

PERSONNEL POLICY

Chapter 13

PERSONNEL POLICY

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[HISTORY: Adopted by the Township Committee of the Township of Barnegat 8-5-74 by Ord. No. 1974-16; amended in its entirety 8-2-76 by Ord, No. 1976-12; amended in its entirety 4-6-87 by Ord. No. 1987-3; further amended 5-4-87 by Ord. No. 1987-9, 6-20-88 by Ord. No. 1988-25; 3-4-91 by Ord. No. 1991-5; amended in its entirety 10-5-92 by Ord. No. 1992-26. Further amendments noted where applicable.]

Be it ordained by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey:

A R T I C L E I
General Provisions

§ 13-1. Purpose.

The purpose of this chapter is to establish, amend and supplement the Personnel Policy of the Township of Barnegat, County of Ocean, State of New Jersey.

§ 13-2. Adoption of manual.

As part of this chapter there is hereby established a "Personnel Manual" which is adopted for the purpose of regulating the employer-employee relationship in Barnegat Township.

§ 13-3. Scope of manual.

- A The manual adopted herein applies to all municipal employees with the exception of any provision in a duly negotiated contract with any recognized bargaining agreement shall control.
- B. All full-time, part-time and seasonal employees are subject to this personnel chapter as are municipal officers and officials.

§ 13-4. Enforcement and administration.

- A The municipality or its designee is hereby authorized and directed to establish and promulgate reasonable personnel policy regulations as are required to implement this chapter.

- B. Such regulations shall take effect and become part of the "Personnel Manual" only upon the approval of the Township Committee by adoption of a resolution implementing the same.

§ 13-5. Inconsistent ordinances repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency.

§ 13-6. When effective.

This chapter shall take effect upon final passage and publication by law.

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 [Adopted 7-6-04 by Ord. No. 2004-301]

§ 13-7. Applicability.

- A. The prohibitions set forth shall apply solely to employee positions for the Township of Barnegat.
- B. This Article shall not apply to appointments to the various boards, commissions, committees, seasonal part-time employees, and authorities of the Township of Barnegat.
- C. This Article and the prohibition against certain hiring contained herein shall be applied prospectively only from the effective date of its enactment and shall not in any way be construed to prohibit or make unlawful any current employment relationship or situation or the hiring or promotion of any person currently employed by the Township of Barnegat as of the effective date of this Article which may technically be violative of the

terms hereof but for its prospective application. For purposes of interpreting this exception, persons appointed to positions of employment with the township for a set term shall be considered current employees, notwithstanding the fact that the then term may have ended. Such persons holding position of employment with the township under a set term may be hired to any position in the township, rehired, reappointed or promoted, as may be the case without violating this Article.

- D. The prohibitions set forth in this Article 5 are enforceable to the extent that they are not in violation of civil service or any other applicable state laws.

§ 13-8. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

ELECTED OFFICIAL — Persons holding the position of Township Committee.

RELATIVE — Includes spouses, parents/children, siblings, grandparents/grandchildren, in-laws to the extent of parents or children, brothers and sisters-in-law, nieces and nephews.

SUPERVISOR — Any employee of the township having supervisory duties and powers over another employee or employees within the respective department of the township.

§ 13-9. Restriction in Hiring and Promoting Employees.

The following restrictions shall apply in hiring and promotion of employees to employment positions in the Township of Barnegat.

- A. **Supervision.** No relative as defined herein shall be considered for employment by the Township of Barnegat or hired to a position of employment with the township where that person will be the supervisor of or be supervised by another relative who is an existing employee within the same department.
- B. **Applications.** Applications for employment submitted by relatives of township employees holding current supervisory positions (hereinafter supervisor) will not be accepted for positions in the same department of the township in which the supervisor works or where, through promotion such a situation or relationship could exist.
- C. **Relatives of elected officials.** No person who is a relative of any elected official of the Township of Barnegat shall be considered for employment as an employee to the township. This shall not restrict nor prohibit the continued employment of individuals to a position or positions with the township where a relative of an employee is elected as a Township Committeeman after the date of employee's start of employment with the township.
- D. **Promotions of existing employees.** Notwithstanding the prospective application as to the remainder of this Article as applied above, no elected official or supervisor in a department may participate in the promotion process of hiring process in that department of any existing employee who is a relative of such elected official or supervisor, as the case may be. Such related official or supervisor shall abstain from participation in such personnel action as it applies to such relative.

§ 13-10. Purpose.

This policy is not for the purpose of depriving any citizen of an equal chance for employment with the township, but is solely intended to eliminate the potential for preferential treatment of the relative of governmental personnel.

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§ 13-11. Current employees.

Except as may otherwise expressly provided for herein, this Article shall not affect the employment of any present township employees and/or any existing contractual obligations with employees by the Township of Barnegat.