BOROUGH OF DUNELLEN
ORDINANCE #07-12

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF DUNELLEN, PERSONNEL POLICIES, BY ADDING CHAPTER 51, “PROGRESSIVE DISCIPLINE SYSTEM FOR MEMBERS OF THE DEPARTMENT OF PUBLIC WORKS”

NEW DUNELLEN CODE SECTION 51 was approved on the first reading on June 26, 2007, and is here presented for a second reading and public hearing. Copies of this Ordinance have been posted on the public bulletin board prior to the date for second reading and final passage and copies of this Ordinance have been available at the Office of the Borough Clerk for any interested members of the public:

BE IT ORDAINED by the Borough Council of the Borough of Dunellen, County of Middlesex, State of New Jersey, that Chapter 51 is added and enacted.

The Borough of Dunellen will follow a “Progressive Discipline System” for all Department of Public Works employees for violations of the work rules set forth below. However, if the Borough deems an employee's misconduct to be sufficiently serious, the Borough may bypass this “Progressive Discipline System” and suspend or discharge employees immediately.

Violations of these work rules will be handled with the following "Progressive Discipline System":

1st offense -- written warning
2nd offense -- written warning or suspension
3rd offense -- suspension or discharge
4th offense -- discharge

When the Borough issues a written warning, a copy of the warning will be given to the employee, a copy put in the employee's personnel file, a copy given to the Council Liaison, and a copy given to the Mayor.

REPORTING TO WORK

1. All employees must be in uniform and ready to work at the start of their work day.
2. Employees must punch in at the start of the work day and punch out at the end of the work day.
3. Employees shall not mark or alter a time card. Moreover, an employee may not punch in or out for another employee.
4. The Department Supervisor will review lateness and absences each month. Habitual tardiness will be subject to "Progressive Discipline." Habitual absences will be grounds for "Progressive Discipline."
5. In the event an employee is unable to report to work, it is their responsibility to telephone their Supervisor at least one-half hour before the normal starting time each day an employee
cannot report for work. If an employee is unable to report to work because of an emergency or hospitalization, the employee should have someone else call the Department Supervisor as soon as is reasonably possible. Failure to call in disrupts the Borough's work schedule and will result in "Progressive Discipline." Failure to call in for two consecutive days is grounds for discharge.

**DRIVER'S LICENSES**

All employees in the Department of Public Works (DPW), must maintain a valid New Jersey driver's license with a CDL. The Department Supervisor will verify the validity of such licenses approximately every six months. It is the employee's responsibility to notify their supervisor in the event the employee's license is lost or revoked.

**ACCIDENTS AND BOROUGH VEHICLES AND EQUIPMENTS**

1. An employee who suffers an injury and/or accident in the course of their employment must notify their Supervisor immediately so that arrangements can be made for a medical examination and/or treatment. Injuries must be recorded on the proper forms that are provided by the Borough.

2. All accidents or damage to vehicles or equipment, regardless of how minor, must be reported to the Supervisor immediately after they occur.

3. Employees must not leave Borough property unattended or borrow Borough equipment without receiving permission from their Supervisor.

4. Employees shall not commit or engage in willful damage or neglect to vehicles/equipment, or materials or other Borough property. Restitution for damage or neglect shall be required of the employee responsible.

**PROHIBITED CONDUCT WHICH MAY LEAD TO IMMEDIATE DISMISSAL**

1. Theft or vandalism.

2. Possessing or bringing alcoholic and/or chemical substances onto Borough property, including into Borough vehicles or reporting to work under the influence of alcohol or drugs.

3. Fighting on Borough property and/or committing an act of violence against any employee of the Borough.

4. Insubordination, including the refusal to obey a lawful instruction, or using insulting, violent, abusive, or threatening language to a Supervisor.

5. Dishonesty, such as, but not limited to, falsifying Borough records, giving false testimony or purposely misleading a superior.
6. Assault or possessing or using a dangerous weapon of any kind on Borough property or during the performance of any assigned job.

7. Gross negligence or poor work performance such as, but not limited to, the careless destruction or sabotage of Borough property or job performance in an inefficient manner.

8. Accepting any gratuity or other form of financial gain from any private citizen, whether a resident or any other person, during the performance of or in connection with the performance of work duties and responsibilities on behalf of the Borough.

9. Being convicted of a crime or incarceration.

PROHIBITED CONDUCT WHICH WILL SUBJECT AN EMPLOYEE TO “PROGRESSIVE DISCIPLINE”

1. Stealing time, such as, but not limited to, sleeping on the job and leaving the assigned work areas without permission.

2. Gambling on the job.

3. Soliciting of any kind during working hours without permission of the Supervisor.

4. Creating or contributing to unsafe working conditions.

5. Using abusive or profane language to co-workers, other Borough employees or the public.

6. Being unavailable for work because of incarceration.

7. Refusing to cooperate in a lawful investigation except in cases of refusing to testify based upon the grounds of avoiding self incrimination.

8. Smoking in unauthorized areas.

9. Engaging in conduct unbecoming of a Borough employee in the public service.

10. Discriminating because of race, color, creed, national origin, age, marital status, or sex, such as, but not limited to, making demeaning ethnic remarks to co-workers or other Borough employees, or the public.

11. Violating the work rules or encouraging others to violate the work rules.

12. Not using or wearing required safety equipment or violating safety procedures.

13. Sexual harassment of or by Borough employees to co-workers, supervisors, or the public. (Any abuses related to sexual harassment should be immediately reported to the Supervisor, Council Liaison, Borough Clerk or the Mayor.)