonable suspicion, post-accident, or other test) will be grounds for immediate discharge.

**Retesting at the Employee's Request:**

DOT regulations provide for a "split sample" procedure which requires a portion of each urine specimen to be retained in a separate, sealed container. The employee whose urine test is positive may request that the split sample be tested at a separate laboratory meeting the required Federal certification. Federal regulations require the request to be made within seventy-two (72) hours.

**County of Gloucester  
Human Resources Manual**

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All costs associated with the re-testing or split sample testing must be prepaid by the employee, including shipping and handling, transportation, testing and reporting to the MRO. If the result of the retest or split sample is negative, these costs will be reimbursed to the employee.

**Notification of Convictions:**

Pursuant to the requirements of the Drug-Free Workplace Act of 1988 employees must promptly notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

**Consequences for Engaging in Drug and Alcohol Related Conduct:**

An employee who tests positive for drugs, refuses to submit to a test, or violates any provisions of this policy must immediately be removed from performing a safety-sensitive position. An employee who tests positive for drugs or refuses to submit to a drug test may not perform a safety-sensitive function until the employee has been evaluated by the substance abuse professional, completed all recommended treatment, and been subject to return-to-duty drug test with a verified negative result, as mandated by 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs. The County retains the right to terminate an employee who tests positive for drugs or refuses to submit to a drug test.

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The County will review the results of a retest in consultation with laboratory staff and the MRO. If the results of the test are negative, the County reserves the right to require the employee to provide a new urine sample for testing. If the County declines to require a new test, or if the results of this new test are negative, the employee will be reinstated with no loss of seniority and paid back for wages lost.

For DOT subject employees:

- Reports of dilute specimens; dilute positives will be treated as verified positives.
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- Drug tests that are reported as invalid require that the employee immediately provide a new specimen under direct observation.
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Federal regulations require that a single contact person be identified to answer questions about this policy. For the purposes of this policy, the contact person will be:

**Joann Schneider**  
**County of Gloucester, P.O. Box 337, Woodbury, NJ 08096**  
**856-853-3264**

Copies of relevant regulations are also available at this address.

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The Human Resource Manual will provide information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and or referral to management. Please refer to HR 5.10 titled Employee Assistance Program as well as HR 7.6 Exhibit B titled Commonly Abused Drugs (Source: National Institute on Drug Abuse; National Institutes of Health; U.S. Department of Health and Human Services).

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For, but not limited to, employees performing a safety-sensitive function, the County will provide educational materials explaining the requirements of the Federal Drug and Alcohol Testing Regulations and its policies and procedures. Employees performing a safety-sensitive function will also be provided with training on the effects and indicators of alcohol and drug use in accordance with federal regulations. Employees will be required to sign a form indicating that they have received a copy of the policies and procedures; the form will be filed in employee personnel files.

County of Gloucester  
Human Resources Manual

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**Shared Responsibility:**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

**Certificate of Receipt:**

Subject employees will be required to sign a statement certifying that he or she has received a copy of these materials described in this section. The County shall maintain the original of the signed certificate.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 9/7/11</b>
<b>SECTION:</b>	<b>6 - DRUGS AND ALCOHOL</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – REASONABLE SUSPICION CHECKLIST**

*This form is to be used to substantiate and document the objective facts and circumstances leading to a reasonable suspicion determination. The supervisor or designee as well as a witness should complete the checklist below.*

**A    Incident / Cause for Suspicion**

- Apparent drug or alcohol intoxication
- Abnormal or erratic behavior
- Observed/reported possession dispensation or use of prohibited substance
- Arrest or conviction for drug related offense(s)

**B    Body Behavior**

- Nausea or vomiting
- Extreme fatigue / sleeping on job
- Dizziness or fainting
- Highly excited or nervous
- Odor of alcohol

**C    Body Appearance**

- Either very flushed or very pale
- Excessive sweating or skin clamminess
- Dry mouth, frequent swallowing, wetting lips frequently

**D    Speech**

- Slurred or incoherent speech
- Repetitious, rambles

**E    Body Movements**

- Unsteady walk, poor coordination
- Shaking hands/body tremors, twitches
- Breathing irregularly - or with difficulty
- Loss of physical control

**F    Eye**

- Bloodshot or watery
- Dilated or constricted pupils

**G    Behavioral Indicators Noted**

- Verbal abusiveness
- Physical abusiveness
- Extreme aggressiveness or unresponsiveness
- Inappropriate response to questioning or instructions

Erratic/inappropriate behavior: hallucinations, disorientation, confusion, talkativeness, euphoric (circle all that apply)

**Other:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

**Signature: Department Head/Designee/ Date**

**Signature: Witness/Date**

# Commonly Abused Drugs

Visit NIDA at [www.drugabuse.gov](http://www.drugabuse.gov)

Substances: Category and Name	Examples of Commercial and Street Names	DEA Schedule/ How Administered**	Acute Effects/Health Risks
<b>Tobacco</b>	Found in cigarettes, cigars, bidis, and smokeless tobacco (snuff, spit tobacco, chew)	Not scheduled/smoked, snorted, chewed	<i>Increased blood pressure and heart rate/chronic lung disease; cardiovascular disease; stroke; cancers of the mouth, pharynx, larynx, esophagus, stomach, pancreas, cervix, kidney, bladder; and acute myeloid leukemia; adverse pregnancy outcomes; addiction</i>
<b>Nicotine</b>	Found in liquor, beer, and wine	Not scheduled/swallowed	<i>In low doses: euphoria, mild stimulation, relaxation, lowered inhibitions. In higher doses: drowsiness, slurred speech, nausea, emotional volatility, loss of coordination, visual distortions, impaired memory, sexual dysfunction, loss of consciousness/increased risk of injuries, violence, fetal damage (in pregnant women); depression; neurologic deficits; hypertension, liver and heart disease; addiction; fatal overdose</i>
<b>Alcohol (ethyl alcohol)</b>			<i>Euphoria, relaxation, slowed reaction time; distorted sensory perception; impaired balance and coordination; increased heart rate and appetite; impaired learning, memory; anxiety; panic attacks; psychosis/cough; frequent respiratory infections, possible mental health decline; addiction</i>
<b>Cannabinoids</b>			<i>Euphoria; drowsiness; impaired coordination; dizziness; confusion; nausea; sedation; feeling of heaviness in the body; slowed or arrested breathing/constipation; endocarditis; hepatitis; HIV; addiction; fatal overdose</i>
<b>Marijuana</b>	Blunt, dope, ganja, grass, herb, joint, bud, Mary Jane, pot, reefer, green, trees, smoke, sinsemilla, skunk, weed	I/smoked, swallowed	
<b>Hashish</b>	Boom, gangster, hash, hash oil, hemp	I/smoked, swallowed	
<b>Opioids</b>			<i>Euphoria; drowsiness; impaired coordination; dizziness; confusion; nausea; sedation; feeling of heaviness in the body; slowed or arrested breathing/constipation; endocarditis; hepatitis; HIV; addiction; fatal overdose</i>
<b>Heroin</b>	<i>Diacetyl/morphine: smack, horse, brown sugar, dope, H, junk, skag, skunk, white horse, China white; cheese (with OTC cold medicine and antihistamine)</i>	I/injected, smoked, snorted	
<b>Opium</b>	<i>Laudanum, paregoric: big O, black stuff, block, gum, hop</i>	II, III, IV/swallowed, smoked	
<b>Stimulants</b>			<i>Increased heart rate, blood pressure, body temperature, metabolism; feelings of exhilaration; increased energy, mental alertness; tremors; reduced appetite; irritability; anxiety; panic; paranoid; violent behavior; psychosis/weight loss; insomnia; cardiac or cardiovascular complications; stroke; seizures; addiction</i>
<b>Cocaine</b>	<i>Cocaine hydrochloride: blow, bump, C, candy, Charlie, coke, crack, flake, rock, snow, boot</i>	II/snorted, smoked, injected	
<b>Amphetamine</b>	<i>Biphetamine, Dexedrine; bennies, black beauties, crosses, hearts, LA turnaround, speed, truck drivers, uppers</i>	II/swallowed, snorted, smoked, injected	
<b>Methamphetamine</b>	<i>Desoxyn: meth, ice, crank, chalk, crystal, fire, glass, go fast, speed</i>	II/swallowed, snorted, smoked, injected	
<b>Club Drugs</b>			<i>MDMA—mild hallucinogenic effects; increased tactile sensitivity, empathic feelings; lowered inhibition; anxiety; chills; sweating; teeth clenching; muscle cramping/ sleep disturbances; depression; impaired memory; hyperthermia; addiction</i>
<b>MDMA (methyleneidioxymethamphetamine)</b>	<i>Ecstasy, Adam, clarity, Eve, lover's speed, peace, uppers</i>	I/swallowed, snorted, injected	
<b>Flunitrazepam***</b>		IV/swallowed, snorted	<i>Flunitrazepam—sedation; muscle relaxation; confusion; memory loss; dizziness; impaired coordination; addiction</i>
<b>GHB***</b>			<i>GHB—drowsiness; nausea; headache; disorientation; loss of coordination; memory loss; unconsciousness; seizures; coma</i>
<b>Dissociative Drugs</b>			<i>Feelings of being separate from one's body and environment; impaired motor function/anxiety; tremors; numbness; memory loss; nausea</i>
<b>Ketamine</b>	<i>Ketalar, Sly; cat Valium, K, Special K, vitamin K</i>	III/injected, snorted, smoked	<i>Also, for ketamine—analgesia; impaired memory; delirium; respiratory depression and arrest; death</i>
<b>PCP and analogs</b>	<i>Phencyclidine: angel dust, boat, hog, love boat, peace pill</i>	I, II/swallowed, smoked, injected	<i>Also, for PCP and analogs—analgesia; psychosis; aggression; violence; slurred speech; loss of coordination; hallucinations</i>
<b>Salvia divinorum</b>	<i>Salvia, Shepherdess's Herb, Maria Pastora, magic mint, Sally-D</i>	Not scheduled/chewed, swallowed, smoked	<i>Also, for PCP and analogs—analgesia; psychosis; aggression; violence; slurred speech; loss of coordination; hallucinations</i>
<b>Dextromethorphan (DXM)</b>	<i>Found in some cough and cold medications: RoboTripping, Robo, Triple C</i>	Not scheduled/swallowed	<i>Also, for DXM—euphoria; slurred speech; confusion; dizziness; distorted visual perceptions</i>
<b>Hallucinogens</b>			<i>Altered states of perception and feeling; hallucinations; nausea</i>
<b>LSD</b>	<i>Lysergic acid diethylamide: acid, blotter, cubes, microdot, yellow sunshine, blue heaven</i>	I/swallowed, absorbed through mouth tissues	<i>Also, for LSD and mescaline—increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness; dizziness; weakness; tremors; impulsive behavior; rapid shifts in emotion</i>
<b>Mescaline</b>	<i>Buttons, cactus, mescal, peyote</i>	I/swallowed, smoked	<i>Also, for LSD—flashbacks. Hallucinogen Persisting Perception Disorder</i>
<b>Psilocybin</b>	<i>Magic mushrooms, purple passion, shrooms, little smoke</i>	I/swallowed	<i>Also, for psilocybin—nervousness; paranoia; panic</i>
<b>Other Compounds</b>			<i>Steroids—no intoxication effects/hypertension; bleeding clotting and cholesterol changes; liver cysts; hostility and aggression; acne; in adolescents—premature stoppage of growth; in males—prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females—menstrual irregularities, development of beard and other masculine characteristics</i>
<b>Anabolic steroids</b>	<i>Anadrol, Oxandrin, Durabolin, Dapo-Testosterone, Equipoise: roids, juice, gym candy, pumpers</i>	III/injected, swallowed, applied to skin	<i>Inhalants (varies by chemical)—stimulation; loss of inhibition: headache; nausea or vomiting; slurred speech; loss of motor coordination; wheezing/cramps; muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; unconsciousness; sudden death</i>
<b>Inhalants</b>			

Substances: Category and Name	Examples of Commercial and Street Names	DEA Schedule* / How Administered**	Acute Effects/Health Risks
<b>Prescription Medications</b>			
CNS Depressants			
Stimulants			
Opioid Pain Relievers			

For more information on prescription medications, please visit <http://www.nida.nih.gov/DuoPages/PrescripDrugsChart.html>.

\* Schedule I and II drugs have a high potential for abuse. They require greater storage security and have a quota on manufacturing, among other restrictions. Schedule I drugs are available for research only and have no approved medical use; Schedule II drugs are available only by prescription (unrefillable) and require a form for ordering. Schedule III and IV drugs are available by prescription, may have five refills in 6 months, and may be ordered orally. Some Schedule V drugs are available over the counter.

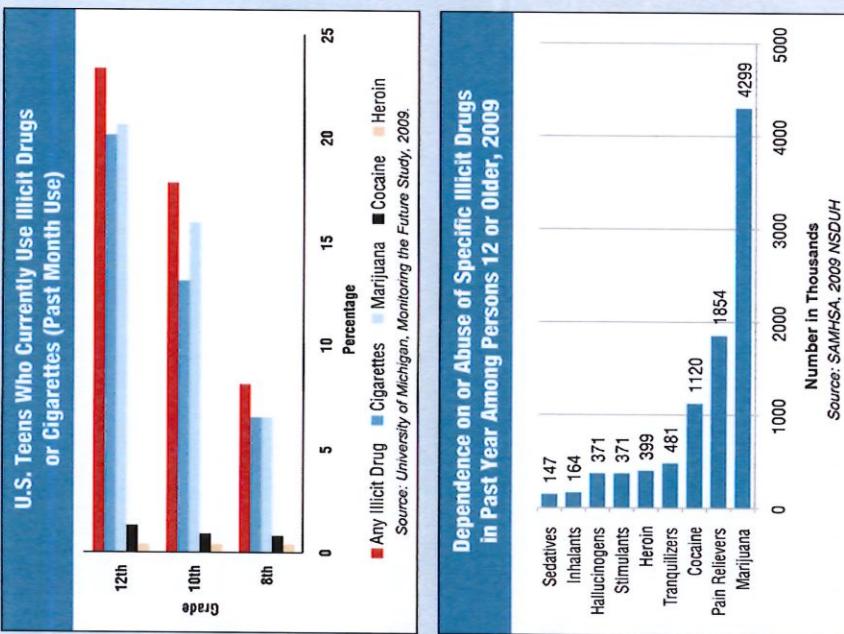
\*\* Some of the health risks are directly related to the route of drug administration. For example, injection drug use can increase the risk of infection through needle contamination with *staphylococci*, *HIV*, *hepatitis*, and other organisms.

\*\*\* Associated with sexual assaults.

## Principles of Drug Addiction Treatment

More than three decades of scientific research show that treatment can help drug-addicted individuals stop drug use, avoid relapse and successfully recover their lives. Based on this research, 13 fundamental principles that characterize effective drug abuse treatment have been developed. These principles are detailed in *NIDA's Principles of Drug Addiction Treatment: A Research-Based Guide*. The guide also describes different types of science-based treatments and provides answers to commonly asked questions.

1. Addiction is a complex but treatable disease that affects brain function and behavior. Drugs alter the brain's structure and how it functions, resulting in changes that persist long after drug use has ceased. This may help explain why abusers are at risk for relapse even after long periods of abstinence.
2. No single treatment is appropriate for everyone. Matching treatment settings, interventions, and services to an individual's particular problems and needs is critical to his or her ultimate success.
3. Treatment needs to be readily available. Because drug-addicted individuals may be uncertain about entering treatment, taking advantage of available services the moment people are ready for treatment is critical. Potential patients can be lost if treatment is not immediately available or readily accessible.
4. Effective treatment attends to multiple needs of the individual, not just his or her drug abuse. To be effective, treatment must address the individual's drug abuse and any associated medical, psychological, social, vocational, and legal problems.
5. Remaining in treatment for an adequate period of time is critical. The appropriate duration for an individual depends on the type and degree of his or her problems and needs. Research indicates that most addicted individuals need at least 3 months in treatment to significantly reduce or stop their drug use and that the best outcomes occur with longer durations of treatment.
6. Counseling—individual and/or group—and other behavioral therapies are the most commonly used forms of drug abuse treatment. Behavioral therapies vary in their focus and may involve addressing a patient's motivations to change, building skills to resist drug use, replacing drug-using activities with constructive and rewarding activities, improving problem-solving skills, and facilitating better interpersonal relationships.
7. Medications are an important element of treatment for many patients, especially when combined with counseling and other behavioral therapies. For example, methadone and buprenorphine are effective in helping individuals addicted to heroin or other opioids stabilize their lives and reduce their illicit drug use. Also, for persons addicted to nicotine, a nicotine replacement product (nicotine patches or gum) or an oral medication (bupropion or varenicline), can be an effective component of treatment when part of a comprehensive behavioral treatment program.
8. An individual's treatment and services plan must be assessed continually and modified as necessary to ensure it meets his or her changing needs. A patient may require varying combinations of services and treatment components during the course of treatment and recovery. In addition to counseling or psychotherapy, a patient may



RESEARCH DISSEMINATION CENTER

Order NIDA publications from DrugPubs:  
**1-877-643-2644 or 1-240-645-0228 (TTY/TDD)**

This chart may be reprinted. Citation of the source is appreciated.

<b>CHAPTER:</b> <b>SECTION:</b>	<b>7 – CONDUCT AND PERFORMANCE</b> <b>7 – PROHIBITION OF</b> <b>DISCRIMINATION, HARASSMENT</b> <b>OR HOSTILE ENVIRONMENTS IN</b> <b>THE WORKPLACE</b>	<b>ADOPTED: 3/7/06</b> <b>REVISED: 5/22/24</b>
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## **I. POLICY**

### **a. Protected Categories**

The County of Gloucester is committed to providing every County employee and prospective County employee with a work environment free from prohibited discrimination or harassment. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

To achieve the goal of maintaining a work environment free from discrimination and harassment, the County of Gloucester strictly prohibits the conduct that is described in this policy. This is a zero tolerance policy. This means that the state and its agencies reserve the right to take either disciplinary action, if appropriate, or other corrective action, to address any unacceptable conduct that violates this policy, regardless of whether the conduct satisfies the legal definition of discrimination or harassment.

### **b. Applicability**

Prohibited discrimination/harassment undermines the integrity of the employment relationship, compromises equal employment opportunity, debilitates morale and interferes with work productivity. Thus, this policy applies to all employees and applicants for employment with the County. The County of Gloucester will not tolerate harassment or discrimination by anyone in the workplace including supervisors, co-workers, or persons doing business with the County. This policy also applies to both conduct that occurs in the workplace and conduct that occurs at any location which can be reasonably regarded as an extension of the workplace (any field location, any off-site business-related social function, or any facility where County business is being conducted and discussed).

This policy also applies to third party harassment. Third party harassment is unwelcome behavior involving any of the protected categories referred to in (a) above that is not directed at an individual but exists in the workplace and interferes with an individual's ability to do his or her job. Third party harassment based upon any of the aforementioned protected categories is prohibited by this policy.

## **II. PROHIBITED CONDUCT**

### **a. Defined**

It is a violation of this policy to engage in any employment practice or procedure that treats an individual less favorably based upon any of the protected categories referred to in I(a) above. This policy pertains to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, demotion, discipline, compensation, fringe benefits, working conditions and career development.

It is also a violation of this policy to use derogatory or demeaning references regarding a person's race, gender, age, religion, disability, affectional or sexual orientation, ethnic background, or any other protected category set forth in I(a) above. A violation of this policy 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 a violation of this policy include, but are not limited to:

- Discriminating against an individual with regard to terms and conditions of employment because of being in one or more of the protected categories referred to in I(a) above;
- Treating an individual differently because of the individual's race, color, national origin or other protected category, or because an individual has the physical, cultural or linguistic characteristics of a racial, religious, or other protected category;
- Treating an individual differently because of marriage to, civil union to, domestic partnership with, or association with persons of a racial, religious or other protected category; or due to the individual's membership in or association with an organization identified with the interests of a certain racial, religious or other protected category; or because an individual's name, domestic partner's name, or spouse's name is associated with a certain racial, religious or other protected category;

- Calling an individual by an unwanted nickname that refers to one or more of the above protected categories, or telling jokes pertaining to one or more protected categories;
- Using derogatory references with regard to any of the protected categories in any communication;
- Engaging in threatening, intimidating, or hostile acts toward another individual in the workplace because that individual belongs to, or is associated with, any of the protected categories;
- Displaying or distributing material (including electronic communications) in the workplace that contains derogatory or demeaning language or images pertaining to any of the protected categories.

b. Sexual Harassment

It is a violation of this policy to engage in sexual (or gender-based) harassment of any kind, including hostile work environment harassment, quid pro quo harassment, or same-sex harassment. For the purposes of this policy, sexual harassment 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;
- 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.

Examples of prohibited behaviors that may constitute sexual harassment and are therefore a violation of this policy 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;

County of Gloucester  
Human Resources Manual

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- Verbal, written or electronic sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mail, text messages, 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; or displaying sexually suggestive material on a bulletin board, on a locker room wall, or on a screen saver;
- 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 evaluation 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.

### **III. EMPLOYEE RESPONSIBILITIES**

Any employee who believes that she or he has been subjected to any form of prohibited discrimination/harassment, or who witnesses others being subjected to such discrimination/harassment is encouraged to promptly report the incident(s) to a supervisor or directly to the County agency's Equal Employment Opportunity Officer or to any other persons designated to receive workplace discrimination complaints.

All employees are expected to cooperate with investigations undertaken pursuant to V below. Failure to cooperate in an investigation may result in administrative and/or disciplinary action, up to and including termination of employment.

### **IV. SUPERVISOR RESPONSIBILITIES**

Supervisors shall make every effort to maintain a work environment that is free from any form of prohibited discrimination/harassment. Supervisors shall immediately refer allegations of prohibited discrimination/harassment to the County agency's Equal Employment Opportunity/Affirmative Action Officer, or any other individual designated to receive complaints of workplace discrimination/harassment. A supervisor's failure to comply with these requirements may result in administrative and/or disciplinary action, up to and including termination of employment. For purposes of this section and Model of EEO Procedures for Processing Internal Complaints Alleging Discrimination in the Workplace (State of New Jersey), a supervisor is defined broadly to include any manager

or other individual who has authority to control the work environment of any other staff member (for example, a project leader).

#### **V. COMPLAINT PROCESS**

The County shall follow the Gloucester County Internal EEO Complaint Procedure with regard to reporting, investigating, and where appropriate, remediating claims of discrimination/harassment (see HR 7.7. Exhibit A).

All investigations of discrimination/harassment claims shall be conducted in a way that respects, to the extent possible, the privacy of all the persons involved. The investigations shall be conducted in a prompt, thorough and impartial manner. The results of the investigation shall be forwarded to the County Administrator to make a final decision as to whether a violation of the policy has been substantiated.

Where a violation of this policy is found to have occurred, the County shall take prompt and appropriate remedial action to stop the behavior and deter its reoccurrence. The County shall also have the authority to take prompt and appropriate remedial action, such as moving two employees apart, before a final determination has been made regarding whether a violation of this policy has occurred.

The remedial action taken may include counseling, training, intervention, mediation, and/or the initiation of disciplinary action up to and including termination of employment.

The County maintain a written record of the discrimination/harassment complaints received. Written records shall be maintained as confidential records to the extent practicable and appropriate.

#### **VI. PROHIBITION AGAINST RETALIATION**

Retaliation against any employee who alleges that she or he was the victim of discrimination/harassment, provides information in the course of an investigation into claims of discrimination/harassment in the workplace, or opposes a discriminatory practice, is prohibited by this policy. No employee bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy shall be subjected to adverse employment consequences based upon such involvement or be the subject of other retaliation.

Following are examples of prohibited actions taken against an employee because the employee has engaged in activity protected by this subsection:

County of Gloucester  
Human Resources Manual

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- Termination of an employee;
- Failing to promote an employee;
- Altering an employee's work assignment for reasons other than legitimate business reasons;
- Imposing or threatening to impose disciplinary action on an employee for reasons other than legitimate business reasons;
- Ostracizing an employee (for example, excluding an employee from an activity or privilege offered or provided to all other employees).

## **VII. FALSE ACCUSATIONS AND INFORMATION**

An employee who knowingly makes a false accusation of prohibited discrimination/harassment or knowingly provides false information in the course of an investigation of a complaint, may be subjected to administrative and/or disciplinary action, up to and including termination of employment. Complaints made in good faith, however, even if found to be unsubstantiated, shall not be considered a false accusation.

## **VIII. 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 circumstances, confidentiality shall be maintained throughout the investigatory process. In the course of an investigation, it may be necessary to discuss the claims with the person(s) against whom the complaint was filed and other persons who may have relevant knowledge or who have a legitimate need to know about the matter. All persons interviewed, including witnesses, shall 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 this confidentiality directive may result in administrative and/or disciplinary action, up to and including termination of employment.

## **IX. ADMINISTRATIVE AND/OR DISCIPLINARY ACTION**

Any employee found to have violated any portion or portions of this policy may be subject to appropriate administrative and/or disciplinary action which may include, but which shall not be limited to: referral for training, referral for counseling, written or verbal reprimand, suspension, reassignment, demotion or termination of employment. Referral to another appropriate authority for review for possible violation of State and Federal statutes may also be appropriate.

**XI. TRAINING**

The County shall provide all new employees with training on the policy and procedures set forth in this section along with the U.S. Equal Employment Opportunity Commission and the New Jersey Department on Civil Rights within a reasonable period of time after each new employee's appointment date. Refresher training shall be provided to all employees, including supervisors, within a reasonable period of time. The County shall also provide supervisors with training on a regular basis regarding their obligations and duties under the policy and regarding procedures set forth in this section.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b> <b>SECTION:</b>	<b>7 – CONDUCT AND PERFORMANCE</b> <b>7 – PROHIBITION OF</b> <b>DISCRIMINATION, HARASSMENT OR</b> <b>HOSTILE ENVIRONMENTS IN THE</b> <b>WORKPLACE</b>	<b>ADOPTED: 11/4/09</b> <b>REVISED: 5/22/24</b>
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**EXHIBIT A**

**COUNTY OF GLOUCESTER**

**MODEL OF PROCEDURES FOR PROCESSING INTERNAL COMPLAINTS ALLEGING  
DISCRIMINATION IN THE WORKPLACE**



1. All employees and applicants for employment have the right and are encouraged to immediately report suspected violations of the County policy prohibiting discrimination in the workplace.
2. Every effort should be made to report complaints promptly. Delays in reporting may not only hinder a proper investigation, but may also unnecessarily subject the victim to continued prohibited conduct.
3. Supervisory employees shall immediately report all alleged violations of the County policy prohibiting discrimination in the workplace (Human Resources Manual: Chapter 7, Section 7) to the EEO Officer. Such a report shall include both alleged violations reported to the supervisor, and those alleged violations directly observed by the supervisor.
4. In order to facilitate a prompt, thorough and impartial investigation, all complainants are encouraged to submit a County of Gloucester Equal Employment Opportunity Internal Complaint Processing Form. An investigation may be conducted whether or not the form is completed.
5. During the initial intake of a complaint, the EEO Officer or authorized designee will obtain information regarding the complaint, and make recommendations to the County Administrator if interim corrective measures are necessary to prevent continued violations of the County's policy prohibiting discrimination in the workplace.
6. At the EEO Officer's discretion, a prompt, thorough, and impartial investigation into the alleged harassment or discrimination will be conducted by a third party designated as the EEO Investigator.

County of Gloucester  
Human Resources Manual

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7. An investigative report will be prepared by the EEO Investigator in collaboration with the EEO Officer or his or her designee when the investigation is completed. The report will include, at a minimum:
  - a. A summary of the complaint;
  - b. A summary of the parties' position; and
  - c. A summary of the facts developed through the investigation and an analysis of the allegations and facts.
8. The investigative report will be submitted to the County Administrator who will review the investigative report and make a determination as to whether the allegation of a violation of the County's policy prohibiting discrimination in the workplace has been substantiated. If a violation has occurred, the County Administrator or authorized designee will determine the appropriate corrective measures necessary to immediately remedy the violation.
9. The County Administrator or authorized designee will issue a final letter of determination to both the complainant(s) and the person(s) against whom the complaint was filed, setting forth the results of the investigation. To the extent possible, the privacy of all parties involved in the process shall be maintained in the final letter of determination.
10. Any employee or applicant for employment can file a complaint directly with external agencies that investigate discrimination/harassment charges in addition to utilizing this internal procedure. The time frames for filing complaints with external agencies indicated below are provided for informational purposes only. An individual should contact the specific agency to obtain exact time frames for filing a complaint. The deadlines run from the date of the last incident of alleged discrimination/harassment, not from the date that the final letter of determination is issued by the Administrator or designee.

**Employees may file complaints with the following external agencies:**

**New Jersey Department of Law & Public Safety**

**Division on Civil Rights (DCR)**

**(Within 180 days of the discriminatory act)**

Camden Regional Office  
One Port Center, 4th Floor  
2 Riverside Drive, Suite 402  
Camden, NJ 08103  
(856) 614-2550

Trenton Regional Office  
140 East Front Street  
6th Floor, P.O. Box 090  
Trenton NJ 08625-0090  
(609) 292-4605

Atlantic City Office  
26 Pennsylvania Avenue  
3rd floor  
Atlantic City, NJ 08401  
(609) 441-3100

**United States Equal Employment Opportunity Commission (EEOC)**  
**(Within 300 days of the discriminatory act)**

Philadelphia District Office  
801 Market Street, Suite 1300  
Philadelphia, PA 19107-3127  
(215) 440-2600

County of Gloucester  
Human Resources Manual

CHAPTER 7: SECTION 7:	CONDUCT AND PERFORMANCE PROHIBITION OF DISCRIMINATION, HARASSMENT OR HOSTILE ENVIRONMENTS IN THE WORKPLACE	ADOPTED: 11/4/2009 REVISED: 5/22/2024
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**Discrimination Complaint Processing Form - Exhibit A**

<p><b>INSTRUCTIONS:</b> This complaint form should be filed with the County's Equal Employment Opportunity Officer. For detailed information on the complaint process, see the "County of Gloucester Model Procedures for Processing Internal Complaints Alleging Discrimination in the Workplace" on Page 2 and 3 of HR 7.7 Exhibit A.</p>						
1. Name:	2. Telephone (Work):					
3. Department/Job Title:	4. Telephone (Home/Mobile):					
5. Home Address:	6a. Full name, title, and telephone number of person(s) you believe discriminated against you:					
6b. Date(s) of discriminatory action(s):						
6c. Complainant's Status (Check applicable box):	<input type="checkbox"/> Employee	<input type="checkbox"/> Job Applicant	<input type="checkbox"/> Vendor/Contractor	<input type="checkbox"/> Other (Please specify) _____		
7. Basis of Discrimination:	<input type="checkbox"/> Domestic Partnership Status <input type="checkbox"/> Familial Status <input type="checkbox"/> Gender Identity or Expression <input type="checkbox"/> Genetic Information <small>(including refusal to submit to or provide results of a genetic test)</small> <input type="checkbox"/> Liability for Military Service <input type="checkbox"/> Marital/Civil Union Status <input type="checkbox"/> Nationality				<input type="checkbox"/> National Origin <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sex/Gender (including pregnancy) <input type="checkbox"/> Sexual Harassment <input type="checkbox"/> Retaliation <small>(for having filed a discrimination complaint, investigation, or for opposing a discriminatory practice)</small>	
8a. Explain why you feel you have been discriminated against:	<input type="checkbox"/> CHECK IF ADDITIONAL SHEETS ARE ATTACHED					
8b. Were the actions or behavior you are complaining about directed at, or said to, you _____ and/or another party _____ (third party harassment)?						
8c. Was the incident reported to anyone? YES _____ NO _____ If yes, who and when? _____						
8d. What remedy or resolution are you seeking? _____						
8e. If appropriate, as determined by the EEO Officer, are you willing to attempt to resolve your complaint through mediation or another alternative dispute resolution (ADR) process?	<input type="checkbox"/> YES	<input type="checkbox"/> NO				
8f. Complainant's Signature:	Date: _____					
9. Have you filed a discrimination complaint with the	<input type="checkbox"/> YES <input type="checkbox"/> NO		10. Have you filed a grievance on the issues / personnel actions described?			
<ul style="list-style-type: none"> <li>• N.J. Division on Civil Rights?</li> <li>• U.S. Equal Employment Opportunity Commission?</li> </ul>	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO			
11. Completion of this part is voluntary. The information is to be used only for State and Federal record keeping and reporting requirements:						
SEX:	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Other			
RACE:	<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian	<input type="checkbox"/> Black or African American	<input type="checkbox"/> Native Hawaiian or Pacific Islander	<input type="checkbox"/> White	
ETHNICITY:	<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> Not Hispanic or Latino	<input type="checkbox"/> Two or More Races			
<p><b>Note:</b> In addition to filing an internal complaint, a Complainant has a right to use external complaint filing procedures available under state law (with the NJ Division of Civil Rights) and federal law (with the US Equal Employment Opportunity Commission). Detailed information is contained in the Model Procedures beginning on Page 2 of this form.</p>						
<b>DO NOT WRITE BELOW THIS LINE</b>						
EEO/AA Officer Signature:			Date Received:			

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>8 – APPEARANCE</b>	<b>REVISED: 5/22/24</b>

All employees, including seasonal and temporary employees, are expected to dress appropriately for the position and consistent with safety standards. Appropriate standards should be set by each Department Head considering such factors as:

- (1) Nature of work.
- (2) Safety, including necessary precautions when working with or near machinery.
- (3) Nature of employee contact with the public and the normal expectations of outside parties toward employees.
- (4) Practices of others in similar jobs.
- (5) Consideration of the image the County wishes to project.

Employees may be subject to disciplinary action if they fail to conform to established appearance standards or sent home without pay. In turn, employees may choose to appeal a Department Head's judgment on matters of appropriate attire. No disciplinary action may take place until any dispute regarding acceptable standards has been resolved.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>9 – TELEPHONE USE, VISITORS AND MAIL</b>	<b>REVISED: 5/22/24</b>

### **Telephone Use**

Telephones are for the use of employees in conducting official county business. Calls shall be answered promptly and with courtesy. Employees will be instructed in proper telephone techniques including, but is not limited to, the following:

- (1) Answering telephones promptly and with courtesy.
- (2) Identifying the department and give your name.
- (3) When taking messages, getting the caller's name, telephone number including area code, and a brief message. Also indicating the date and time of the call and the initials of the person taking the message.
- (4) Employees are not authorized to accept collect telephone calls.

Management staff is not allowed to utilize his/her cell phone, including texting, during any open public Gloucester County Board County Commissioners meeting.

For all County employees, personal phone calls/texts, except for emergencies, are strongly discouraged during regular work hours. This includes personal cell phones, pagers or any other electronic medium. Cell phones should be set on vibrate mode to avoid distracting co-workers. Personal calls/texts should be confined to meal and rest periods. Toll calls and/or long distance calls for personal business should not be made on a County phone.

**Use of hand held cell phones while operating County vehicles is strictly prohibited.**

### **Visitors**

All visitors must sign in at the reception desk. Visitors should be greeted promptly and courteously. Visitors should be accompanied by an employee while visiting any County office. Employees are strongly discouraged from entertaining personal visitors during work hours. Should such visits occur, the length of the visit should be restricted to 10 minutes or during a meal or rest period.

County of Gloucester  
Human Resources Manual

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**Mail**

Employees may choose to send personal mail to the U.S. Postal Service by utilizing the mail bins located within the various County departments and facilities. The employee must ensure such mail has the proper postage prior to placement in the mail bin. Any personal mail that does not have postage will be returned to the employee. Under no circumstances will the County pay postage for personal mail.

Receiving personal mail, catalogs and any other personal business through the County mail system or through personal delivery services (i.e. UPS, Fed Ex, etc.) is strictly prohibited.

Furthermore, employees should not send cash in inter-office mail.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 – COMPUTERS, INTERNET USE, AND ELECTRONIC RESOURCES</b>	<b>REVISED: 5/22/24</b>

The purpose of an Acceptable Use Policy is not to impose restrictions that are contrary to Gloucester County's established culture of openness, trust, and integrity but rather to protect Gloucester County's employees, partners, and the government from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP are the property of Gloucester County. These systems are to be used for business purposes in serving the interests of the county, and for our residents in the course of normal operations. Effective security is a team effort involving the participation and support of Gloucester County employees and affiliates who deal with information and/or information systems. While this policy defines how county employees can and can not use county electronic resources, it can not cover every conceivable situation. Consequently, common sense and professional courtesy will still be required. It is the responsibility of every computer user to know these guidelines and to conduct their activities accordingly.

This policy provides rules and guidelines for the proper use of the Internet, Intranet, Extranet, email, fax machines, and computers. It applies to employees, contractors, consultants, temporaries, and other workers at Gloucester County, including all personnel affiliated with third parties. It also applies to all electronic resources owned or leased by Gloucester County. The intent is to prevent wasteful use of the county's electronic resources, lost time, and inappropriate behavior. It also covers the actions required of staff to enable compliance with data protection regulations, avoidance of computer fraud, security breaches, or software piracy.

The County reserves the right, to monitor, examine, copy, change, and/or delete without notice all of its systems configurations, as well as the files on those systems for such purposes as: maintaining business continuity, responding to a complaint of computer abuse, such as harassment; or protecting County resources from unauthorized misuse.

The County neither guarantees against, nor shall it be responsible for, the destruction, corruption, or disclosure of personal material on or by its computer resources. Specifically, the County reserves the right to remove, replace, or reconfigure its computer resources without formal notice to employees (despite the fact that advance notice will normally be given).

**County of Gloucester  
Human Resources Manual**

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If employees are maintaining personal files on County systems with appropriate permission, they are advised to locate such files in a root directory named “personal” to facilitate the identification and backup of those files.

**General Use and Ownership**

It is the intent of Gloucester County to provide high-quality computing facilities to its authorized users. This will allow the County Of Gloucester to: 1) maintain its access to available local, national, and international information, 2) provide an environment that encourages both the sharing of information and the acquisition of knowledge; and 3) provide our residents with rapid access to information.

Each computer owned by the County is a business tool and County property. As such, responsible employees are accountable for the condition of that tool and for abiding by the computing provisions set forth by the county.

Use of the County Network must be consistent with the goals of facilitating and disseminating knowledge; encouraging collaborative projects and resource sharing, aiding technology transfer, fostering innovation and competitiveness, and building broader infrastructure in support of each department’s goals.

The County Network (local and wide are networks including phones, fax machines, switches, routers, hubs, and other connected equipment) may be used only for lawful purposes. Transmission, distribution, or storage of any material in violation of any applicable law or regulation is prohibited. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorization.

Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Gloucester County or the end user does not have an active license is strictly prohibited.

The county retains the copyright to any material created by employees in the course of their official duties. Copyrighted materials belonging to entities other than the county may not be transmitted by an employee on the county Internet or E-mail systems except with permission or as a single copy for reference only.

All county employees utilizing electronic resources will be provided a written copy of this policy. The policy will be included by Human Resources as part of its new employee orientation process. It will also be posted on the Intranet so it is available and conspicuous to employees at all times.

Related questions should be directed first to your supervisor and then, if necessary, to the Human Resources Department. The Office of Information and Technology (IT) will be available on request to assist the Human Resources Department with technical questions.

Note: The terms Internet, Intranet (internal County Internet for employee use only), and Extranet (business-to-business Internet interface between the county and a business partner) are interchangeable. Any rule applying to one, likewise, applies to the other.

### **Data Security**

Employees are responsible for ensuring business critical electronic data/information is backed-up and available only to authorized personnel.

Data stored on Network server drives are automatically backed-up by IT on a daily basis. Lost or damaged file may be restored by contacting IT. If you store information on your personal computer, you (not IT) have assumed data back-up and recovery responsibility.

When information needs to be shared, the use of shared directories/files is encouraged. At your request, IT will apply security rules allowing only those authorized by the directory/file owner to access the information. Read/write access privileges may be changed for the directory/file owner at any time. Remember - If your file is on a public directory or on a non-public directory with security rights not properly defined, access to your data can be compromised.

IT recommends that any information that users consider sensitive or vulnerable be encrypted. For guidelines on information classification, contact IT.

Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, worms, e-mail bombs, or Trojan horse code.

All PCs, laptops and workstations must be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off when the host will be unattended.

In addition to Windows/e-mail/ network passwords, it is recommended that user names, passwords, and/or user level security rules be built into home-grown applications or be an integral component of off-the-shelf packages.

Sharing user names/logon IDs and passwords (Network, Windows, application, etc.) without supervisor permission (emergency basis only) is forbidden.

User names and passwords should not be posted or displayed for easy access by unauthorized users. System level passwords should be changed quarterly; user level passwords should be changed every six months

Individual users can be held accountable for knowledgeable use of their account by others. This includes family and other household members when work is being done at home.

### **Network Security**

Use of the Internet or electronic mail for the following purposes is strictly prohibited:

- Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
- Circumventing user authentication or security of any host, network, or account.
- Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- Engaging in activities commonly call "hacking" or "cracking". Examples: Password sniffing (includes dictionary and brute force password cracking attacks). Data manipulation or vandalizing of web pages. Eavesdropping on Network traffic. Scanning for computer/Network vulnerabilities without authorization. Network sniffing. Pinged floods. Packet spoofing. Forged routing information for malicious purposes. Intentionally launching denial-of-service attacks on any computer system.
- Snooping in other individual's email or using masquerading techniques. Example: Sending email from a mailbox other than the employee's own, in order to disguise one's identity.
- Engaging in anonymous activity to avoid being identified in Network security systems. Internet accounts shall be accessed only by the authorized owner (or his/her designee) of the account.
- Interfering with or disrupting Network users, services, or equipment.
- Examples: Introduction of malicious programs into the network or server (viruses, worms, Trojan horses, e-mail bombs, etc.). Downloading images, audio files, and/or video files unless they relate to an explicit business purpose.

- Connecting a network hardware device (workstations, printers, scanners, etc.) to the Network without the approval of IT. IT is responsible for monitoring, tracking, maintaining, and troubleshooting all network devices.
- Allowing a modem/router to be connected to or installed on a network computer. Modem use must be approved by IT and will be installed only on computers which have no physical connection to the Network. This is necessary for preventing potential third parties from compromising network security through a back door.
- Interrupting or disabling the automatic downloading of anti-virus software, software patches, or other IT approved administrative software.
- Disabling the automatic execution of IT approved software including, but not limited to, antivirus software.

### **Approved Software**

The County Network has been loaded with an approved software configuration. The standard configuration was engineered to provide maximum reliability and security for County business. Modification of the configuration of the software is prohibited. The following rules apply to the use of County provided personal computers:

- To mitigate the risk of potential virus infection and improper use of copyright and licensing material, copying and downloading unauthorized software is prohibited.
- Software that is not part of the County standard suite of software may not be loaded onto a Government computer unless the software has been approved in advance in writing by IT.
- Approved software must be licensed by the original manufacturer prior to being installed.
- Only screen savers that come with the computer's operating system are permitted.
- Playing computer games, including those built into the WINDOWS operating system, is prohibited.
- Non-system wallpapers, e.g., family pictures, are permitted to be installed providing there are no copyright infringements.
- Personal social media accounts are strongly prohibited.
- IT will delete non-approved software detected during routine software inventories and security scans by loading a new standard disc image onto the computer.

## Operation Usage

Use of the Internet or electronic mail for the following purposes is strictly prohibited:

- Accessing Internet sites with sexually explicit or hate or other inappropriate material.
- Transmitting threatening, obscene, harassing, discriminatory, or sexually explicit materials.
- Accessing gambling sites.
- Sending or forwarding chain letters. These are e-mails which either ask you to forward them on to all your friends (or to everyone you know) or which state that something bad will happen if you do not forward them. E-mails of this type, which are usually warning about something (Example: computer viruses), are almost certainly hoaxes.
- Advertising, soliciting, or selling commercial items.
- Advertising, soliciting, or selling personal items.
- Conducting personal or commercial business for profit.
- Personal announcements without management approval.
- Engaging in non-County sanctioned fund raising.
- Engaging in political activities prohibited by law.
- Accessing “chat rooms” unless specifically approved in advance for each occasion by the employee’s supervisor.
- Releasing proprietary data or information to unauthorized persons.
- Posting information to newsgroups without a disclaimer stating that the opinions expressed are strictly your own and not necessarily those of Gloucester County, unless posting is in the course of business duties.
- Auto-forwarding email messages to a commercial or other personal email account.
- Accessing stock ticker, PointCast, or similar real-time applications which include streaming audio, video, and on-line games.
- Participating in message boards about the County.
- Sending messages to large groups of people without prior management approval.
- Providing information about, or lists of, County employees to parties outside Gloucester County without management approval.
- Using e-mail resulting in inadvertent commitment of the county to a contract or agreement if it appears to the other party that you have authority to do so. E-mails sent to external stakeholders must include the following disclaimer:

“This transmission is confidential and may be legally privileged. If you are not the intended recipient, please notify the sender by return e-mail and delete this message from your system. The County of Gloucester reserves the right to monitor e-mail communication. No contract may be concluded on behalf of the County of Gloucester by e-mail. If the content

of this e-mail does not relate to the business of the County of Gloucester, then we do not endorse it and will accept no liability.”

### **E-Mail Etiquette**

Do not send offensive jokes, pictures, frivolous messages, or anything which may be construed as discriminatory in nature.

Since the confidentiality of e-mail mail can not be assured, do not type anything you don't want repeated. Do not try to carry out confidential or sensitive tasks or air controversial views on e-mail. Ask yourself: Would I want a member of the public or a jury to read this message? Remember that all e-mails (even deleted ones) are saved and usually can be retrieved even if they have been deleted.

Respect privacy and consider this aspect before forwarding messages.

Be polite. E-mails can often seem abrupt, even when this is not the intention. Use professional courtesy and discretion.

Do not reply with history if it is not necessary especially if it incorporates a large attachment. DO not send greeting cards and the like to large distribution lists.

Voluminous data files attached to e-mails increase network traffic congestion often resulting in overall response time degradation.

Use “reply all” and distribution lists with caution in order to keep the number of your messages to a minimum and reduce the risk of sending messages to the wrong people.

Check your e-mails regularly. Set the Out-of-Office flag and arrange for someone to deal with your e-mail if you are away for an extended period.

Messages should be clearly addressed “To” those from whom an action or response is expected. “cc” or “bcc” should be used for other recipients of the message. The use of “bcc” is not recommended since many consider this to come under the heading of “dirty pool”.

Delete unwanted or unnecessary e-mail. It is the user's responsibility to manage their own e-mail folders and keep within quota limits.

Unsolicited e-mail, especially with an attachment, may contain a virus. If in doubt, delete the e-mail or contact the sender to check **before opening**.

Enter a meaningful “subject” field to help the reader anticipate the content correctly, and try to keep to one subject per message.

Don't use all or part of someone else's message without acknowledgement. Don't edit someone else's message without making it clear the changes that you have made and use good judgment when considering distributing other people's messages without permission.

Avoid subscribing to unnecessary mailing lists. Unsubscribe from mailing lists when they are no longer required.

Use discretion before selecting "request read receipt" or "request delivery receipt" options as this may unnecessarily increase network traffic thereby retarding overall response time. These options should be used by exception. They should not be system default selections.

Once a message is sent, there is no way to retrieve it. Check carefully that messages are addressed to the correct recipient(s) before sending.

Following an employee termination, the e-mail account will be closed by IT and an "out of office" message set for a period of up to 8 weeks after which time the account will be deleted. The employee's management may request access to be given to the closed mailbox by another member of staff for this duration.

### **Personal Use**

The use of the County network, computers, and equipment to connect to the Internet and to electronic mail shall be for official use and authorized purposes only. Authorized purposes may include brief Internet searches by employees for personal purposes, when they:

- Do not adversely affect the performance of official duties by the employee or the employee's organization.
- Are of reasonable duration and frequency, and whenever possible, made during the employee's personal time, such as, before or after duty hours or during lunch periods.
- Serve a legitimate public interest such as keeping County employees at their desks, educating the employees on the use of the Internet and the County Network, and enhancing the professional skills of County employees.
- Do not put the County Network to any uses that would not conflict with, or reflect adversely on, County interests.
- Do not overburden the County Network.
- Do not create significant additional cost to the County.

An employee may request, through his or her supervisor, additional access time or resources for justifiable personal purposes. These include major projects for college

County of Gloucester  
Human Resources Manual

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studies already approved and being reimbursed by the County. However, the employee must get the supervisor's knowledge and approval in advance.

**All Users:**

Agree to comply with this policy by signing an Electronic Resources Acceptable Use Policy.

If you feel that your rights as a computer user are being violated, or if you are aware of other users who are misusing or abusing county electronic resources, report the problem to your supervisor immediately.

**Supervisors:**

Ensures critical electronic data/information is backed-up and available only to authorized personnel. Employers are generally liable for what their employees do in the course of their work. Consequently, due diligence must be exercised regarding the monitoring of employee activities. This process should be communicated and enforced at all levels of management. When supervisors become aware that their employees have violated one or more of the provisions of this policy, they must take appropriate administrative action which may include, but not limited to, verbal or written contacts, revoking Internet or electronic mail privileges, and possibly termination.

**IT:**

In addition to network and systems monitoring, periodically monitors individual electronic resource usage and reports violations to management.

**Human Resources:**

Ensures county electronic resource users comply with the policy contained herein in the use of County computing resources including protection of information, equipment and Network infrastructure components provided for the conduct of official business.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 – COMPUTERS, INTERNET USE, AND ELECTRONIC RESOURCES</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A –**

**ELECTRONIC RESOURCES ACCEPTABLE USE POLICY  
ACCEPTANCE OF POLICY STATEMENT**

I understand and will abide by all of the above policy procedures. I understand that violating any part of the policy procedures may in-fact be grounds for the loss of network/systems access and/or disciplinary action up to and including termination of County employment.

I acknowledge that I have received a copy of the Electronic Resource Acceptable Use Policy of GLOUCESTER COUNTY (HR 7.10 Computers, Internet Use, and Electronic Resources) and have read and understand this policy in its entirety. I further acknowledge that I will adhere to this policy.

NAME (Please print):

DEPARTMENT:

PHONE NUMBER:

TITLE:

DATE:

SIGNATURE:

*(Please sign and return this page to the Human Resources Department upon receipt)*

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>11 – POLITICAL ACTIVITY</b>	<b>REVISED: 5/22/24</b>

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

The applicable state and federal regulations are set forth below as general guidance. In accordance with State regulations, an employee shall not:

- (1) Engage in political activity during working hours or use County office supplies or telephones or other resources for other than County business.
- (2) Directly or indirectly use his/her position to control or affect the political action of another.

In accordance with Federal regulations, an employee whose principal employment is with a program financed in whole or in part by Federal funds or loans shall not:

- (1) Be a candidate for public office in a partisan election (see 4A:10-1.2(b)1, for exclusions to this rule).
- (2) Use his/her official authority or influence to interfere with or affect election results or nominations for office.
- (3) Directly or indirectly coerce contributions from his/her subordinates to support a political party or candidate.

Violations of either State or Federal laws are serious matters. Appropriate disciplinary actions will be taken should such violations occur.

(See USC 1501 et seq - the Hatch Act for full details)

(See also NJAC 4A:10-1.2 and 11A:2-23)

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>12 – ANIMALS</b>	<b>REVISED: 5/22/24</b>

Employees of the County of Gloucester are forbidden from bringing pets into the office and are responsible to ensure that others do not bring animals into the office or other work areas. Service animals of the blind or visually impaired are excluded from this policy.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>13 – DISPUTE RESOLUTION</b>	<b>REVISED: 5/22/24</b>

Employees who have complaints or disagreements with the interpretations, application or violation of established policies, agreements or administrative decisions are encouraged to attempt to resolve these problems by discussing them with their immediate Supervisor or Department Head.

Employees are encouraged to continue discussing their concerns with their Supervisor or Department Head and to follow the chain of command if they are not satisfied with the initial response.

If employees are unable or reluctant to resolve the problem through these informal procedures, they may contact the County Administrator/designee or pursue the matter through the grievance procedures outlined in the appropriate negotiated agreement.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>14 – GRIEVANCES</b>	<b>REVISED: 5/22/24</b>

The following addresses the County's policy regarding union business and the processing of grievances on County time. Please note that under conditions 1 through 4, it is solely up to each Department Head, within reason, how much time and when union business is discussed.

In order to resolve labor-management problems that arise on the job, employees will be permitted reasonable opportunity to have grievances and appeals investigated and processed by their union representatives during working hours without loss of pay to the employees involved, subject to the following conditions:

- (1) If it is necessary for a steward or other union representative employed by the County to take time away from his or her regular duties in order to handle a grievance or appeal, the appropriate department head (or his/her designee) must be consulted for permission to do so. This also applies to any employee who wishes to consult with a union representative in connection with a grievance or appeal.
- (2) If the employee or union representative can not be spared from the job because of work demands, the department head (or designee) may require that the matter be handled at a different time during the day. In no event will permission be unreasonably denied.
- (3) The above provisions do not apply to situations in which extensive preparation is needed for a grievance or other hearing. Such matters will be handled outside regular working hours.
- (4) It is understood that any employees, including union representatives, who neglect their assigned duties without proper authority may be subject to disciplinary action.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>15 – CONSCIENTIOUS EMPLOYEE/ WHISTLEBLOWER PROTECTION</b>	<b>REVISED: 5/22/24</b>

Employees have the right under the “Conscientious Employee Protection Act (CEPA)” to complain about any activity, policy or practice that the employees reasonably believe is in violation of a law, rule, or regulation promulgated pursuant to law. All complaints will be taken seriously and promptly investigated.

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

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

In accordance with the statute, the employee must bring the violation to the attention of the County of Gloucester. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature. Employees are encouraged to complain in writing but may make a verbal complaint at their discretion. See the section below titled “Employee Complaint Policy.” Under the law, the employee must give the County of Gloucester a reasonable opportunity to correct the activity, policy or practice. The administration of CEPA/whistleblower complaints is not subject to the limitations in the Grievance Policy.

### **Employee Complaint Policy:**

Employees who wish to complain of any workplace wrongdoing are requested to immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact their Department Head, or County Administrator. Employees are encouraged to complain in writing, but may make a verbal complaint at their discretion. The Employee Complaint Form (HR

County of Gloucester  
Human Resources Manual

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7.15 Exhibit A) has been provided for employees' use in filing a complaint. If the employee has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing. Please also refer to HR 7.7 "Prohibition of Discrimination, Harassment or Hostile Environments" for more information as applicable.

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

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

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>15 – CONSCIENTIOUS EMPLOYEE/ WHISTLEBLOWER PROTECTION</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT A – EMPLOYEE COMPLAINT FORM**

**Attach additional sheets if necessary to fully complete all questions**

**NAME:** \_\_\_\_\_ **DEPARTMENT:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_ **SUPERVISOR:** \_\_\_\_\_

**Time period covered by this complaint:** \_\_\_\_\_

**Individuals who allegedly committed the acts being complained of:**

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

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**Identify all persons with knowledge of the complained conduct:**

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

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

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County of Gloucester  
Human Resources Manual

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

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

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**What is your requested remedy for this complaint?**

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**ACKNOWLEDGMENT**

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

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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

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

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>16 – SOCIAL NETWORKING/MEDIA</b>	<b>REVISED: 5/22/24</b>

This policy is intended to address issues related to an employee's use of "social networking" and "social media," to the extent that such use involves or affects the County's operations.

The County of Gloucester recognizes and respects the rights of employees to engage in their own personal activities while not working. This policy is intended to help employees engage in respectful, knowledgeable interaction in social media and also protect the privacy, confidentiality and interests of the County of Gloucester, employees, volunteers, contract staff, vendors, customers and residents with whom they have a work-based relationship. This policy is not intended to violate any speech or associational rights that are protected by the United States Constitution, the New Jersey State Constitution, or statutory provisions such as the Employer-Employee Relations Act and the Conscientious Employee Protection Act. For example, employees have a First Amendment right to speak as citizens on matters of public concern regarding County policies or officials, provided their speech does not disrupt County operations. In addition, employees have a right to discuss working conditions, grievances, and union representation, provided again that County operations are not disrupted.

### **GUIDELINES**

Employees' use of social media should be respectful to co-workers, volunteers, contract staff, vendors, customers, and residents with whom they have a work-based relationship.

The County of Gloucester's general policies prohibiting harassment, discrimination, and all other policies and procedures extend to all forms of communication, including social media.

The County recognizes its employees' right to express themselves as private citizens on social media sites with regard to matters of public concern. The use of social media to harass, threaten, libel or discriminate against employees, vendors, customers or residents with whom there is a work-based relationship will not be tolerated. Employees who believe they have been harassed or otherwise discriminated against by a co-worker via social media are encouraged to address such complaints to management.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees while on duty are prohibited from taking, releasing or disclosing any photographs, pictures, digital images or audio recordings of any crime scenes, traffic crashes, accident victims, arrestees, detainees, or the like with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone.

County of Gloucester  
Human Resources Manual

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Employees should be aware that such photographs, images or recording taken with any personal device pursuant to this section may be considered evidence and are subject to applicable laws, code guideline or directive concerning storage release and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisors as soon as practical. For the purposes of this section, an “emergency situation” involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes.

Employees shall not provide links to any of the County of Gloucester’s internal internet material in any non-work-related social media.

Employees shall not reference the County of Gloucester’s provided e-mail accounts as a point of contact in any social media, unless so authorized.

An employee’s use of social media is outside the scope of employment and is not a representation or authorized communication of any kind on behalf of the County of Gloucester, unless the employee has the approval of management to participate in social media on behalf of the County of Gloucester. In using social media in a non work-related setting, employees shall neither express or imply that they are: (1) speaking or acting on behalf of the County of Gloucester; or (2) representing or presenting the interests of the County of Gloucester.

The County of Gloucester requests and encourages all employees to bring work-related social media complaints to the Supervisor, Department Head, or County Administration in order to provide the County of Gloucester with a fair opportunity to address any such complaints or concerns.

Violations of this policy may subject an employee to disciplinary action up to and including termination of employment. Employees must recognize that they may be legally liable for postings they make in social media.

<b>CHAPTER:</b>	<b>7 – CONDUCT AND PERFORMANCE</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>17 – WORKPLACE VIOLENCE</b>	<b>REVISED: 5/22/24</b>

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

Prohibited conduct includes:

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

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

County of Gloucester  
Human Resources Manual

---

<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – INTRODUCTION</b>	<b>REVISED: 5/22/24</b>

The County of Gloucester believes the safety, health, and well being of all its employees and the public is of paramount importance. It is committed to providing a workplace environment conducive to safe work practices including:

- Providing training and education to employees on various safety topics.
- Providing safety and protective equipment to employees (please refer to HR 9.11 for additional information).
- Providing for periodic inspections of safety equipment and for prompt abatement of unsafe conditions.
- Maintaining records on all employment related accidents, injuries and illnesses and their causes.

In doing so, the County is attempting to operate in the most efficient manner by striving for a minimum of accidents and as few as possible lost workdays. The purpose of this policy is to delineate the support of the entire organization. Chapter 8 of the Human Resources Manual is dedicated to a number of policies involving the safety and security of the Gloucester County work environment.

The responsibility of maintaining a safe and healthful work environment is also shared by employees.

**Employee:**

Observes all posted safety rules and regulations such as warnings and no smoking signs.

Keeps his/her work places orderly and clean.

Wears and/or utilize safety equipment.

Reports in writing any accident immediately, no matter how insignificant it may appear at the time, to his/her Supervisor or Department Head.

Reports in writing any recognized unsafe condition immediately to his/her Supervisor or Department Head.

<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 – INJURY ON-THE-JOB</b>	<b>REVISED: 5/22/22</b>

Gloucester County maintains the following policies with regard to work-related injuries:

- Employees must report all accidents immediately to his/her immediate supervisor.
- On-the-Job Injuries are reported on the form titled *Report of Job Accident* which is found in HR 8.2 Exhibit Z.
- If an on-the-job injury occurs as part of an incident involving County property (such as a County car, a piece of machinery, parking lot, etc.) HR 8.4 Exhibit W should be completed.
- The Safety Staff, Department of Human Resources, is to be contacted immediately (except in cases of emergency) for coordination and direction.
- If medical care is requested, treatment will be provided by a County Authorized Physician as permitted by NJ statute 34:15-12 et seq.
- If an employee is seriously injured and no County Authorized Physician is available, treatment may be sought at the nearest hospital emergency room.
- All follow-up care is to be provided as directed by a County Authorized Physician.
- The County is not liable for medical bills accrued by an injured employee if treatment is not authorized.
- All parties cooperate by providing accurate, complete, and detailed information regarding circumstances of the injury.
- Additionally, the County participates in a “Light Duty” work program (for work related injuries) whereby employees are expected to resume work when authorized by the County Authorized Physician. (Please see HR 5.7 for more details) Should restrictions of work duties be imposed, the County will follow the necessary procedures as mandated by New Jersey Workers Compensation Laws.

**Employee:**

Immediately reports all accidents to Supervisor.

If an incident involving County property has occurred, completes the Notice of Accident/Injury Form (HR 8.4 Exhibit W). Please see HR 8.4 for more details.

Provides advance notice to his/her Department of all related medical appointments. The County reserves the right to verify the scheduled appointments.

Communicates with his/her Department the outcome of each physician’s appointment. Provides documentation of attendance of all scheduled appointments as well as details of any and all work restrictions.

County of Gloucester  
Human Resources Manual

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Participates in rehabilitation by attending all scheduled appointments with County authorized physicians, physical therapists, and any other diagnostic tests and/or therapeutic measures.

**Supervisor:**

Promptly notifies Department Head of all on the job injuries.

Directs the employee as to the proper course of action if medical treatment is needed or requested.

Completes a *Report of Job Accident* (HR 8.2 Exhibit Z) and, where applicable, ensures the completion of the Notice of Accident/Injury Form (HR 8.4 Exhibit W), as soon as possible after receiving notice of an injury-on-the-job.

Provides the results of any investigation to the Department for review.

Cooperates by providing accurate and detailed information regarding circumstances of the injury.

**Department Head:**

Notifies the Safety Staff of all work related injuries.

Ensures completion and prompt reporting of the *Report of Job Accident* (HR 8.2 Exhibit Z) and, where applicable, the Notice of Accident/Injury Form (HR 8.4 Exhibit W).

Participates in all accident investigations.

Ascertains that all supporting medical documentation is immediately provided to the Safety Staff.

**Human Resources (Safety and Insurance Coordination):**

Advises and guides employees, supervisors, and departments when an on-the-job injury has occurred.

Reviews all Report(s) of Job Accident (HR 8.2 Exhibit Z) and Notice(s) of Accident/Injury Form (HR 8.4 Exhibit W).

Participates in all accident investigations.

Initiates a Job Safety Analysis when appropriate as part of the County's effort to prevent similar injuries.

County of Gloucester  
Human Resources Manual

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CHAPTER:	8 – SAFETY AND SECURITY	ADOPTED: 11/21/06
SECTION:	2 – INJURY ON THE JOB	REVISED: 5/22/24

**EXHIBIT Z – REPORT OF JOB ACCIDENT**

Employee's Preliminary Report of Work-Related Injury to Employer  
(To be filled out by employee if possible)

***IT IS THE RESPONSIBILITY OF THE EMPLOYEE TO SIGN ALL NOTES FOR EACH AND EVERY VISIT TO A MEDICAL PROVIDER AND TO NOTIFY HIS/HER DEPARTMENT OF WORK STATUS IMMEDIATELY AFTER EACH DOCTOR'S VISIT.***

Safety should be notified immediately of all accidents and/or injuries. On the day of the occurrence, this form should be completed and faxed to Safety at (856) 384-6997 as soon as possible.

Date of Report: \_\_\_\_\_ Reported injury to whom: \_\_\_\_\_

Employee's name \_\_\_\_\_

Date of injury \_\_\_\_\_ Date reported \_\_\_\_\_

Time employee started work \_\_\_\_\_ Time of accident \_\_\_\_\_

Place where injury happened \_\_\_\_\_

Detailed description of how injury occurred and if any piece of equipment was being used:  
\_\_\_\_\_  
\_\_\_\_\_

What part(s) of the body were injured and what part(s) of the body do you currently feel pain?  
\_\_\_\_\_

Is the employee requesting medical treatment at this time?  yes  no

Job Title \_\_\_\_\_ Department \_\_\_\_\_

Full Time or Part Time Employee \_\_\_\_\_

Employee's address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone number \_\_\_\_\_

County of Gloucester  
Human Resources Manual

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*I CERTIFY THAT THE ABOVE STATEMENTS MADE BY ME ARE TRUE AND CORRECT. I AM AWARE THAT IF ANY OF THE STATEMENTS ARE WILLFULLY FALSE, I MAY BE SUBJECT TO DISCIPLINARY ACTION BY MY EMPLOYER.*

Employee Signature \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Name (please print) \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date: \_\_\_\_\_

IF MEDICAL TREATMENT IS NOT REQUIRED,  
REMAINDER OF THE FORM DOES NOT  
NEED TO BE COMPETED.

County of Gloucester  
Human Resources Manual

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Social Security Number \_\_\_\_\_

Date of Birth \_\_\_\_\_ Date of Hire \_\_\_\_\_

Witness \_\_\_\_\_ Phone Number \_\_\_\_\_

List your primary care physician and his/her address and phone number for the past 10 years:

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Have you had treatment in the past for the same or similar medical conditions?  yes  no

If yes, provide the name and address of the treating physician(s) for this condition. List any medications you are or were taking for this condition/injury:

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Have you been treated by a chiropractor in the past 5 years?  yes  no

If yes, name and address of chiropractor

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Have you ever filed workers compensation claim(s) in the past for this medical condition?

yes  no

If yes, please provide the details of the previous claim(s).

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Have you ever been involved in any motor vehicle collision in the past 5 years?  yes  no

If yes, provide the details of the crash, date and the nature of the injury and treatment.

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Have you had any MRI's, CT scans and/or X-ray in the past 5 years?  yes  no

If yes, please provide the details and the nature of the injury.

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Are you currently engaged in any other employment or have you ever been engaged in any other employment while you were employed by us?  yes  no

If yes, please list the names and addresses of these employers.

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Have you ever received pain management treatment?  Yes  No

County of Gloucester  
Human Resources Manual

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**Requesting Leave related to an On-the-Job Injury or Illness**

Should your injury be substantiated, it is important for you to be aware that only a GCIC authorized treating physician can authorize time off from work for an on-the-job injury or illness. The following procedures should be followed when seeking leave for a work-related injury:

1. If you are unable to report to work or complete a shift due to an issue arising as a result of your work-related injury, you should contact the treating physician immediately. Your GCIC authorized treating physician is:

Phone: \_\_\_\_\_

- The only exception to this policy is if the issue constitutes a medical emergency in which case you should seek immediate treatment at a hospital emergency room.
- You should contact the treating physician even if the issue arises during the treating physician's non-business hours. During non-business hours, such calls will be answered by the treating physician's answering service or voice mail (which will instruct you on how to reach the treating physician or the on-call physician).

2. You must also notify Safety Staff immediately by calling (856) 384-6994 or (856) 384-6993. If the call is placed after normal business hours, you should leave a detailed voice-mail message.
3. You are also obligated to communicate with your supervisor to keep that person apprised of the situation. Your Department Supervisor is:

Phone: \_\_\_\_\_

*You are reminded that the GCIC authorized treating physician is the only person that can authorize time off from work for an On-the-Job injury or illness.*

By signing below you acknowledge that you have read these procedures.

---

Employee

Date

**THIS FORM MUST BE SIGNED AND RETURNED**

**NOTICE**

On August 14, 1998, the Governor enacted P.L. 1998, Chapter 74, which amends the New Jersey Workers' Compensation statute. P.L. 1998, Chapter 74 provides that a person who purposely and knowingly makes false or misleading statements for the purpose of wrongfully obtaining Workers' Compensation benefits will be guilty of a crime of the fourth degree. Pursuant to N.J.S.A. 2C:4303b(2), crimes of the fourth degree are punishable by imprisonment for up to 18 months and fines of \$10,000.

P.L. 1998, Chapter 74, also creates civil liability for all damages, costs and attorneys fees payable to the injured party attributable to wrongfully obtained benefits. This would require employee who make such statements and improperly received benefits to repay the benefits to his/her employer or its insurance carrier with simple interest.

P.L. 1998, Chapter 74, further permits the Division of Workers' Compensation to order the termination and complete forfeiture of Workers' Compensation benefits for employees found to have committed a violation.

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Employee Signature

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Date

County of Gloucester  
Human Resources Manual

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**AUTHORIZATION FOR RELEASE OF INFORMATION IN CONNECTION  
WITH WORKERS' COMPENSATION**

TO: \_\_\_\_\_ RE: \_\_\_\_\_

**I. Pursuant to my privacy rights under the Health Insurance Portability and Accountability Act (HIPAA), by affixing my signature below I understand and voluntarily consent to the following:**

I hereby request and authorize that you disclose, make available and furnish to:

INSERVCO INSURANCE SERVICES, INC.  
New Jersey Claim Service Office  
PO Box 1457  
Harrisburg, PA 17105-1457

1.) Office notes; 2.) Charts; 3.) Diagrams; 4.) Pathology reports; 5.) Operative reports; 6.) Physical and lab tests; 7.) X-ray/imaging reports; 8.) X-ray/imaging films; 9.) Prescription notes; 10.) Treatment plans; and 11.) Discharge summary, with regard to the above named individual, from the inception of your records to the present.

**This authorization specifically excludes the release of health information related to psychiatric or mental health treatment, treatment of drug and/or alcohol abuse; treatment of Acquired Immunodeficiency Syndrome (AIDS) or Human Immunodeficiency Virus (HIV); and sexually transmitted diseases/viruses.**

**II. Rights and obligations under HIPAA:**

**A. Purpose of this request:** I understand that the information listed above in Section I is being requested by Inservco Insurance Services, Inc. for the specific purpose of investigating the pending workers' compensation claim I filed against the above named respondent/employer/third party payor and by signing this authorization I voluntarily consent to its release.

**B. Expiration Date:** Unless otherwise revoked, this authorization will expire six (6) months after the date of this authorization;

**C. Right to revoke:** I understand that I have the right to revoke this authorization at any time. I understand that the revocation must be in writing to the above named doctor/facility authorized to make this disclosure. I further understand that the revocation is only effective after it is received by the above named doctor/facility and does not apply to information that has already been released in response to this authorization.

**D. Impact on Medical Treatment:** I understand that my right to treatment, payment, enrollment or eligibility for benefits is not conditioned on me signing this authorization.

**E. Subsequent Disclosure:** I understand that any disclosure of information may be subject to re-disclosure by INSERVCO INSURANCE SERVICES, INC. and may no longer be protected by federal or state law.

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Signature of Patient

Date

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Signature Authorized Representative/Guardian in lieu of Patient

Date

By signing this authorization, the Authorized Representative and/or Guardian certifies that he or she has the authority to act on behalf of the person identified above on the basis of (please explain):

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County of Gloucester  
Human Resources Manual

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Claim Number

Please list the name and address of your primary care physician, any other doctor or medical facility that you may have used in the last 5 years. This information can also be faxed back to us when it is completed.

Thanks for your anticipated cooperation.

Inservco Insurance Services

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Name of your Primary Doctor: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone # \_\_\_\_\_  
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Below please list any other doctor/doctors that you have treated with in the past 5 years:

Doctor's name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone# \_\_\_\_\_

Claimant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – BUILDING SECURITY AND EVACUATION</b>	<b>REVISED: 5/22/24</b>

It is the duty and responsibility of all employees of the County to maintain the security of our office buildings at all times. Furthermore, it is important to be able to account for all employees during emergency evacuations.

All employees shall be issued a photo identification card. Should this card be lost or stolen, the employee must notify the Department Head and/or the Human Resources Department immediately. The employees may be charged a fee for a replacement card. The current fee for a lost or damaged ID card is \$10.00.

For employees who work in secured buildings, access to entryways will require fingerprint access and/or electronic key cards (key fobs). Electronic key cards are assigned to authorized employees and should not be loaned to anyone. This **required procedure** should be followed each and every time an employee enters and leaves any county building.

**Employee:**

*Each and every time an employee enters and leaves* any county building, follows the fingerprint access procedure, under the Kronos Time Management System.

Wears his/her photo IDs in a visible and prominent fashion.

Reports any unusual or suspicious persons or occurrences to their Department Head immediately.

Reports a lost or stolen photo ID card to the Human Resources Department within 24 hours.

Ensures that the information on his/her photo ID card is current at all times. Any changes in this information shall be reported to the Human Resources Department by the employee for issuance of a new card.

Surrenders his/her photo ID card to the Human Resources Department within 24 hours upon termination of employment.

<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 – INCIDENTS INVOLVING COUNTY PROPERTY</b>	<b>REVISED: 5/22/24</b>

Any incidents involving County property or vehicles which result in damages or injuries, no matter how minor, should be reported by the Employee to his/her Supervisor immediately. In turn, the Supervisor must keep the Department Head informed of the situation.

If a County vehicle becomes inoperable due to accident or breakdown, the employee should contact the County Office of Fleet Management by calling:

856-468-2802, Monday – Friday, 8 AM – 4:30 PM  
856-589-0911, after hours

Any damage to County vehicles must be reported by calling the Safety Coordinator of the Human Resources Department immediately by phone and then in writing via the Notice of Accident/Injury Form (HR 8.4 Exhibit W) which is available in the glove compartment of the car, as soon as possible but no later than three business days. Please refer to HR 8.4 Exhibit W for the “Notice of Accident/Injury Form” that follows this policy. Furthermore, please refer to HR 8.2 for additional information on On-the-Job injury. *HR 8.2 Exhibit Z will also need to be completed for any and all county employees involved in an incident involving County property if a work-related injury or illness also occurs at the time of the incident.*

Please note employees utilizing a commercial drivers’ license will be subject to federal rules and regulations when involved in a vehicle accident during official county business.

### **Emergency Procedures**

In order to reduce the likelihood of causing an accident and/or becoming injured, please adhere to the following procedures:

- Use extreme caution when your vehicle becomes disabled.
- Call for help.
- Immediately put on warning signals and lights.
- If possible, try to get the vehicle safely off the road.
- Until help arrives, carefully get out of the vehicle and stay as far off the road as possible. Do not stand in traffic.

### **In Event of an Accident**

County of Gloucester  
Human Resources Manual

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Because it is important to minimize the risk of additional injury as well as document the events as they occurred, employees should follow the procedures listed below:

- Stop your vehicle.
- Do not leave the scene.
- Call for help immediately. The police and your supervisor should be contacted.
- Make sure the ignition is turned off in the cars involved.
- Obtain necessary medical care. If you are able, make a first aid check of all persons involved.
  - Render first aid if qualified and equipped to do so.
  - Do not move an injured person unless it is urgent to do so.
- Gather information regarding details of the accident and write it down. Do not trust your memory.
- Cooperate with police and answer questions about what occurred. Be careful not to offer your opinion. Provide factual information as much as possible.

Employees who violate this policy will be subject to disciplinary action. Repeated accidents may lead to temporary or permanent restriction of driving privileges. Failure to maintain a valid driver's license and a CDL (if applicable) will result in immediate removal of driving privileges until written proof of a valid license can be demonstrated.

**Employee:**

Should immediately report any incidents to their department heads, the Safety Coordinator, and Fleet Management via HR 8.4 Exhibit W.

**Department Head/designee:**

Ensures that the Office of Safety Coordination and the Office of Fleet Management have been properly notified via HR 8.2 Exhibit Z, and HR 8.4 Exhibit W, respectively.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 – INCIDENTS INVOLVING COUNTY PROPERTY</b>	<b>REVISED: 5/22/24</b>

**EXHIBIT W – NOTICE OF ACCIDENT/INJURY FORM**

*\*\*\*To be completed in the event of an automobile accident, injury, incident on County premises or a County sponsored event. \*\*\**

Upon notification of an accident, immediately call Safety at (856) 384-6994, (856) 384-6993 or (856) 853-3268

Complete this form and deliver within 1 business day to:

- Fax: (856) 384-6997

Please indicate what type of accident happened:

Auto accident  
 Damage to property of others  
 Injury to others on County Property  
 Other

Department \_\_\_\_\_

Date and time of accident: \_\_\_\_\_

Where did the accident occur (location, building, road, etc.)?

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Describe the accident and include the weather conditions:

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County of Gloucester  
Human Resources Manual

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**Describe any County property that was damaged (if County vehicle: vehicle year, make and model):**

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**VIN (vehicle identification number) and license tag number:**

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**Who was driving County vehicle:**

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**Other person(s) involved: Owner name and address. Description of property damage.**

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**List injured person(s) and nature of their injury:**

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**Contact Information (Name, address, and phone number of all parties involved):**

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**Name, address, and phone number of all witnesses:**

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**How was the claim reported?** \_\_\_\_\_

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County of Gloucester  
Human Resources Manual

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Is there a Police Report?  Yes  No      If yes, please attach.

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

*Please use another sheet of paper for any additional comments or information and if pictures were taken at the scene of the accident, please include with form.*

### **Instructions on Completing the Notice of Accident Form**

**Although we would like as much detail as possible, it is more important to provide us with the notice of accident as soon after the accident is reported to you. If this accident occurs after normal business hours, please leave a message on voicemail – (856) 384-6994, (856) 384-6993 or (856) 853-3268.**

**Date and time of accident:** *Please indicate the date and time the accident occurred, not the date it was reported.*

**Where did the accident occur?:** *Please state the complete location address of the accident. If it is an auto or general liability (i.e. slip and fall) accident include cross streets. If the accident occurred within a building, include the floor and room.*

**Describe the accident:** *Please give a detail account of the events that led to the accident. (i.e. auto accident – indicate the weather conditions, indicate which party caused the accident, indicate any other details which aid in the description; slip and fall accident – indicate any defect with the flooring or sidewalk, indicate weather conditions, indicate any other details which aid in the description.*

**What property was damaged?:** *Describe the property damaged. If County property, include serial # and location where damaged property is now located.*

**List injured person(s) and nature of their injury:** *List each person injured and a brief description of injury (i.e. broken leg or back pain).*

**Contact Information:** *Please provide the name, address, and phone number of the person(s) making the claim and injured person(s).*

**Name, address and phone number of all witnesses:** *Please provide the name, address, and phone number of the person(s) who witnessed the accident (include City employees).*

**How was the claim reported?:** *Please indicate whether the accident was reported in person or a notice was submitted via mail.*

**Is there a Police Report?:** *Self-explanatory.*

**Signature:** *Person completing this form.* **Title:** *Self-explanatory.*

**Date:** *Date the form was completed.*

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 – HANDGUNS AND OTHER WEAPONS</b>	<b>REVISED: 5/22/24</b>

The County of Gloucester maintains a safe working environment; therefore, it is absolutely forbidden to carry a gun or any other sort of weapon while on duty with the County of Gloucester. This policy does not pertain to the law enforcement personnel in the Prosecutor's Office, Sheriff's Office and the Department of Correctional Services since carrying a weapon is an essential part of their job.

A violation of this policy can result in disciplinary action, including termination.

<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 – VEHICLE SAFETY</b>	<b>REVISED: 5/22/24</b>

The purpose of this policy is to promote safe and courteous driving practices as well as providing for the appropriate upkeep of County vehicles and equipment in order to prevent accidents. The County encourages a partnership approach to safe driving with both the County and every driver doing everything possible to reduce the risks associated with driving.

This policy applies during all working hours, while on call, and paid standby duty while driving a County owned vehicle or equipment in the course of performing official County business.

Other relevant policies include HR 9.9 “Use of County Vehicles” and HR 8.4 “Incidents Involving County Property”; please refer to these sections for further information.

### **Alcohol, Drugs and Driving**

#### *What you should do:*

Do not operate a County owned vehicle or equipment if you have consumed alcohol, medications containing alcohol, or medications that may affect your alertness and/or driving performance.

#### *Why you should not drive under the influence of drugs or alcohol:*

It is against the law to operate a motor vehicle with a blood alcohol concentration of 0.08 or greater. New Jersey law allows for a drunk driving conviction if you consume any amount of alcohol and your driving is impaired.

For further information on the County policy regarding Drugs and Alcohol, please refer to HR 7.6.

### **Speeding**

#### *What you should do:*

Drive within the speed limit at all times. Always take into account road, weather, and/or traffic conditions. Even in emergencies, caution should be taken so that you get there safely.

#### *Why you should not speed:*

Because it's against the law. Excessive speed can cause accidents. Speeding reduces a driver's ability to navigate curves and steer around unexpected road debris as well as decreasing the distance necessary to stop a vehicle.

### **Seatbelts**

#### *What you should do:*

Wear your seatbelt at all times and make sure all passengers do the same.

#### *Why you should wear your seatbelt:*

It is the law. NJS 39:3-7.2F applies to all passenger vehicles including vans, pick-up trucks and sport utility vehicles that are required to be equipped with seat belts. Studies show that seat belts do save lives and reduce injuries during crashes.

### **Headlights**

#### *What is required:*

Headlights must be turned on anytime windshield wipers are used, one-half hour after sunset, one-half hour before sunrise, in bad weather (rain, smoke, fog, snow, ice), and whenever visibility is 500 feet or less. Parking lights cannot be used when headlights are required.

#### *Why you should turn the headlights on:*

It is the law in New Jersey. It is important to be able to see clearly as well as be seen by other vehicles.

### **Fatigue**

#### *What you should do:*

If your work requires driving, make sure you get a good night's sleep. Do not drive or operate equipment if you are fatigued to the extent that may impair your driving performance.

#### *Why you should not drive while fatigued:*

Sleepiness causes auto crashes because it can ultimately lead to the inability to resist falling asleep at the wheel. Driving skills impaired as a result of fatigue include delayed reaction time, lack of awareness of surroundings, inattention, and inability to process information.

### **Aggressive Driving**

#### *What you should do:*

- Drive courteously.
- Share the road with other vehicles on the road.
- Let other vehicles merge when it is safe to do so.
- Stop at yellow lights.
- Do not jump red lights.
- Be patient when there are pedestrians.
- Do not tailgate.
- Pass and change lanes only when it is safe to do so.

*Why you should not be an aggressive driver:*

Because it is the law. Aggressive driving can escalate into a road rage incident. Motorists have been killed or injured for trivial reasons that a reasonable person would have overlooked.

### **Cellular Phones**

*What you should do:*

Mobile phones and two-way radios\* should not be used while driving. Allow calls to go through to voice mail or safely pull over before answering a call.

\*NOTE: County-owned/issued two-way radios may be used for brief and essential communication between the county office/dispatcher (as applicable) and the driver as necessary to carryout job responsibilities.

*Why you should not use cell phones while driving:*

Studies have indicated a correlation between use of cellular devices and accidents. Such devices can distract drivers from paying proper attention to the road. The use of hand held cellular devices while operating a vehicle is prohibited by law.

### **Smoking**

*What you should do:*

Smoking is not allowed in County vehicles.

*Why you should not smoke while driving:*

Studies have indicated a correlation between smoking while driving and accidents. Such activities can distract drivers from paying proper attention to the road.

<b>CHAPTER:</b>	<b>8 – SAFETY AND SECURITY</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 – RIGHT TO KNOW/HAZARD COMMUNICATION</b>	<b>REVISED: 5/22/24</b>

The County complies with the Public Employees Occupational Safety and Health Program Hazard Communication Standard (PEOSH HCS), N.J.A.C. 12:100-7, which New Jersey adopted with amendments, on May 3, 2004. This means that the County provides information about the hazardous chemicals in the workplace, the associated hazards, and the methods for controlling these hazards. This information is given to all employees, through work operations in County facilities, who are exposed or may be exposed to hazardous chemicals or conditions under normal working operations or during foreseeable emergency situations. This information is communicated through the following mechanisms:

- (1) A list of hazardous chemicals;
- (2) Material Safety Data Sheets (MSDSs) and Hazardous Substance Fact Sheets (HSFSs) for hazardous chemicals;
- (3) Labeled containers; and
- (4) A training program for employees who work with or have a potential for exposure to hazardous chemicals.

Under this policy, employees will be informed of the contents of this program, the location and availability of health and safety information about hazardous chemicals, the hazardous properties of chemicals with which they work, safe handling procedures for the hazardous chemicals, and measures they should take to protect themselves from the hazardous chemicals. This information is provided during employee training sessions and/or safety meetings. Employees will also be informed of the hazards of non-routine tasks before the work begins.

#### **List of Hazardous Chemicals**

The list of the hazardous chemicals is prepared for each facility utilizing the RTK Survey. The list(s) are kept on new products and products that are no longer used. The list is continually updated and is included in training sessions and/or safety meetings. In addition, the list is available for each work area. The County uses the Right-To-Know (RTK) survey as its list.

#### **Material Safety Data Sheets (MSDS) and Hazardous Substance Fact Sheets (HSFS)**

MSDSs and HSFSs provide health and safety information on the specific hazardous products or chemicals employees use. In compliance with the PEOSH HCS, the MSDSs are made readily accessible during each work shift to employees when they are in their work area.

As a policy of the County, an MSDS and HSFS hard copy will be provided to the requesting employee as soon as possible but no later than 3 working days of the request if the MSDS or HSFS is not immediately available.

### **Labels and Warning Systems**

Each container of hazardous chemicals should be properly labeled as required by the PEOSH HCS, and updated as necessary if they should become illegible, fall off the container, or are obscured in any manner. Containers not bearing a PEOSH HCS label are not accepted by our facilities.

- ◆ Stationary containers in an area with similar contents and hazards have signs posted on or above them to convey the hazard information.
- ◆ Employees transferring hazardous materials from a labeled container to a portable container intended only for their immediate use during the work shift, do not have to label the portable container. If the portable container is stored beyond the employee's shift, or will be used by other workers, the employee labels the portable container with the PEOSH HCS information from the properly labeled larger container.

### **Hazardous Non-Routine Tasks**

Periodically, our employees are required to perform hazardous non-routine tasks. When employees are required to perform hazardous non-routine tasks, a special training session is conducted to inform them about the hazardous chemicals to which they might be exposed and the proper precautions to take to reduce or avoid exposure. Employees who perform these non-routine tasks should be notified about the training by their supervisor and are required to attend the training prior to carrying out the tasks.

### **Employee Training**

Every employee who works with or has the potential for exposure to hazardous chemicals under normal conditions of use or in foreseeable emergencies will receive initial and refresher training under the PEOSH HCS on the safe use of those hazardous chemicals. The trainer will meet the definition of a technically qualified person. Whenever a new hazard is introduced into the work area, an additional training session is provided for workers in a scheduled safety meeting prior to beginning work with the new hazardous material.

Refresher training is an abbreviated version of initial training and is conducted every two years.

Training is provided at no cost to the employee and is provided during working hours. The training is appropriate in content and vocabulary to the educational level, literacy and language of the employees.

As a policy of the County, foremen and supervisors receive supplemental training when specialty equipment is purchased and when non-routine hazards arise due to a new operation in order to address employee questions and to daily monitor the provision of safe work practices.

### **Contractor Employees**

Outside contractors are notified in person of any chemical hazards that may be encountered in the normal course of their work on the site, the labeling systems in use, protective measures to be taken, the location and availability of MSDSs, HSFSSs, and other health hazard information, and the safe handling procedures to be used for these materials.

Each outside contractor who brings hazardous chemicals on the site is required to provide the Director of Buildings and Grounds with copies of appropriate MSDSs for the hazardous chemicals, information on any special labels used, and precautionary measures to be taken while working with or around their hazardous chemicals or products.

### **Employee:**

Is mandated by terms of the regulation to attend all training sessions for those workers identified as exposed or having the potential for exposure to hazardous chemicals under normal conditions of use or in foreseeable emergencies.

Should comply with safety precautions necessary for the same use and handling of chemicals.

Has the opportunity to provide feedback and suggestions through the evaluation process and suggestion boxes.

### **Department Head/designee (HazCom Representative):**

Ensures that the MSDSs on all products containing hazardous chemicals and HSFSSs on all hazardous chemicals are obtained with copies placed in a binder of each respective work area as well as a Department Head/designee master file.

Seeks approval from the Safety and Insurance Coordination Unit before implementing any new procedures or products.

County of Gloucester  
Human Resources Manual

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Ensures that each container of hazardous chemicals in the workplace is properly labeled.

Notifies employees when the training session is scheduled including placing notices on the employee bulletin board.

Ensures special sessions for non-routine hazardous tasks are conducted by prior to employees beginning the task.

**Buildings and Grounds Director/designee**

Oversees worksite of outside contractors.

**Human Resources (Safety and Insurance Coordination):**

Ensures the written program as well as annual reviews and updates are in place.

Makes available the written program to employees upon their request within three days.

Contacts the manufacturer or supplier when additional information is needed about a hazardous chemical or product, if an MSDS is missing, or if an MSDS has not been supplied with the initial shipment.

Approves, when notified, of procedures or products that are planned to be used in this workplace before use to make sure that MSDSs and HSFSs are obtained prior to use.

Ensures that each Department Head has procedures in place to ensure all containers of hazardous chemicals in the workplace are properly labeled.

Ensures special sessions for non-routine hazardous tasks are conducted by prior to employees beginning the task.

Maintains documentation of trainings.

Coordinates initial and refresher training. *The initial training session includes the following discussion items:*

1. An explanation of the PEOSH Hazard Communication Standard and this written program;
2. Chemical and physical properties of the hazardous materials (e.g., flash point, reactivity) and methods used in this workplace to detect the presence or release of hazardous chemicals (including the chemicals in piping systems);
3. Physical hazards of chemicals such as the potential for fire and explosion;

4. Health hazards (both acute and chronic) associated with exposure to hazardous chemicals, signs and symptoms of exposure, and any medical condition that may be aggravated by exposure to the chemical, using MSDSs and HSFSs;
5. Methods to protect against exposure to the hazard such as engineering and administrative controls, proper work practices, use of personal protective equipment (PPE), and procedures for emergency response to spills and leaks;
6. Standard operating procedures to assure protection when cleaning hazardous chemical spills and leaks;
7. The location of and responsible person for maintaining MSDSs, HSFSs, RTK Survey, RTK Hazardous Substance List (HSL), and other hazardous material information;
8. An explanation of the applicable provisions of the Worker and Community Right-To-Know Act;
9. How to read and interpret the information on PEOSH HCS and RTK labels, HSFSs and MSDSs, and how employees may obtain additional hazard information using the RTK Survey and RTK HSL;
10. A copy of the RTK brochure is handed out during training.

*The refresher training, an abbreviated version of the initial training, includes the following discussion items:*

1. An explanation of any changes in the written program, PEOSH HCS, or RTK Act.
2. Changes in products used or work processes that may cause exposure to hazardous chemicals.
3. A review of health hazards, chemical and physical properties of the hazardous chemicals, and control methods of any routinely used hazardous materials and any new hazardous materials to which the employees may be exposed. The MSDSs and HSFSs will be used to review information on the hazardous chemicals.
4. A review of the facility's health and safety policy and procedure manual.
5. A copy of the RTK brochure is distributed.

County of Gloucester  
Human Resources Manual

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Ensures that the initial and refresher training programs for employees are reviewed annually by the trainer who will in turn notify area supervisors of the training needs of their employees.

Ensures that as part of the assessment of the training program, input from employees regarding the training they have received and suggestions for improving the training are obtained through training evaluation forms and/or the employees' suggestion-box.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>1 – HUMAN RESOURCES RECORDS</b>	<b>REVISED: 5/22/24</b>

Human Resources records are maintained for all employees in accordance with NJCSC regulations and are considered confidential in nature. However, some information is open to the public according to the provisions of NJAC 4A:1-2.2 including an individual's name, title, salary, compensation, dates of government service, reason for separation and information on specific educational or medical qualifications required for employment.

Furthermore, salary and related information will be furnished to persons or lending institutions that are authorized by the employee and provide a written request to the Human Resources Department. In cases of telephone requests, the Human Resources Department will only confirm employment and information they already have. All new requests must be confirmed by writing.

References may also be provided to persons that have written authorization from the employee. However, the County reserves the right to refrain from giving any references it deems inappropriate.

Only an employee or an authorized representative of the employee or governmental representatives in connection with their official duties may see an employee's personnel file. Employees whose duties require access to personnel documents or information must maintain the confidentiality of such. Violators of this confidentiality will be subject to disciplinary action or termination.

Records relating to any medical condition will be maintained in a separate file.

After making an appointment and with reasonable notice, employees shall only be permitted to review their human resources file in the presence of a member of the Human Resources Department and are not permitted to remove documents from the file folder or to take the file folder from the Human Resources Office. Employees are not permitted to write on, mark up or cross out any information contained in the personnel file. However, employees may wish to make copies of the documents contained in their folder; these copies are subject to the following charges in accordance with the New Jersey Open Public Records Act:

For letter & legal size copies Pages 1 through 50 are free of charge, all pages over 50 are \$0.01 (one cent) per page. Over-sized copies are \$0.40 (forty cents) per page, cassette tapes are \$0.70 (seventy cents) each, and compact discs (CD's) are \$0.35 (thirty-five cents) each. Special charges may apply for certain requests.

**Employee:**

Must make an appointment in advance with the Human Resources Department to see his/her records.

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>2 – EMERGENCY CLOSINGS OF COUNTY OFFICES &amp; DESIGNATION OF ESSENTIAL PERSONNEL</b>	<b>REVISED: 5/22/24</b>

### **Office Closings/Essential Personnel Designation**

If it is necessary to close County offices because of adverse weather or other conditions, announcements will be made utilizing the local closing number of (856) 853-3463 as well as through the elective alert option on the Gloucester Alert System. Registration for employees of Gloucester County is available at <http://private.glocesteralert.com/>. Employees should be sure to keep phone numbers and e-mail address up-to-date on the system. Any fees or charges associated with text messages are the responsibility of the employee.

Twenty-four hour facilities and certain other departments or portions of departments cannot close and must remain operational at all times. The following departments/divisions/areas/offices are required to report under **ALL CIRCUMSTANCES**:

- Animal Shelter
- Buildings and Grounds
- Emergency Response (all divisions)
- Human Services, Division of Transportation
- Parks and Recreation/Golf Course Maintenance & Grounds Crew
- Public Works
- Sheriff's Office
- Corrections Dept.

#### **Additional Departments Deemed Essential in Public Health Circumstances:**

The majority of staff will be deemed essential unless the County Administrator and the Department Head believe that status or function to be achieved on a rotational basis:

• All Non-Union Management	• Information Technology (IT)
• Administration	• Legal Department
• County Clerk	• Medical Examiner
• Economic Development	• Senior Services
• Elections (Superintendent/Board)	• Social Services
• Health Department	• Surrogate's Office
• Human Resources	• Treasury/Purchasing Department
• Human Services/Disability Services	

County of Gloucester  
Human Resources Manual

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Furthermore, there may be times where it is imperative for the safety of county residents that all county employees may be required to report to work.

In accordance with the collective bargaining agreement, an employee that reports to work to provide essential services when the County facilities are closed may receive an equal amount of compensatory time. In accordance with the applicable collective bargaining agreement, certain employees are expected to be in attendance during normal working hours anytime that County buildings are open, while other employees will be paid regular salary should the County offices be closed because of an "emergency." If this situation applies to a part-time employee under the terms of the applicable collective bargaining unit who is regularly scheduled for particular time that the county offices are closed, they will be paid for those scheduled hours.

*If an employee chooses not to report to work during a time of adverse or other conditions, vacation time or compensatory time will be charged. If the employee does not have vacation or compensatory time available to charge against, the employee will be docked time. Sick time will only be charged for a legitimate illness.*

#### **Delayed Opening/Early Dismissal**

Conditions may warrant a delayed opening or an early dismissal of County offices. The purpose of the delayed opening or early dismissal is to allow for poor road conditions. Delayed reporting and early dismissal times are for employees that report to work. For those employees that report to work under these circumstances, should they use vacation or compensatory leave time for a portion of the day adjacent to dismissal/delayed opening time, their time will be offset by the dismissal/delayed opening time. In these circumstances, any employee who does not report to work will NOT be allowed to subtract the delayed reporting or early dismissal time from their leave time. Furthermore, employees will not receive compensatory time for arriving before the amended start time or for staying beyond an early dismissal time.

#### **Employee:**

Seeks approval from his/her Department Head/designee for vacation or administrative leave because of inclement weather or other adverse conditions according to the procedures for these types of leave.

Provides medical verification for sick leave requests that coincide with inclement weather or other adverse conditions.

#### **Human Resources:**

Approves/denies sick leave requests that coincide with inclement weather or other adverse conditions.

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>3 – VITAL INFORMATION</b>	<b>REVISED: 5/22/24</b>

Employees' vital information impacts a variety of areas concerning their employment with Gloucester County. Should any changes in an employee's life occur, that in turn changes the employee's vital information, it is important that these changes are communicated to the proper areas.

It is the employee's responsibility to notify the Human Resources Department **within 30 days** of any and all health benefit coverage/life altering events. The employee must submit a copy of the appropriate documentation (divorce decree, birth certificate, proof of adoption, death certificate, marriage license, civil union license, proof of legal name change, as applicable). Each employee should also report change of address and/or phone number to the Human Resources Department.

**Employee:**

Notifies the Human Resources Department of any changes in the following list of vital information utilizing HR 9.3 Notice of Vital Information Change and/or 5.1 Notice of Change in Medical Benefit Status.

In addition, they MUST update ALL their information on My NJ Benefits Hub at  
[https://www4.benefitsolver.com/benefits/BenefitSolverView?page\\_name=signon&co\\_num=31756&co\\_affid=stateofnewjersey](https://www4.benefitsolver.com/benefits/BenefitSolverView?page_name=signon&co_num=31756&co_affid=stateofnewjersey)

Furthermore, employees should notify the Treasurer's Department of any changes in W-4 Form Deductions.

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b> <b>SECTION:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b> <b>3 - VITAL INFORMATION</b>	<b>ADOPTED: 3/7/06</b> <b>REVISED: 5/22/24</b>
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**NOTICE OF VITAL INFORMATION CHANGE**  
**(NAME, ADDRESS, EMAIL, PHONE NUMBER AND/OR EMERGENCY CONTACT)**

Department: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Name: \_\_\_\_\_ New Name\*: \_\_\_\_\_

New Email Address: \_\_\_\_\_  
(*This is the email address used for your direct deposit*)

Reason: \_\_\_\_\_ Marriage/Civil Union \_\_\_\_\_ Divorce/Dissolution of Civil Union  
\_\_\_\_\_ Legal Name Change \_\_\_\_\_ Other: \_\_\_\_\_

PLEASE NOTE: Name changes require a copy of a social security card reflecting the change.

New Address: \_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State, Zip)

New Phone Number (Home): \_\_\_\_\_

New Phone Number (Cell): \_\_\_\_\_

**Emergency Contacts – Please name two**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

*Please return this form to your payroll clerk who will in turn forward to Human Resources. Thank you.*

County of Gloucester  
Human Resources Manual

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>4 – WORKSPACES AND WORKPLACES</b>	<b>REVISED: 5/22/24</b>

The County seeks to provide a pleasant working environment for its employees. Below are a few guidelines that pertain to employee workspaces and workplaces.

### **Bulletin Boards**

Bulletin boards reserved for specific purposes are maintained in each department for the information of employees and the general public. The bulletin boards are for official notices regarding policies, procedures, meetings and special events. Only authorized personnel may post, remove or alter any notice.

### **Housekeeping**

The County of Gloucester provides regular custodial services for keeping buildings and offices clean. Any concerns about these services should be directed to the Buildings and Grounds Department via the appropriate department channels.

It is the responsibility of all employees to ensure that individual offices, desks or work areas are maintained in a neat, orderly and professional manner.

Space limitations and safety considerations require Department Heads/designees to ensure that all common areas under their jurisdiction are free of unnecessary or non-work related items.

### **Personal Property**

Decorations should be of a nature consistent with acceptable standards of good taste and are subject to supervisory approval.

Employees should assume storage areas are not private, including such places as desks, work stations, cabinets and lockers. These areas are the property of the County and are provided to employees for their convenience. At no time does the County relinquish its control of these areas.

For the safety and well-being of employees and the citizens entrusted with our care, the County reserves the right to inspect these areas from time to time, with or without cause.

Furthermore, the County will make every attempt to assure a secure building. However, because the public has access to the general office area and at times the private offices, the County assumes no responsibility for employees' personal property beyond maintenance of a reasonably secure building.

## **Radios**

Employees are permitted, subject to Department Head/designee approval, to listen to radios at their individual work stations. At all times, radio volume and music selection, must be of a nature which is not disruptive to other employees.

## **Smoking and Chewing Tobacco**

The NJ Smoke-Free Air Act (NJS 26:3D-55 et seq.) shall govern. Smoking will not be permitted in areas where it would be unsafe, would create recognized hazards, or in public areas or areas where people gather. This includes such areas as county buildings, public and employee entry ways, reception areas, conference and training rooms, auditoriums, rest rooms, medical facilities, stairways and elevators.

Smoking of any kind (cigarette, cigar, pipe, electronic smoking devices, etc.) is only permitted by any person (visitor, employee, contractor, etc.) in outdoor areas designated by signs. No smoking is permitted in any other areas. No smoking is permitted in County owned vehicles.

In other work areas, department heads will determine outdoor smoking locations by balancing the needs and desires of employees. Every effort will be made to accommodate both smoking and non-smoking employees, but if this is not possible, resolution will favor the non-smoker.

Employees who are dissatisfied with smoking policies shall attempt to resolve matters through their immediate supervisor, department head, or Human Resources in that order. If resolution cannot be achieved, the employee may proceed with established grievance procedures.

Chewing tobacco is not permitted at work stations or in county buildings. Employees who choose to chew tobacco are prohibited from spitting tobacco onto county grounds. In other words, the chewing tobacco should be disposed of in a receptacle of some sort.

Employees are not permitted take "extra" breaks in order to smoke or chew tobacco. Please refer to HR 7.4, Hours of Work, for additional details about rest and meal periods.

## **Open Flames**

The presence or use of candles, incense burners, or other open flame devices is prohibited in all County buildings. The success of this policy is dependent upon obtaining and maintaining the cooperation of all staff. Each department head is responsible for monitoring compliance with this policy.

## **Other Fire Hazards**

Employees may have small refrigerators and coffee pots at their stations as long as the appliance is plugged into the wall outlet directly and as long as the electrical system is capable of handling the demands being placed on it, subject to the Gloucester County Fire Marshal's approval. These appliances should not be plugged into extension cords. Extension cords and flexible cords shall not be a substitute for permanent wiring (International Fire Code NJ 2006, 605.5).

Microwaves and toaster ovens should be limited to the lunch rooms.

Space heaters can create a dangerous condition that is liable to cause or contribute to the spread of fire. Therefore, for the protection of county employees, portable kerosene heaters and/or heaters with certain electric elements are strictly prohibited. Only space heaters approved by the Fire Marshal are permitted in county buildings. Furthermore, the placement of the heaters is also approved by the Fire Marshal.

All appliances should be UL or FM approved for their intended use and subject to inspection by the Fire Marshal. Any appliance that does not pass an inspection must be removed from the building. In addition, the department and/or building at large will be evaluated periodically to ensure the electrical systems are sufficient to carry the load being placed on it and any concerns of overloading will be addressed, which may include removal of certain appliances from workspaces.

## **Carbon Monoxide**

This policy is regarding the installation of carbon monoxide detection in all county buildings under the New Jersey State Uniform Fire Code. Provisions for the installation of carbon monoxide detectors became effective on September 3, 2017.

Carbon Monoxide (CO) is an odorless, colorless and tasteless gas that is deadly. It is a by-product of combustion. Many appliances such as furnaces, kitchen stoves, hot water heaters, automobiles, etc., can produce carbon monoxide. When a faulty device or unusual conditions exist, carbon monoxide may be vented into areas where people are present. Carbon Monoxide poisoning may be difficult to diagnose. Its symptoms are similar to that of the flu, which may include headache, nausea, fatigue and dizzy spells for low levels and convulsions, unconsciousness, and death for high levels.

A supervisor or authorized representative shall investigate any and all reports of possible carbon monoxide incidents reported or occurring in all county buildings. If CO is suspected immediately call 911.

County of Gloucester  
Human Resources Manual

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Should the alarm sound, don't ignore it, it is intended to go off before you are experiencing symptoms. GET FRESH AIR IMMEDIATELY! LEAVE THE BUILDING!

If anyone is experiencing symptoms of CO exposure, NOTIFY YOUR SUPERVISOR AND DIAL 911. Tell the dispatcher you suspect CO poisoning. Be prepared to answer the following questions for the 911 dispatcher:

- Do your symptoms occur only in the building? Do they disappear or decrease when you leave the building and reappear when you return?
- Is anyone else in your building complaining of similar symptoms? Did everyone's symptoms appear about the same time?

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>5 – CHARITABLE CAMPAIGNS, LITERATURE AND OTHER SOLICITATIONS</b>	<b>REVISED: 5/22/24</b>

The County of Gloucester supports the Gloucester County Public Employees Charitable Campaign every fall. Employee participation and support is encouraged and appreciated.

In general, minor solicitations such as school fundraisers and product sales within County buildings fall under the Department Head's discretion. Major solicitations such as ticket sales, requests for contributions, and distributions of literature are not normally allowed because these activities can seriously interfere with a safe, productive work environment. Exceptions may occasionally be granted to collect money for presents, flowers, parties, charitable donations or relief of hardship. In these exceptional cases, permission must be obtained through the Department Head from the County Administrator/designee.

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>6 – EMERGENCY SERVICE VOLUNTEERS</b>	<b>REVISED: 5/22/24</b>

Employees who are volunteer members of a fire department in the County may be released from work to respond to emergency calls during working hours on a case by case basis upon receiving clearance from an immediate supervisor. Such requests will not be unreasonably denied. However, proper staffing of departments and County facilities as well as operational needs of the County must take precedence over all other considerations, particularly with jobs dedicated to public safety.

During a call out for an emergency response, employees who utilize County vehicles must, prior to responding to the call out, return said vehicle to the work site or may leave the county vehicle at the firehouse. Affected employees must then utilize their own private vehicles in responding to the emergency. County vehicles should not be driven to the scene.

For information purposes, employees who respond to these emergency calls should, upon return to work, notify their department head of the type of emergency and the length of their absence.

After the call out is complete, employees must return to work. As applicable, the employee may have to retrieve a county vehicle at the firehouse and then return to work. Employees should keep their Department Head/designee informed of their movements and anticipated return time.

**Employee:**

Registers their intent in advance to respond to emergency calls during work hours with their department head.

Requests permission to leave the work site respond to specific emergency calls.

Checks-in with their department head after the emergency response is complete.

If applicable, returns any county vehicles in their possession to the County worksite or firehouse prior to responding to an emergency and retrieve the vehicle after the response is complete.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>7 – OUTSIDE EMPLOYMENT</b>	<b>REVISED: 5/22/24</b>

Most employees are permitted to seek jobs outside of County employment if:

- 1) they maintain the County as their primary employer; and
- 2) such employment does not impede the performance of their duties or create a conflict of interest and/or appearance of impropriety with their position with the County.

Executive Management is not permitted to hold outside employment, unless approval is given by County Administrator and does not conflict with their County employment. Executive Management is generally defined as the highest level of county management with the day-to-day responsibilities of managing a department and/or holding specific executive powers conferred onto them with and by authority of the Gloucester County Board of County Commissioners.

For other management personnel, permission by the County Administrator must be granted before outside employment may be held. Any change in outside employment must be reported to the County Administrator and additional permission sought for each position. An employee's ability to continue outside employment may be affected by a change in his/her employment duties and/or responsibilities with his/her County employment. Other management personnel is defined as non-union management personnel with a specialized understanding of certain managerial tasks and with responsibility for carrying out the decisions made by Executive Management.

Law Enforcement employees (this includes employees of the Department of Correctional Services, Sheriff's Office and Prosecutor's Office) should refer to their respective appointing authority for direction and approval.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>8 – COUNTY PROPERTY, EQUIPMENT AND SUPPLIES</b>	<b>REVISED: 5/22/24</b>

Employees use County property, equipment and supplies in the course of their work. Any property, equipment or supplies assigned to, or provided to, employees are the responsibility of those employees and are to be used for County business only. Unauthorized use or removal of County property, equipment or supplies shall be cause for disciplinary action and may include termination of employment.

Unauthorized personal use of County vehicles is prohibited and shall be cause for disciplinary action and/or termination of employment (4A:2-2.3 a (8)). Please refer to HR 9.9 for details on the use of County vehicles.

Employees may be liable for damages incurred to or caused by County property and equipment if such damage is the result of employee negligence. Please refer to HR 8.4 for information on incidents involving county property.

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>9 – USE OF COUNTY VEHICLES</b>	<b>REVISED: 5/22/24</b>

County vehicles assigned to employees are the responsibility of those employees and are to be used for County business only. Employees may access County vehicles through their department, or with advanced notice, employees may request the use of a vehicle through the “Loaner Vehicle” form, which is available from the Department Head/designee.

All drivers of County vehicles must possess a valid driver’s license, and if applicable, a CDL. The County reserves the right to check an employee’s motor vehicle record at least annually after the date of hire. Furthermore, all drivers of County vehicles are required to give written notice within three (3) business days with a copy of suspension or revocation to his/her Department Head if his/her driver’s license is suspended or revoked.

The County reserves the right to monitor the use of County vehicles. The County shall or may utilize GPS (global positioning systems) in any of its vehicles or equipment whether owned or leased.

County vehicles are to be used for official business only, unless otherwise authorized by the Board of County Commissioners. Unauthorized personal use of vehicles is prohibited and shall be cause for disciplinary action and/or termination of employment (4A:2-2.3 a (8)). Only authorized employees are allowed to take home a county vehicle. Permission to take home a county vehicle is determined by duly appointed Commissioner Board designees.

Employees who fail to follow established reporting procedures or are negligent in the use of County property or vehicles may be subject to disciplinary action.

Employees may be liable for damages incurred to or caused by County equipment, property, and/or vehicles if such damage is the result of employee negligence. Any employee who is negligent in the operation of a County vehicle may be subject to disciplinary action.

Parking and speeding tickets must be paid by the driver.

Any incidents involving County employees, property or vehicles which result in damages or injuries, no matter how minor, must be reported by the employee to his/her Supervisor immediately. (See HR 8.4 titled “Incidents Involving County Property”). Any damage to County vehicles must be reported, via the Vehicle Accident Report, available in the glove compartment of the car, to the Risk Manager of the Human Resources Department by the end of the next working day. (Please refer to HR 8.4 for more details).

**County of Gloucester  
Human Resources Manual**

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Only authorized persons may be transported in County vehicles.

Vehicles shall be used for official, work-related activities only. This does not include such activities as excursions for check cashing, coffee break, or responding to an emergency (HR 9.6).

Insurance premiums and registrations are paid by the County. Current insurance and registration cards will be placed in vehicle glove compartments.

All occupants of County vehicles must wear seat belts at all times.

**Use of hand-held cellphones while operating County vehicles is strictly prohibited.**

**Employee:**

Inspects the vehicle prior to operating it to ensure no problems are present and a safe trip is expected.

Ensures the current vehicle registration and insurance card are in his/her possession.

Ensures valid inspection sticker is displayed on windshield.

Should obey the rules of the road and share the road courteously with others. If a parking or speeding ticket is issued, the employee is responsible for paying the fine. Furthermore, the employee must provide proof of such payment to his/her Department Head.

Keeps vehicles assigned to him/her clean.

Fills out mileage sheet with each use.

Reports any incidents involving County vehicles which result in damages or injuries, no matter how minor, to his/her Supervisor immediately.

Notifies his/her Department Head if his/her driver's license is suspended or revoked.

**Department Head/designee:**

Ensures vehicles assigned to his/her department are clean, in good operating condition, serviced according to the established preventative maintenance schedule, and inspected by the New Jersey Division of Motor Vehicles as required.

Authorizes employee use of vehicles assigned to their work unit.

Provides proof of fine payments as applicable.

County of Gloucester  
Human Resources Manual

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Ensures the Risk Manager is notified of county vehicle accidents involving a member of their staff.

Contacts Human Resources and Safety if receives notice that an employee's driver's license is suspended or revoked.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED:</b> 6/21/17
<b>SECTION:</b>	<b>9 – USE OF COUNTY VEHICLES</b>	<b>REVISED:</b> 5/22/24

**EXHIBIT A –**

**USE OF COUNTY VEHICLES  
ACCEPTANCE OF POLICY STATEMENT**

I understand and will abide by all of the above policy procedures. I understand that violating any part of the policy procedures may in-fact be grounds for the loss of driving of County vehicles privileges and/or disciplinary action up to and including termination of County employment.

I acknowledge that I have received a copy of the Use of County Vehicles policy of Gloucester County (HR 9.9 Use of County Vehicles) and have read and understand this policy in its entirety. I further acknowledge that I will adhere to this policy.

NAME (Please print): \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

*(Please sign and return this page to the Human Resources Department upon receipt)*

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>10 – TRAVEL AND REIMBURSEMENT FOR EXPENSES</b>	<b>REVISED: 5/22/24</b>

Employees who receive advance approval from their department head will be reimbursed for legitimate reasonable expenses, including travel expenses associated with the use of a personal vehicle. Reimbursements include General Expenses (as per negotiated contract); Mileage Expenses (as per negotiated contract and IRS regulations); and Tolls and Parking Expenses. All requests for such reimbursement must be itemized and accompanied by receipts. Mileage reimbursement requests should be based on actual miles traveled and exclusive of travel to and from the employee's work station site. Please note that, in accordance with IRS regulations, an Employee is not eligible for mileage reimbursement when a County vehicle is made available to the Employee and instead of using the County vehicle provided for this purpose, the Employee opts to use his/her own vehicle. In this case, the Employee is not eligible for mileage reimbursement.

Employees should also refer to HR Manual 7.4 regarding the approval process for leaving the primary work site on County business.

HR 9.10 Request for Reimbursement Form is provided for the Employee to use in seeking reimbursement for expenses not associated with overnight stay.

In the event any employee is required to travel in the course of his/her employment and said travel includes overnight stay, regardless of the source of funding (ie., County funded or grant funded), he/she shall follow the guidelines detailed below (consistent with the Purchasing Procedures Manual):

All requests for travel expenses that include overnight stay first must be pre-approved by the Department Head prior to the event. Once the Department Head approves the travel, the Travel Request Form should be completed and the subsequent approvals from the Treasurer, Commissioner Liaison, Commissioner Director and County Administrator must be obtained. Department Heads when seeking approval of travel inclusive of overnight stay shall proceed directly to this step.

In order to get reimbursed for costs associated with per-approved travel expenses, a purchase requisition must be submitted to the Purchasing Department along with the appropriate form. For travel costs related to overnight stay, this requisition must be submitted with enough time being allowed for arrangements to be made.

All requests for reimbursement must be submitted in a timely fashion but in no case should requisitions lapse over 90 days. Please do not submit claims for reimbursements until they have reached a total of \$25.00. Once this amount is reached, you have until the

County of Gloucester  
Human Resources Manual

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end of the following month to submit the requisition. Any expenses incurred during the month of December must be submitted by January 30<sup>th</sup> of the following year. Failure to submit a timely claim may result in denial of your reimbursement.

**Employee:**

Seeks approval for expenses prior to incurring the costs.

For costs associated with overnight stay, utilizes HR 9.10 Travel Request Form.

For costs not associated with overnight stay, utilizes the HR 9.10 – Request for Reimbursement Form.

**Department Head/Designee:**

Approves or disapproves employee travel and expense requests.

Submits to the appropriate parties the Travel Request Form for any travel costs associated with overnight stay.

County of Gloucester  
Human Resources Manual

---

<b>CHAPTER: SECTION:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
	<b>10 – TRAVEL AND REIMBURSEMENT FOR EXPENSES</b>	<b>REVISED: 5/22/24</b>

**TRAVEL REQUEST FORM**

To: \_\_\_\_\_ (Treasurer)

From: \_\_\_\_\_ (Department Head)

Employee: \_\_\_\_\_ Travel Dates: \_\_\_\_\_

Department: \_\_\_\_\_ Destination: \_\_\_\_\_

**Purpose (detail):** \_\_\_\_\_

**Costs:**

Travel: \_\_\_\_\_

Lodging: \_\_\_\_\_

Registration: \_\_\_\_\_

Daily Expense: \_\_\_\_\_  
(Max: see CBA)

**Total:** \_\_\_\_\_

**Cost Budgeted in line item:** \_\_\_\_\_

**Approvals:**

Treasurer: \_\_\_\_\_ Date: \_\_\_\_\_

Commissioner Liaison: \_\_\_\_\_ Date: \_\_\_\_\_

Commissioner Director: \_\_\_\_\_ Date: \_\_\_\_\_

County Administrator: \_\_\_\_\_ Date: \_\_\_\_\_



HR 9.10 - Request for Reimbursement Form



Employee Name \_\_\_\_\_  
Rate Per Mile \_\_\_\_\_  
For Time Period \_\_\_\_\_

County of Gloucester  
Human Resources Manual

---

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>11 – UNIFORMS AND SAFETY EQUIPMENT</b>	<b>REVISED: 5/22/24</b>

Uniforms are to be worn when issued or when an allowance for such has been paid by the County to the employee in accordance with the appropriate negotiated agreement.

The County will provide employees with appropriate safety equipment where necessary (please see HR 8.1 for more details).

Failure of employees to wear such uniforms and/or equipment may be cause for disciplinary action.

To replace any article of clothing which has been issued by the County, an employee must return the worn or damaged article to his/her immediate supervisor.

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>12 – UNION MEMBERSHIP AND FEES</b>	<b>REVISED: 5/22/24</b>

Employees have the right to choose whether they wish to affiliate with the recognized union or employee bargaining agent. No employee shall be required to join any union or other organization as a condition of employment.

The County will not discriminate against, interfere with or use coercion against any employee because of his/her affiliations or non-affiliations.

Union dues are collected through payroll deduction in accordance with the appropriate negotiated agreement(s). Employees who hold Bargaining Unit Positions and/or affiliate with the recognized union will be subject to union dues in accordance with the provisions of the appropriate negotiated agreement. In the event any employee withdraws his or her authorization for dues deduction by notice to the County Treasurer, such dues shall be halted as of July 1 next following the date on which notice of withdraw was filed pursuant to N.J.S.A. 52:14-15.9e

Regular meetings of the recognized union(s) shall be held after working hours, however two official union representatives (the steward and alternative steward) may investigate contract violations or problems with working conditions during work hours without loss of pay.

In accordance with the appropriate negotiated agreement, official union representatives shall be permitted leave to attend meetings and conventions, represent employees in grievance procedures, and may investigate contract violations or problems with working conditions.

County of Gloucester  
Human Resources Manual

---

<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>13 – STRIKES AND LOCKOUTS</b>	<b>REVISED: 5/22/24</b>

According to the provisions of the negotiated agreement(s), employees of the County are not permitted to strike. Recognized unions will not engage in any strike, work stoppage, slowdown, walkout or other job action against the County.

The County will not institute a lockout against its employees.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL RULES AND REGULATIONS</b>	<b>ADOPTED: 3/7/06</b>
<b>SECTION:</b>	<b>14 – INDEMNIFICATION</b>	<b>REVISED: 5/22/24</b>

The Employer will indemnify an employee for damages resulting from any tort claim or any civil violation of state or federal law, and the payment of fines related to and the cost of legal services to defend any municipal court or criminal charge, arising out of the employee's job, if, in the opinion of the Employer, the acts committed by the employee upon which the damages are based or in connection with which the legal costs were incurred did not constitute fraud, malice, willful or wanton misconduct, or intentional wrongdoing or outside the employee's scope of employment. If the employee's acts constitute such fraud, malice, willful misconduct or other intentional wrongdoing, then the employee shall be responsible for the fines, damages and costs.

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL POLICIES</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>15 – OPEN PUBLIC MEETINGS ACT PROCEDURE CONCERNING PERSONNEL MATTERS</b>	<b>REVISED: 5/22/24</b>

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

County of Gloucester  
Human Resources Manual

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<b>CHAPTER:</b>	<b>9 – GENERAL POLICIES</b>	<b>ADOPTED: 3/7/12</b>
<b>SECTION:</b>	<b>16 – CONTINUING EDUCATION PROCEDURE</b>	<b>REVISED: 5/22/24</b>

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

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