

**ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS**

**PERSONNEL POLICIES**

As amended, **October 7, 2020**

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**The Association of New Jersey Environmental Commissions:**

The Association of New Jersey Environmental Commissions (ANJEC) is a non-profit membership service organization supporting the more than 350 municipal environmental commissions, other organizations and the public at large in New Jersey. The ANJEC staff provides expert consultation, training programs, a comprehensive website and publications and facilitates communication with state and federal agencies for the volunteers serving on these commissions.

These Personnel Policies will be distributed to new staff when hired, and to all staff after any updates/revisions of the Policies.

**Terms and Conditions of Employment**

All positions are established at the will of the Executive Director of ANJEC. The Executive Director reserves the right to terminate any employee for any reason at any time without cause.

**Whistleblower Policy**

**General Statement**

The Association of New Jersey Environmental Commissions (“ANJEC”) is committed to observe high standards of legal and ethical business conduct. ANJEC expects its employees to exercise honesty and integrity in fulfilling ANJEC’s responsibilities and complying with all applicable laws and regulations. This policy is intended to encourage and enable good faith reporting of Wrongful Conduct and to protect individuals from retaliation who make such reports. <sup>1</sup>

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<sup>1</sup> Non Profits with New Jersey-based employees are required to post a notice regarding employees’ protections, obligations, rights, and procedures under the New Jersey Conscientious Employee Protect Act (CEPA). The New Jersey Department of Labor and Workforce Development has issued a model CEPA Notice, in both English and Spanish, that employers may use: [http://lwd.dol.state.nj.us/labor/forms\\_pdfs/lwdhome/CEPA270.1.pdf](http://lwd.dol.state.nj.us/labor/forms_pdfs/lwdhome/CEPA270.1.pdf). Employers must post the CEPA Notice in English and Spanish, even if they do not have Spanish-speaking employees. In addition,

### **Purpose**

This policy creates a mechanism for an employee to report Wrongful Conduct. Wrongful Conduct is defined as a violation of applicable law or regulations or material violations of ANJEC's operating policies ("**Wrongful Conduct**").

Examples of Wrongful Conduct that this policy is intended to address include, but are not limited to:

- Falsification of the ANJEC's financial reports, tax returns or other financial documents;
- Non-compliance with the ANJEC's legal responsibilities;
- Misappropriation of funds or theft of property of the ANJEC; or
- Material violations of conflict of interest, record retention, employee protection or other ANJEC policies.

No employee who in good faith reports Wrongful Conduct will suffer retaliation, harassment or adverse employment consequences.

### **Reporting**

An employee may report Wrongful Conduct directly to the Executive Director. If the employee believes that the concerns reported will not be fairly considered, the report of Wrongful Conduct can be made to the President of the Board of Trustees. The Executive Director or officer who receives the report must advise the Board President of the allegations of Wrongful Conduct immediately.

ANJEC will make every effort to treat the employee's identity with confidentiality, with the understanding that details of the allegations concerning the Wrongful Conduct may need to be shared with others in order to conduct a comprehensive investigation.

Anonymous reports, while accepted, impact the ANJEC's ability to conduct an investigation. Thus, employees are encouraged to disclose their identity to increase the credibility of the report and to enable ANJEC to investigate the matter thoroughly.

The employee will not be expected to prove the truth of his or her allegations of Wrongful Conduct, but he or she should be prepared to demonstrate that the allegations are made in good faith and to submit whatever evidence is available to support the allegations. Reports of unfounded allegations of Wrongful Conduct that are demonstrated to have been made recklessly, maliciously or with the knowledge that the allegations were false may lead to disciplinary action up to and including termination.

### **Response**

A person or committee so designated by the Board is responsible to supervise and direct a prompt investigation. The action taken will be dependent on the nature of the concern. A report of the conclusions of the investigation will be made to the entire Board of Trustees,<sup>2</sup> who will determine what disciplinary and corrective action, if any, shall be taken.

### **Retaliation Prohibited**

No employee who reports Wrongful Conduct in good faith under this policy shall suffer threats, abuse, harassment, retaliation, discrimination or any other or adverse employment consequence. A person within the Organization who does retaliate against an employee is subject to discipline up to, and

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employers with ten or more employees must provide a copy of the CEPA Notice (in English and Spanish) annually to its New Jersey employees.

<sup>2</sup> In New Jersey the term "Board of Trustees" should be substituted for the term "Board of Directors" wherever it appears throughout the document.

including, termination of employment.

Any reporting person who believes he or she has been retaliated against should report it to the Executive Director.

**Certification of Compliance**

When an individual is first employed he or she must complete and deliver to ANJEC a certificate in the form specified by the ANJEC, which, initially, will be as attached to this policy as **Annex A.** ]

**Violations of this Policy**

Violations of this policy will be subject to such disciplinary and corrective action as the Board of Trustees deems appropriate.

**Periodic Reviews**

The Board of Trustees shall review this policy periodically to ensure that it continues to satisfy the obligations of ANJEC. Any changes to the policy will be communicated timely to all employees.

**Statement of Non-Discrimination**

The Association of New Jersey Environmental Commissions is an Equal Opportunity Employer. ANJEC's employment and personnel policies will be implemented without regard to race, color, creed, religion, national origin, gender, age, physical or mental handicap, atypical hereditary cellular or blood traits, ancestry, marital status, sexual orientation or because of physical disability that does not interfere with the ability to do the work required, or liability for service in any branch of the armed forces of the United States.

Race, creed, color, national origin, ancestry, age, marital status or gender shall be a factor for employment only where it is a bona fide occupational qualification, as provided by law.

The Executive Director is designated as the Equal Employment Compliance Officer and is responsible for the administration of this policy.

**Harassment Prohibited**

The Association of New Jersey Environmental Commissions expressly prohibits any form of unlawful employee harassment based on race, color, sex, sexual orientation, religion, age, national origin, military status or disability and any form of harassment which would be against public policy. Each employee is responsible for respecting the rights of colleagues and for ensuring that ours is an atmosphere free of intimidation, harassment or discrimination.

Any employee who believes that he or she has been subject to unlawful harassment on account of sex, or for any other reason, must promptly report the incident in writing to the Executive Director or her designee, who will investigate the matter in confidence, to the extent possible. The Association of New Jersey Environmental Commissions will not tolerate any employee taking retaliatory action against an employee for raising a legitimate complaint under this policy or for assisting in a complaint investigation.

**Working Hours and Work Week:**

The ANJEC office is open to the public Monday through Friday during the hours of 9:00 a.m. to 5:00 p.m. Flexible working schedules are available to both full time and part time employees, whether salaried or hourly, at the discretion of the Executive Director.

Salaried employees are employees who work a fixed number of hours a week on a salaried basis.

Hourly employees work variable hours according to need and availability.

**Compensation**

ANJEC employees are paid bi-monthly with the payday occurring on the 15th and the last day of each month. When an employee begins employment in the middle of the pay period, he/she is paid on the following payday for the period worked. ANJEC does not withhold any pay at the beginning of employment.

Hourly employees will be paid at the rate of 1 1/2 times their hourly rates when they work more than 80 hours during any two-week pay period. All such overtime work must have the prior approval of the Executive Director. Salaried employees receive no additional compensation for overtime work. However, ANJEC has a flexible work arrangement, where a salaried employee can make up time in the weeks following a pay period when the employee works less than the hours he/she is paid for in the pay period. Alternatively, if the employee works more hours than paid for, he/she can use the excess hours as "comp time" in following periods. Comp time must be used in the year it was earned, and cannot be carried to the next year. If an employee terminates employment with ANJEC, he/she will not be reimbursed for unused comp time.

### **Salary Progression**

The pay of all employees will be equitably adjusted on a regular basis. Cost-of-living will be given consideration in determining such adjustments. Full-time employees (30-40 hours per week) will generally receive consideration for their time commitment.

The Finance Committee of the Board of Trustees will review ANJEC's income annually, and then recommend to the full Board a salary guide for that year. The full Board will pass a salary resolution annually through the budget approval process. The Board reserves the right to grant no increases.

### **Employee Reviews**

The Executive Director will conduct an annual performance review for each employee. The employee will receive a written copy of his/her review, and a copy will also be kept in the employee's personnel file.

### **Time Sheets**

All employees are to complete an ANJEC Time Sheet for each pay period in which work for ANJEC occurred. Employees are to submit time sheets to the bookkeeper on the due date. Time sheets for the Assistant Director are approved by the Executive Director. Time sheets for all other employees are approved by the Assistant Director.

### **Work Related Expenses**

**Travel Expenses** incurred by employees in connection with work performed for ANJEC are reimbursed. Each employee who travels on ANJEC business is required to use his/her own vehicle and will be reimbursed at a rate to be determined annually by the Board of trustees. Employees are eligible for reasonable lodging, food and other related expenses when job responsibilities take them away overnight. Employees are not eligible for travel expenses between the ANJEC office and their home. If an employee first arrives at work after an ANJEC-related appointment or leaves the office for an ANJEC-related appointment before going home, he/she is entitled to receive as a travel expense the difference between the actual mileage traveled and the normal mileage between home and the ANJEC office.

**Other Expenses** incurred by employees in connection with work performed for ANJEC are reimbursed.

All requests for expense reimbursement must be submitted on ANJEC expense reimbursement forms to the financial manager. The President, Board of Trustees will approve expense vouchers of the Executive Director and the Executive Director will approve those of the Assistant Director prior to payment. All other expense vouchers are approved by the Assistant Director prior to payment.

### **Holidays:**

The ANJEC office will be closed on the following holidays:

New Year's Day	Juneteenth
Martin Luther King Day	Veterans' Day

Presidents Day  
Memorial Day  
July 4  
Labor Day

Thanksgiving  
Friday after Thanksgiving  
Christmas Day  
One Floating Holiday of employee's choice

**Salaried employees** who work at least 20 hours/week are entitled to the eleven holidays listed above. Each holiday will be prorated according to the number of hours the employee works in a week, based on a 40-hour week.

All other employees are not entitled to receive compensation for holidays.

### **Vacations**

**Salaried employees** who work at least 20 hours per week are entitled to two weeks paid vacation time for the first and second years of ANJEC employment, three weeks for third and fourth years, and four weeks for five years and over. Employees may take their yearly vacation time after the first six months on salary, or earlier with the permission of the Executive Director.

**Salaried employees who work less than 40 hours per week** will have their vacation pro-rated on the number of hours worked per week. Vacation time will start accruing as of first day of hire, with an employee earning 1/12 of his/her allotted vacation time each month.

All other employees are not entitled to paid vacation.

In the event that an employee takes all of his/her vacation time prior to the end of his/her first year of employment and leaves ANJEC prior to the end of that year, his/her paycheck will be appropriately reduced to reimburse ANJEC for the unearned vacation time which the individual has used.

An employee who does not use all of his or her accrued vacation days by the end of the year may roll over up to 5 vacation days, which will be credited to his or her account for the next year. Any days which cannot be rolled over, will be forfeited. Prior year carry over days must be used first before any current year days off are taken. All employees are encouraged to use all of the vacation time to which they are entitled. Employees are required to provide the Executive Director with at least two weeks' notice of the dates they request for vacation leave.

### **Disability Leave**

Disability leave is covered by the New Jersey State Temporary Disability Law.

### **NEW POLICY: to comply with the 2018 New Jersey Paid Sick Leave Act**

#### **Personal (no changes)**

Full time employees are entitled to two personal days that may be taken at any time during the fiscal year for which they are granted. Full time employees who began work part way through the fiscal year will have the number of allowable personal days prorated based on the number of months left in the fiscal year. Salaried employees who work at least 20 hours/week are entitled to prorated personal paid hours according to the number of hours the employee works in a week, based on a 40-hour week. Personal days may be used for any reason. They should be scheduled in advance when possible. Unused days may not be carried over to a subsequent calendar year and an employee will not be paid for unused personal days.

#### **Sick Leave**

Each fiscal year, full time employees working 40 hours per week are entitled to ten sick days. All part-time employees are entitled to prorated sick paid hours according to the number of hours the employee works in a week, based on a 40-hour week.

Sick days may be used for the following:

- Diagnosis, care or treatment of—or recovery from—an employee's own mental or physical illness, including preventive medical care.
- Aid or care for a covered family member during diagnosis, care or treatment of—or recovery from—the family member's mental or physical illness, including preventive medical care.
- Attend to matters related to the death of a family member
- Circumstances related to an employee's or their family member's status as a victim of domestic or sexual violence (including the need to obtain related medical treatment, seek counseling, relocate or participate in related legal services).\*
- Closure of an employee's workplace or of a school/childcare of an employee's child because of a public official's order relating to a public health emergency.
- Time to attend a meeting requested or required by school staff to discuss a child's health condition or disability.

For the purpose of this policy, "family member" includes individuals related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

Unused days will be carried over to the following calendar year at a maximum of 40 hours for full-time employees working 40 hours per week. All part-time employees are entitled to carry-over prorated sick paid hours according to the number of hours the employee works in a week, based on a 40-hour week. Employee will not be paid for unused sick days.

#### **Family Leave**

**Salaried employees who** have worked at ANJEC for at least one year at the time the leave is requested are entitled to up to 12 weeks unpaid leave in any 12 month period to care for children, parents or other immediate family members. Medical certification from a physician or other appropriate documentation in support of the request must be provided.

#### **Jury Duty**

Salaried employees are entitled to receive an amount equal to the difference between the employee's regular pay and reimbursement received for jury duty. One -week advance notice must be given prior to taking jury duty leave. Salaried employees working less than 40 hours per week will be paid at their prorated rate for jury duty.

#### **Military Leave**

ANJEC complies with all federal and New Jersey laws governing the rights of employees who perform qualified military service (including the National Guard and the commissioned corps of the Public Health Service).

#### **Leave Without Pay**

Employees may take leave without pay provided that adequate notice is given and the terms of such a request have been approved by the Executive Director.

#### **Inclement weather/office closure**

**Office Closing** On rare occasions, the ANJEC offices may be formally closed. The most likely occurrence will be in the instance of a statewide or partial statewide State of Emergency declared by the Governor of New Jersey. If the offices are closed, employees are not expected to come into work. Employees will be paid for office closings. Full-time salaried employees will be paid for an 8 hours day. Salaried employees who work at least 20 hours/week are entitled to prorated paid hours according to the number of hours the

employee works in a week, based on a 40-hour week.

The Executive Director will determine whether the office shall be closed by 7 am on the day of such a closure. Information concerning a closure will be made available on the Main Office and Executive Director's voicemail. The Executive Director will also call the Office Manager and Assistant Director and inform them directly, and issue an all-staff email as soon as practical. The Office Manager and Assistant Director will contact the remainder of staff via phone call or text, according to a prearranged communication tree, and in an all-staff email to inform them of the office closing. The Office Manager is responsible for changing the general voicemail message for ANJEC to announce to the public that the offices have been closed. Every attempt will also be made to announce the office closing on ANJEC's website.

***Delayed Opening*** The Executive Director may alternatively decide to delay the opening of the offices. In this instance, the work hours for that delay are reduced by the number of hours the opening is set back from 9 am. Once again, this announcement will be made on the Executive Director's voice mail, to each staff member via phone call or text, and in an all-staff email. The Office Manager is responsible for changing the general voicemail message for ANJEC to announce the delayed opening to the public.

***Weather and Safety.*** The expectation is that under most circumstances the office will remain open. Nevertheless, the safety of employees remains paramount. Every employee has the discretion to work at home when they may deem local conditions to be unsafe. In these circumstances, the employee is expected to inform the Executive Director or, in her/his absence, the Office Manager, in order that her/his Department Manager or colleagues may reschedule or manage any conflicts with scheduled work or meetings. An employee working at home is expected to work a regular workday, and should use vacation or personal time if that is not possible. Employees are therefore encouraged to take work home with them if the weather is potentially threatening

#### **Health Insurance**

Employees who work at least 25 hours a week are eligible to participate in ANJEC's health insurance plan. Group health insurance will be extended after employment in accordance with the NJ Health Care Reform Act.

#### **Accidents**

All work-related accidents are to be reported immediately to the Assistant Director or Executive Director.

#### **Workers Compensation**

Worker's compensation is covered by the New Jersey Workers Compensation Act.

#### **Honoraria**

Any honoraria earned as a function of employment are to be turned over to ANJEC.

#### **Training**

ANJEC will pay for training courses and conferences that are directly related to the work responsibilities of employees provided that prior approval has been given by the Executive Director or Assistant Director.

#### **Grievances and Personnel Policy Questions:**

ANJEC will make sincere efforts to resolve in a reasonable time all grievances, complaints and problems relating to its operations, procedures and policies. All such concerns shall be brought to the attention of the Assistant Director within 10 working days of such occurrence. In the absence of the Assistant Director, such concerns may be brought to the Executive Director. Complaints not satisfactorily resolved by the above procedure may be taken to the President, Board of Trustees.

The Board of Trustees will render a written decision on the grievance within 90 days of receiving the written request. The Board of Trustees is the final and binding decision-making body in the grievance process.

### **Personnel Files/Confidentiality**

Each employee's personnel file contains information on the employee's date of hire, promotions, evaluations, salary progression, and insurance information. Personnel files are accessible only to the Executive Director and Assistant Director. Employees may review their personnel files upon request to the Executive Director or Assistant Director. The files are confidential; Information in an employee's personnel file will be released to others only upon the written authorization of the employee.

An employee who is in disagreement with the information contained in his/her personnel file may make a written request to the Executive Director to correct, amend, or update such information. The Executive Director shall either correct or eliminate the information requested, or inform the employee of the Executive Director's refusal to amend the record and the reason why. If the request is refused, the employee shall be permitted to add to his/her record a statement of the reasons for his/her disagreement.

Employees are responsible for notifying the Executive Director of any change of vital information, including name, address, telephone number, change in status for health programs, deductions to be included on W-4 Form, or person to be contacted in the event of an emergency.

### **Who Speaks for ANJEC**

The Executive Director and the President of the Board speak for ANJEC when official declarations or positions are presented. When testifying at official hearings, the employee should get the Executive Director's approval for testimony to be submitted. Staff members should refrain from expressing individual positions when identified as ANJEC employees. ANJEC rarely takes a position on local issues unless there is statewide application.

### **Conflicts of Interest**

The ANJEC Board of Trustees has adopted a Conflict of Interest Policy governing actions by trustees and employees. The Board may be update its policy and the most current version will govern on this issue.

Conflict of interest means a conflict or the appearance of a conflict between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include ANJEC staff members. Staff members must ensure that their policies and activities will neither jeopardize ANJEC's non-profit status nor reflect unfavorably upon the organization.

1. ANJEC will not conduct business with any business or professional entity in which a staff member or family member of a staff member is in a position to benefit financially. Staff having an interest in an entity with which ANJEC is considering establishing a business or professional relationship are obligated to disclose such interest.
2. Staff members may not serve as Trustees.
3. Staff member must hold in confidence organizational information not intended to be made public.

To avoid problems created by conflicts of interest, the following policies are adopted:

a. When a staff member is an elected member of the governing body or a member of an Environmental Commission, Open Space Committee or similar organization with which ANJEC is engaged in any type of transaction, that staff member must recuse himself or herself from all aspects of ANJEC's review, discussion and voting for that transaction.

b. A staff member must disclose any real or apparent conflicts of interest to the President of the Board of Trustees and Executive Director with his/her role as an ANJEC staff member, including but not limited to:

- a staff member is related to a Trustee
- a staff member in a supervisory capacity is related to another staff member he/she supervises
- a staff member receives payment from ANJEC for any subcontract, goods or services;
- a staff member is a member of the governing body of a contributor.



c. No staff member may use knowledge of ANJEC's opportunities, plans or operations or any non-public information acquired in his/her role as an ANJEC staff member for personal or business use or for the use of other non-profit organization(s).

d. Issues discussed at ANJEC Board and Committee meetings are confidential and staff should not discuss them with individuals outside the organization, unless the Board expressly authorizes public discussion or the issues are public knowledge.

e. Staff may not use ANJEC's name, property or facilities in connection with any political activity. ANJEC may engage in insubstantial lobbying activities (within its tax exemption status) in an attempt to influence legislation, but may not intervene directly or indirectly in any political campaign on behalf of or in opposition to any candidate for public office. Staff members can engage in political activity within their individual capacity, but must scrupulously distinguish between their personal conduct and activity on behalf of ANJEC.

f. ANJEC may hire persons closely related to board or staff members only with the approval of the board. The board may approve such hiring after considering the qualifications and experience of the person and the cost of the contract compared to the qualifications, experience and cost of hiring an unrelated person. The board may request bids or proposals from other applicants for comparison. A contract with a person closely related to a board or staff member will be reconsidered every other year.

No staff member shall participate in the selection, award or administration of a transaction where to his/her knowledge any of the following has a financial interest in that transaction:

- the staff member
- any member of his/her immediate family
- an organization in which any of the above is an officer, director or employee
- a person or organization with whom any of the above is negotiating or has any arrangement concerning prospective employment.

### **Termination of Employment**

Employees must notify the Assistant Director or Executive Director of their wish to terminate employment with ANJEC. To the extent possible full time employees must give two weeks' notice prior to the final day of work.

An employee who is being laid off from his/her job at ANJEC will be provided two weeks' written notice by the Executive Director, and will be compensated for unused vacation time upon leaving. An employee's health benefits will terminate on the last day of employment.

### **Personal Internet/e-mail use**

All communications and computer files are subject to being read by other staff, administration and/or trustees. Staff should have no expectation of privacy regarding any e-mails or internet use on ANJEC computers, whether for work or personal purposes.

Adopted by ANJEC Board of Trustees 4/24/90

Amended 3/24/94

Amended 3/25/97

Amended 1/30/02

Amended 11/20/03

Amended 5/31/11

Amended 6/30/15

Amended 3/29/16

Amended 10/10/18

Amended 7/28/18

Amended 9/2020

Amended 10/7/2020

Annex A:

I \_\_\_\_\_, an employee of ANJEC acknowledge receipt of and will comply with, to the best of my ability, the personnel manual last updated on \_\_\_\_\_a(date).

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

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