

Best Practices Inventory

Summit City

Printable Current Answers

001	Core Competencies	Personnel	[1.00] Yes
<p>The “Diane B. Allen Equal Pay Act” (P.L. 2018, c. 9) modifies current law to strengthen protections against employment discrimination and promote equal pay for all groups protected under the Law Against Discrimination (N.J.S.A. 10:5-1 et seq.). Have appropriate municipal officials (including labor counsel as necessary) evaluated whether your municipality is in compliance with this law?</p>			

002	Core Competencies	Personnel	[1.00] Yes
<p>P.L. 2017, c. 183, signed into law on August 7, 2017, amends the Local Budget Law to require municipal and county governing bodies to certify compliance with the following Federal civil rights requirements when submitting their approved budgets with DLGS: that their hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964.” Local Finance Notice 2017-27 discusses this requirement in further detail. Has your governing body reviewed your municipality’s policies on the use of criminal history when making personnel decisions, to ensure that those policies do not violate Title VII on the basis of either disparate treatment or disparate impact?</p>			

003

Core Competencies

Personnel

Has your municipality adopted a written vehicle use policy prohibiting personal use of municipal vehicles (except for commuting), and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.

[1.00] Yes

Comment: Personnel
Policy and Procedure
Manual Section 2-11

004

Core Competencies

Personnel

Does your municipality have 1) an established documented process requiring department heads to submit notice of outside employment, and 2) upon receiving such notice, does your municipality have a documented process within its human resources function to determine whether a conflict of interest exists?

[1.00] Yes

Comment: Most
recently amended by
Resolution No. 38660
12/18/18

005

Core Competencies

Personnel

Payments for waivers filed before May 21, 2010 and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or \$5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments below the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. Are your municipality's healthcare waiver payments at or below the statutory maximum? "N/A" is only applicable where the municipality does not make payments in lieu of health benefits.

[1.00] N/A

Comment: City does not offer payment in lieu of health benefits

006

Core Competencies

Personnel

The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality not pay overtime to employees classified as exempt under the FLSA?

[1.00] Yes

007

Core Competencies

Personnel

Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas including, but not limited to: discrimination, harassment, personal days, use of municipal vehicles, and political activity. Has your municipality adopted an employee personnel manual/handbook by resolution or ordinance? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was adopted. If not yes, please type "Did Not Answer Yes" into the comment box.

[1.00] Yes

Comment: Complete revision 10/05/09 most recently amended by Resolution No. 38660 12/18/18

008	Core Competencies	Personnel
<p>Has your municipality reviewed and updated its employee personnel manual/handbook by resolution or ordinance within the past three years? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was updated. If not yes, please type "Did Not Answer Yes" into the comment box.</p>	<p>[1.00] Yes Comment: Most recently amended by Resolution No. 38660 12/18/18</p>	
009	Core Competencies	Personnel
<p>Does your municipality maintain centralized records for all time worked and all employee leave time earned and used?</p>	<p>[1.00] Yes</p>	
010	Core Competencies	Personnel
<p>N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC?</p>	<p>[1.00] Yes</p>	

011	Core Competencies	Budget	
Does your municipality complete an initial draft of its annual budget no later than the first week of January (or first week of July if an SFY municipality), and obtain input in crafting the draft budget from elected officials and department heads as appropriate to the form of government?			[1.00] Yes

012	Core Competencies	Budget	
A formal policy regarding municipal budget surplus (i.e. fund balance) is crucial to making informed financial decisions, and the lack of a policy could lead bond rating agencies to downgrade your municipality's credit rating. In developing said surplus policy the CFO should analyze and explain at least a five (5) year trend of surplus, describing the factors causing each annual increase or decrease; to develop a realistic and sustainable surplus policy. Has your municipality adopted a written annual goal for the amount of surplus available in support of municipal operations?			[1.00] Yes

013	Core Competencies	Budget	
Revenue earned from Uniform Construction Code (UCC) fees must be dedicated to UCC enforcement. The amounts of UCC revenue generated and funds appropriated to UCC enforcement appear on the User-Friendly Budget as well as the UCC Annual Report submitted to the Division of Codes and Standards. Does your municipality's construction code fee schedule comply with the parameters set by N.J.A.C. 5:23-4.17, 5:23-4.18 and Local Finance Notice 2017-15, specifically does your municipality comply with the law prohibiting the imposition of UCC fee amounts greater than necessary to operate the UCC office?			[1.00] Yes

	Core Competencies	Budget
014		
Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5?		[0.00] No
015	Core Competencies	Budget
Does your municipality annually review 1) its fee schedules against revenue collected, and 2) its fee ordinance(s) to determine whether fees need to be brought more in line with expenses?		[1.00] Yes
016	Best Practices	Budget
N.J.S.A. 40A:4-62.1 allows municipalities to establish a storm recovery reserve for purposes such as, but not limited to, snow, ice, and debris removal. Unexpended balances budgeted annually for storm recovery purposes may be lapsed into the reserve. Has your municipality established a storm recovery reserve to ensure the consistent availability of funds for this purpose?		[0.50] Yes
017	Best Practices	Budget
Does your current year annual budget appropriate an amount for snow removal based on, at minimum, an average of the municipality's snow removal expenses over the last three (3) years? A Yes answer is permitted where the budget appropriation is below the three-year average, but the balance remaining in a snow removal or storm recovery reserve trust fund would bring the total amount equal to or above the three-year average.		[0.50] Yes