

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-258

A RESOLUTION ADOPTING PERSONNEL POLICIES AND PROCEDURES

Councilman Taylor offered the following resolution and moved its adoption:

WHEREAS, it is the policy of the Borough of Red Bank to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with the laws and regulations; and

WHEREAS, the Municipal Employees Liability Joint Insurance Fund has recommended changes to the existing personnel policies previously adopted by the Borough of Red Bank.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Personnel Policies and Procedures Manual is hereby adopted and shall be distribution toe every employee and shall be on file with the Borough Clerk.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough of Red Bank officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by the Borough of Red Bank employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Red Bank shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Bruce W. Padula, Esq. is hereby appointed as Labor Counsel to advise the Borough of Red Bank in personnel matters.

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Human Relations Manager and the Borough's Labor Counsel shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

Seconded by Councilman Whelan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()
Councilwoman Schwabenbauer	(x)	()	()	()
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()

DATED: September 28, 2016