
DISCIPLINARY PROCEDURE*

Listed below are examples of the types of behavior for which an employee may be subject to discipline, including termination. This list is not all inclusive. The types of behavior and conduct that the Authority considers inappropriate or improper and which could lead to disciplinary action, up to and including termination of employment include but are not limited to the following examples:

- Failure to maintain workplace area cleanliness and orderliness;
- Failure to treat residents, visitors and fellow employees in a courteous manner;
- Gambling on Authority property;
- Smoking where prohibited by ordinance, law or Authority rules.
- Improper attire, inappropriate personal appearance or any other violation of the Appearance Policy;
- Falsification of public records, including attendance records, timecards and other personnel records;
- Excessive, unnecessary or unauthorized use of Authority supplies for personal purposes;
- Failure to report absence;
- Soliciting or accepting gratuities from residents;
- Harassment of co-workers and/or volunteers and/or visitors;
- Theft of or attempted theft of property belonging to the Monroe MUA, fellow employees, volunteers or visitors;
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence;
- Fighting at any time on Authority property, job site, or any property where Authority business is being conducted;
- Being under the influence of intoxicants (e.g. liquor) or illegal drugs (e.g. cocaine or marijuana) on Authority property and at any time during work hours;
- Insubordination;
- Entering the building without permission during non-scheduled work hours;
- Soliciting on Authority property during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products;
- Careless waste of materials or abuse of tools, equipment or supplies;
- Deliberate destruction or damage to Authority or suppliers' property;
- Sleeping on the job;
- Carrying weapons of any kind on Authority premises and/or during work hours, unless carrying a weapon is a function of your job duties;
- Violation of established safety and fire regulations;
- Unscheduled absence, chronic or excessive absence or lateness;
- Chronic tardiness;
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours;

- Defacing walls, bulletin boards, or any other Authority or supplier property;
- Failure to perform duties, inefficiency or substandard performance;
- Unauthorized disclosure of confidential Authority information;
- Horseplay, pranks, practical jokes, disorderly conduct and use of abusive and/or obscene language on Authority premises;
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort;
- Conviction of a crime or disorderly person's offense. Employees convicted of these offenses shall report the conviction in writing to Human Resources within five (5) working days of the conviction;
- Violating any Monroe Municipal Utilities Authority rules, procedures, policies or regulations;
- Conduct unbecoming a public employee;
- Violation of Federal, State, or Monroe Municipal Utilities Authority laws, rules or regulations concerning drug and alcohol use and possession;
- Misuse of public property, including motor vehicles;
- Unauthorized use of computers, internet and email;
- Other sufficient cause;

Major disciplinary action includes termination, disciplinary demotion, or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure (and Civil Service procedure). In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

In cases of employee misconduct, the Monroe Municipal Utilities Authority believes in corrective action for the purpose of correcting undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances. In every case, employees will be given an opportunity to state the situation from their point of view.

In order to correct undesirable behavior, supervisors and managers may utilize the following corrective tools: verbal reprimand; Executive Director review; written reprimand; suspension; fines; and dismissal. At the discretion of the Monroe Municipal Utilities Authority, action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

Neither this manual nor any other Monroe Municipal Utilities Authority guidelines, policies or practices create an employment contract. Employment with the Monroe Municipal Utilities Authority may be terminated at any time with or without cause or reason by the employee or Monroe Municipal Utilities Authority.

The foregoing violations shall result in disciplinary action. Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five (5) working days. Minor discipline includes a suspension or fine of five (5) working days or less. Under Civil Service regulations, employees may be disciplined for:

- Incompetency, inefficiency or failure to perform duties;
- Insubordination;
- Inability to perform duties;
- Falsification of public records including personnel records;
- Violation of Monroe Municipal Utilities Authority policies, procedures, rules or regulations;
- Chronic or excessive absenteeism or lateness;
- Conviction of a crime;
- Conduct unbecoming a public employee;
- Neglect of duty;
- Misuse of public property, including motor vehicles;
- Discrimination that affects equal employment opportunity (as defined in N.J.A.C. 4A:7-1.1), including sexual harassment;
- Violation of Federal, State, laws, or Monroe Municipal Utilities Authority laws, rules or 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;
- Violation of New Jersey residency requirements as set forth in P.L. 2011, c. 70; and
- Other sufficient cause.

Employees who wish to appeal major or minor discipline must do so in writing within five (5) working days. Employees who timely appeal such discipline are entitled to a hearing. Notice of Major Disciplinary Action shall be set forth on a preliminary notice of Disciplinary Action. If said Notice is not followed by a timely appeal or if a decision is reached after departmental hearing sustaining major discipline, it shall be formalized by way of a Final Notice of Disciplinary Action. Employees have twenty (20) days to appeal therefrom to the Civil Service Commission.

All discharges will be in accordance with Federal and State laws including the New Jersey Civil Service Act as well as applicable collective bargaining agreements.

Resignation resulting from Unauthorized Absence:

Any employee who is absent from duty for five (5) consecutive business days without notice and approval of his Supervisor of the reason for such absence and the time he expects to return, or who fails to report for duty within five (5) consecutive business days after the expiration of any authorized leave, shall be held to have resigned not in good standing. A permanent employee resigned in this fashion, shall be notified of his entitlement to a departmental hearing by way of a Preliminary Notice of Disciplinary Action.