

TOWNSHIP OF MONTCLAIR



AFFIRMATIVE ACTION PLAN

April 2016

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SECTION SUMMARY

SECTION 1- THE EQUAL OPPORTUNITY STATEMENTS

This section contains a copy of the Township Manager's statements on Equal Opportunity and Affirmative Action. These statements reaffirm the Township of Montclair's commitment to provide equal opportunity to all employees and applicants for employment in accordance with all applicable laws, rules and regulations of federal, state and local governing bodies and agencies thereof. Further, included in this section are steps for filing a complaint alleging violation(s) of applicable federal, state or local mandates.

SECTION 2- DISSEMINATION OF EEO POLICY

This section describes the techniques or procedures for posting of the policy on bulletin boards within the workplace that the Township uses to disseminate the EEO policy internally and externally. Internally, dissemination is accomplished by publishing the EEO policy in guides, handbooks, and instructions, and by meetings between the Council members, the Township Manager, Supervisors, employees and union officials. External dissemination is accomplished by notifying recruiting sources, minority and women organizations, secondary schools (notified at least once a year in writing), community leaders, and agencies of the Township's EEO policy.

SECTION 3- ASSIGNMENT OF RESPONSIBILITIES

This section describes the EEO related responsibilities of the Township, and to whom they are assigned. The Township Manager, Affirmative Action Officer, Department Heads, Supervisors and the HR Director have designated responsibilities which are fully described in the AAP.

SECTION 4- COMMUNITY AFFIRMATIVE ACTION

This section describes the Township's current involvement in community action programs with particular attention given to activities intended to improve recruitment, and increase the representation of minority or women applicants in the hiring process. The organizations with which the Township may work include, but are not limited to: National Alliance of Business (NAB), Urban League, National Association for the Advancement of Colored People (NAACP), National Conference (NC), and the National Organization of Women (NOW).

The Township also describes its current involvement in the Small Business Set-Aside Program, by providing notice to minority (MBE) and female (WBE) owned business enterprises, as well as listing the minority/female SUPPLIERS' participation, the total dollars spent, and the MBE/WBE participation rate during the previous year.

SECTION 5- COMPLIANCE WITH OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP) SEX DISCRIMINATION GUIDELINES

This section contains sex discrimination guidelines in recruiting and advertising, employment policies and practices, and a copy of the Township's Policy on Sexual Harassment.

SECTION 6- WORKFORCE UTILIZATION ANALYSIS

This section contains a copy, by department, of the Township's Workforce Analysis. It contains a listing of each Job Title within the Township, and for each Job Title, the total incumbents by race and sex, and the total incumbents by total men and women.

SECTION 7- ESTABLISHMENT OF GOALS AND TIMETABLES

This section includes goals which the Township seeks to achieve to eliminate underutilization, and includes a forecast by the Manager of jobs which may be given in the ensuing year. The information referenced in this section is "Township Private Information", and may not be included in the supervisor's copy of the AAP. Should managers or supervisors receive inquiries from their subordinates or have questions of their own relative to such data, they should contact the Township's Affirmative Action Officer.

SECTION 8- ANALYSIS OF PERSONNEL PROCEDURES-PROBLEM IDENTIFICATION AND CORRECTIVE ACTION

This section includes a narrative analysis of each personnel procedure that impacts equal opportunity and a full description of the Affirmative Action planned to correct adverse effects (if any) revealed by the analysis. The narrative analysis provides a full description of how each procedure is carried out, and an EEO impact statement which indicates how the procedure is affecting equal opportunity in the Township.

IMPORTANT NOTE: It is particularly important that the Township Manager and each supervisor read and become thoroughly familiar with the contents of this section.

SECTION 9- DEVELOPMENT AND EXECUTION OF ACTION ORIENTED PROGRAMS

This section describes monitoring and submission of various reports required by the Affirmative Action Officer, and to whom these reports are to be submitted.

SECTION 10- INTERNAL AUDIT AND REPORTING SYSTEMS

An auditing system is required for all personnel actions that are associated with Affirmative Action objectives including applicant flow, employment, staffing, transfers, promotions and terminations. This section contains a description of the audit and reporting systems used by the Township for achieving its Affirmative Action objectives.

INTRODUCTION

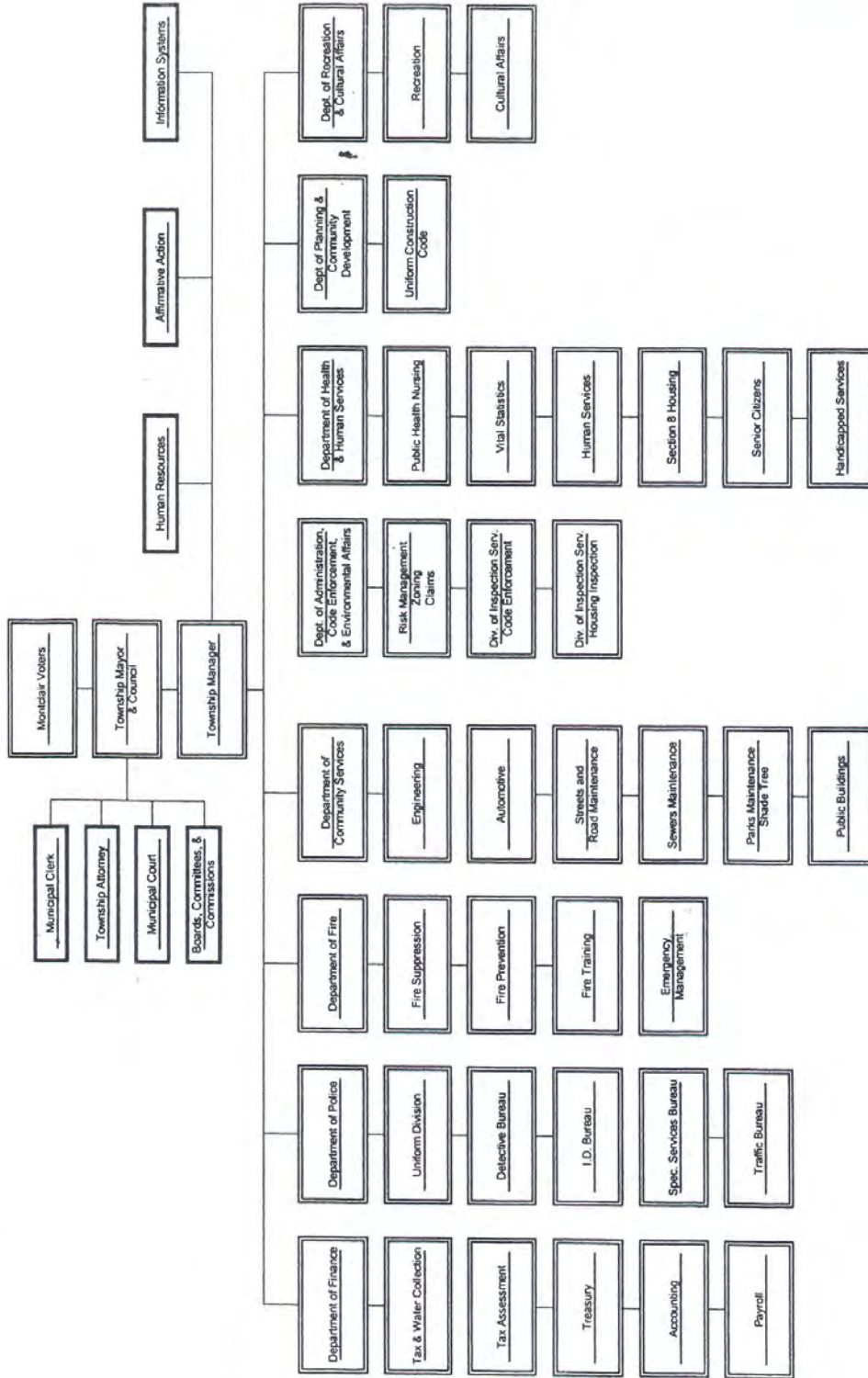
The Township of Montclair, Essex County, New Jersey services a population of approximately 38,000 residents, and covers over six square miles within its jurisdictional limits.

The Township of Montclair presently operates under a Council-Manager form of government. The Council is comprised of seven elected officials who serve concurrent four-year terms. Four of the Councilors represent designated wards (1st, 2nd, 3rd, & 4th), while the remaining three councilors serve at-large. The Mayor is elected directly by registered voters. The Council is responsible not only for the appointment of a Manager who serves as Chief Executive and Administrative Official of the Township, but also the appointment of the Deputy Mayor, Township Clerk, Municipal Judge and Township Attorney.

There are eight administrative departments and three utilities (water, sewer, and parking) under the direct administrative control of the Township Manager. Figure 1, Section 1, is an organization chart of the present Township Government structure and lists the eight departments and utilities and their divisions. The Township Manager is responsible for maintaining a comprehensive Human Resources program. There is a centralized Human Resources Office which operates under a set of standardized personnel policies and procedures. In addition to developing personnel policies and procedures, it is the responsibility of the Director of Human Resources to counsel employees on personnel matters. The Affirmative Action Officer has the general responsibility of developing, implementing, and administering the Equal Employment Opportunity & Affirmative Action Program.

The Township of Montclair is an Equal Opportunity Employer, and is constantly striving to develop policies and procedures which are in compliance with the guidelines set forth in Title VII of the Civil Rights Act of 1964, Executive Orders 11245 and 11375, as well as the State of New Jersey's laws against discrimination with regard to race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status).

TOWNSHIP OF MONTCLAIR



Revised: May 2004

Letter from the Township Manager

Date: April 2016

RE: EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATIVE ACTION

It is the policy of the Township of Montclair to provide equal access to employment opportunities and to administer all personnel policies, practices, and benefits of employment on a non-discriminatory basis. Equal Employment Opportunity exists when employment decisions are free of bias or discrimination.

All employees are entitled to a workplace free of words, actions, or conduct that are discriminatory with regard to race, color, creed, national origin, nationality, ancestry, age, sex, familial status (including pregnancy), marital status, religion, domestic partnership status, affectional or sexual orientation, gender identity, atypical hereditary or cellular blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status). Employees or supervisors who, through such discriminatory words, actions, or conduct, create a work environment hostile to fellow workers are subject to disciplinary action.

Discrimination is also prohibited with regard to terms and conditions of employment, including policies and practices affecting:

- Recruitment, hiring and placement
- Work assignments and working environment
- Evaluations
- Promotions, demotions or transfers
- Disciplinary actions, layoffs, recalls, or terminations
- Training and educational programs
- Compensation or benefits

Department Heads are responsible for developing and implementing strategies necessary to achieve EEO and Affirmative Action objectives. Department managers and supervisors are directed to make all employment decisions based on established Township policy, and to ensure EEO compliance in their individual areas of responsibility.

Acts of discrimination among employees are inappropriate and will not be tolerated. Behavior of this nature is a form of misconduct and is subject to disciplinary action up to and including termination. Any employee or applicant who feels that he or she has suffered unlawful discrimination should contact the Director of Human Resources or the Affirmative Action Officer located in the Montclair Municipal Building at 205 Claremont Avenue, or call (973) 509-4938 or (973) 509-5703 respectively, for assistance.

Reprisal against or interference with an employee's right to file a complaint constitutes a serious violation of the Township's EEO Policy. Any employee who willfully engages in such conduct shall be subject to disciplinary action, including termination.

Sincerely,

Timothy Stafford

Township Manager

TOWNSHIP OF MONTCLAIR

DISCLAIMER STATEMENT

- Nothing contained in the Township of Montclair's Affirmative Action Program (AAP) should be construed as either an expressed or implied admission of discrimination because of race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status).

DISCLOSURE STATEMENT

- The material set forth in various sections of the Township of Montclair's Affirmative Action Program (AAP), particularly Sections 6,7, and 9, is considered to be "Confidential" information, and is exempt from disclosure under the Freedom of Information Act, 5 U.S.C. Section 552 (FOIA). Disclosure of such material therein, is also prescribed by the Trade Secrets Act, U.S.C. Section 1905 (1976).

SECTION 1

THE EQUAL OPPORTUNITY POLICY STATEMENTS

POLICY ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

As Manager of the Township of Montclair, I reaffirm my full support and commitment to Equal Employment Opportunity and Affirmative Action. In addition, I further pledge the complete support and assistance of all personnel under my direction for implementing an Action Plan that will ensure that all employees and applicants for employment are provided equal opportunity. Based on this commitment the Township will:

- Constantly strive to fill all job vacancies with the best available and qualified persons in accordance with the principles of EEO. Underutilization of minorities and women will be addressed by vigorous implementation of Affirmative Action measures in recruiting, hiring, and promotion of personnel.
- Support employment initiatives to recruit, hire, place, and provide developmental training for disabled persons.
- Provide a work environment such that the work experience of each individual will fulfill the needs of and recognize the dignity of the individual while employed by the Township of Montclair.
- Ensure that promotion decisions are in accordance with principles of equal opportunity by imposing only valid requirements for promotional opportunities.
- Ensure that all personnel actions such as: hiring, compensation, benefits, transfers, layoffs, return from layoff, Township sponsored training, education, tuition assistance, and social and recreational programs will be administered without discrimination because of race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, gender identity, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status).

Equal opportunity is the responsibility of the entire workforce. As Township Manager, I direct every department head and supervisor within the Township of Montclair's workforce to comply with both the letter and spirit of equal opportunity as required by the Equal Employment Opportunity and Affirmative Action policy of the Township. Department heads and supervisors will personally be held accountable for their support of the Township of Montclair's EEO/Affirmative Action policy and objectives.

Each employee must strive to develop an awareness of differences among individuals and respect the dignity of each individual as a person created free, equal, and endowed with those rights upon which our country is founded.

Good faith efforts will be made to meet the goals and objectives. Goal progress will be evaluated on the basis of the good faith efforts, as well as statistical evidence that women and minority representation is progressing toward their established level of availability within the established recruitment area.

Name/Signature

Date

POLICY ON SEXUAL HARASSMENT

Effective April 11, 1980, The U.S. Equal Employment Opportunity Commission's (EEOC) Guidelines on Sexual Harassment became law. The Township of Montclair's policy is to provide a work environment that is wholesome, safe, conducive to good job performance, and free of discrimination including freedom from sexual harassment. Township policy prohibits sexual harassment of its employees in any form. Such conduct may result in disciplinary action up to and including termination of employment. Violation(s) of the Policy will be determined based on the facts of a particular action, and determined on a case-by-case basis.

No supervisor (or other employee responsible for work assignment) shall threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances or requests for sexual favors will either enhance or adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other terms or conditions of employment for career development.

Other sexually harassing conduct in the work place, whether committed by supervisors or non-supervisory personnel is also prohibited. This includes: repeated offensive sexual flirtations, advances, and/or propositions; continual or repeated verbal abuse of a sexual nature; sexually degrading words used to describe an individual; and the display in the workplace of sexually suggestive objects, photography, or other printed material.

Supervisors who fail to promptly take appropriate action to effectively address allegations of sexual harassment brought to his/her attention will be subject to disciplinary action.

Employees who have complaints of sexual harassment or any other type of harassment should report such conduct to their immediate supervisor or seek the assistance of the Township's Affirmative Action Officer or Human Resources Director. Where an investigation confirms such allegations, prompt corrective action will be taken.

Training will be provided for all employees to assure awareness of rights.

**POLICY ON THE EMPLOYMENT OF PEOPLE WITH DISABILITIES,
SPECIAL DISABLED VETERANS,
VETERANS OF THE VIETNAM ERA, AND
THE AMERICANS WITH DISABILITIES ACT**

In a continuing effort to treat individuals with disabilities, special disabled veterans, veterans of the Vietnam Era, and Americans with disabilities without discrimination in employment, training, job placement, government programs and services, public accommodations and services, and telecommunications alluding to advancement, the Township of Montclair reaffirms its policy on equal opportunity for all its employees and applicants for employment, and will continue to foster a general understanding of sensitivity to the problems of all individuals with disabilities, veterans, and Americans with disabilities. We will assure that as openings become available for which covered individuals are qualified, we will be better prepared to provide meaningful employment and advancement opportunities. All employment and advancement decisions will be consistent with the efficient operation of the Township, applicable labor arrangements, and the safe performance of the job.

The Affirmative Action Program for individuals with disabilities, special disabled veterans, veterans of the Vietnam Era and Americans with disabilities are developed and reviewed annually in compliance with Section 503 of the Rehabilitation Act of 1973, as amended, and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, and the Americans with Disabilities Act of 1991, are aimed at ensuring equality of employment and providing reasonable accommodations to the physical and mental limitations of employees and job applicants. No qualified individual will be discriminated against because of a physical or mental impairment, veteran status or disability.

Any person who believes the Township has failed to meet its obligations under the Acts should bring the matter to the attention of the Affirmative Action Officer. An investigation will be conducted. The Township will take appropriate action to ensure that the rights of individuals to file complaints, furnish information or participate in an investigation, compliance review, or other activity relating to the administration of implemented regulations, will be respected and not interfered with in any manner.

All supervisors are required to become familiar with the Affirmative Action Program in the Township, and take an active role in supporting its policies and practices. The management of the Township is fully committed to this endeavor, and will be personally reviewing the progress in all organizations reporting to them.

STEPS IN FILING AN EEO COMPLAINT

1. If an employee or applicant for employment wishes to file an EEO complaint, he/she should contact the Township's Human Resources Director or the Affirmative Action Officer. The Human Resources Office and Affirmative Action Office are located on the second floor in the Municipal Building, 205 Claremont Avenue, Montclair, NJ.
2. The Human Resources Director and/or the Affirmative Action Officer will investigate and attempt conciliation or resolution within thirty (30) working days from receipt of complaint.
3. If no conciliation can be reached, the complaint will be forwarded to the Township Manager for review and an attempt will be made to resolve the complaint within thirty (30) working days after receipt of the report to the Affirmative Action Officer.
4. The aggrieved party has the right to file a complaint with the New Jersey Division on Civil Rights.
5. Employees or applicants may exercise all rights and procedures set forth without being subject to reprisal or retaliation by any person with administrative control and responsibility, or by fellow employees.
6. The Township of Montclair has the responsibility to receive, investigate, and attempt to resolve internal and external complaints of alleged violations of its obligations to foster equal employment opportunity and affirmative action. Appropriate action to file complaints or participate in investigations for the purpose of resolving such complaints will be respected, and not interfered with in any manner.
7. All employees and applicants for employment shall be informed that no individual will be intimidated, threatened, coerced or discriminated against by the Township for filing a complaint, furnishing information or participating in any manner in investigations, compliance reviews, hearings, or any other activity related to the administration of the Township's EEO/AA Policy.
8. Complaints and all actions taken to resolve them through the Township's internal review procedures will be maintained in the strictest confidence. Such information will only be disclosed on a "Need to Know" basis for the proper administration of Township business (as may be determined by the Township Manager) or in response to a duly issued subpoena in connection with a legal action.

SECTION 2

DISSEMINATION OF **THE EEO POLICY**

SECTION 2- DISSEMINATION OF THE EEO POLICY

The internal and external dissemination of the Township of Montclair's Equal Opportunity Policy is as follows:

2.1 INTERNAL DISSEMINATION

- (a) Copies of the EEO Policy for the Township of Montclair will be distributed to all employees of the Township and Library, as appropriate by the Affirmative Action Officer.
- (b) Copies of the Policy Statement will be posted on bulletin boards in the Human Resources Office and at prominent locations throughout the Township.
- (c) Meetings will be held annually with all supervisors, employees and union officials to explain the extent of the EEO Policy, each individual's responsibility for its implementation, and the Township's approach toward implementation.
- (d) Discuss EEO policies in both employee orientation and management training programs.
- (e) Ensure that non-discrimination clauses are included in all union agreements, and that all contractual provisions are periodically reviewed to ensure they are non-discriminatory.
- (f) Ensure that the Affirmative Action Program plan is made available to all employees who are directly involved in any aspect of its implementation, and to all managers and supervisors so they can become familiar with its contents.
- (g) Maintain documentation that all supervisors have read the Affirmative Action Program, and understand their responsibilities in carrying it out.
- (h) Display EEO posters designated by federal regulations on bulletin boards in areas where people apply for employment, and where employees congregate.
- (i) Inform employees and prospective employees of the existence of the Affirmative Action Plan (AAP) and make available such elements of the program as will enable them to avail themselves of its benefits.
- (j) Ensure that articles covering EEO Programs, progress reports, promotions, etc. of minority and women employees are published in Township publications.
- (k) Publicize the availability of the Affirmative Action Officer to discuss the EEO Policy with any interested employee.

2.2 EXTERNAL DISSEMINATION

- (a) Sources of applicants for open positions, including, but not limited to, schools, colleges, private and public employment agencies, local minority and women's organizations and voluntary organizations will be advised of the Township's EEO Policy and desire to offer employment opportunities to qualified persons regardless of race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status), and as shown in the Township of Montclair's Personnel Policy and Procedure Manual, Section II, Pages 2,3.
- (b) When hiring is anticipated, request in writing the appropriate sources to actively recruit and make referrals of minorities and women for those underutilized positions. The EEO file will contain copies of letters of the sources notified and/or any acknowledgments received.
- (c) The clause "Equal Opportunity Employer, M/F," will be used in all advertisement and recruitment literature.
- (d) Ensure that EEO references or clauses are incorporated on purchase orders, leases, contracts, etc. for orders of \$10,000 or more as required by Executive Order 11246, as amended, and its implementing regulations or other State and local laws, rules and regulations.

SECTION 3

ASSIGNMENT OF RESPONSIBILITY

SECTION 3- ASSIGNMENT OF RESPONSIBILITIES

3.1 TOWNSHIP MANAGER'S RESPONSIBILITIES

The Township Manager has the overall responsibility to assure the development, implementation, and results of a meaningful Affirmative Action Program. To carry out this overall responsibility, an Equal Opportunity Committee has been established as indicated below:

TOWNSHIP MANAGER
AFFIRMATIVE ACTION OFFICER
DEPARTMENT HEADS
HUMAN RESOURCES DIRECTOR
CIVIL RIGHTS COMMISSION

3.2 AFFIRMATIVE ACTION OFFICER'S RESPONSIBILITIES

Specific responsibilities of the AA Officer, with the assistance of the Affirmative Action Plan (AAP) guidelines, include but are not necessarily limited to the following activities:

- (a) The development of EEO Policy Statements, Affirmative Action Programs and both internal and external communication techniques.
- (b) The identification of deficiencies and problem areas.
- (c) Assisting management in arriving at solutions to address deficiencies and problem areas that have been identified.
- (d) The design and implementation of audit and report systems that measure the effectiveness of personnel procedures and Affirmative Action Programs. The success of the programs and procedures in meeting EEO objectives of the Township of Montclair will be measured by reviewing applicant flow, hiring, promotion and termination patterns at least bi-annually.
- (e) Determining the degree to which the Township's EEO goals and objectives have been attained.
- (f) Serving as liaison between the Township and local minority and women's organizations and community action groups.
- (g) Keeping management informed of current developments in the area of Equal Opportunity.

- (h) Dissemination of EEO Policy - Internal and External.
- (i) Ascertaining employee attitudes and knowledge regarding Township EEO Policy.
- (j) Investigate all allegations of discrimination and counsel any employee who has EEO-related problems. Recommend remedial action when necessary.
- (k) Conduct tours of the Township, at least annually, to insure that EEO posters and EEO Policy Statements are properly displayed and all facilities are desegregated both in policy and in fact.
- (l) Inform supervisors and all other management personnel that work performance is being evaluated on the basis of their Equal Opportunity efforts and results as well as other criteria.
- (m) Develop and maintain a central EEO file for documentation of all EEO activity at the Township.
- (n) Review all movement of personnel that involves an upgrade, promotion, transfer, downgrade, hire or termination to be certain that there are no discriminatory practices involved and that the objectives of the AAP are being carried out.
- (o) Ensure that all employees, including women and minorities, are encouraged to participate in all educational training and social and recreational activities sponsored by the Township.
- (p) Participate, as necessary, in employee training sessions.
- (q) Interface with the Civil Rights Commission, with the approval of the Township Manager, on all EEO/AA matters of mutual interest.

3.3 DEPARTMENT HEADS AND SUPERVISORS RESPONSIBILITIES

All Department Heads and Supervisors have been and will continue to be reminded of their responsibilities to ensure Equal Opportunity for all employees. These responsibilities include, but are not necessarily limited to the following:

- (a) Familiarity with all EEO information that is disseminated relevant to local EEO Policy and the Township's Affirmative Action Program.
- (b) Provide subordinates with sufficient EEO information to understand the Township of Montclair's EEO policies and degree of commitment.
- (c) Ensure that all subordinates are aware that the Township of Montclair is an EEO employer and will not discriminate unlawfully against any employee or applicant for employment because of race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status), and that any related harassment of employees is prohibited by Township Policy and will be dealt with as a disciplinary matter.

- (d) Awareness of any underutilization that has been identified within his or her group, and the extent of goals that have been established.
- (e) Determine the qualification (attained on and off the job) of all employees reporting to them to be sure that minorities and women are given full opportunities for transfers and promotions.
- (f) Awareness of any EEO problems that may be developing or have developed within his or her group and the extent of goals that have been established.
- (g) Provide career and employment guidance for subordinates, including information relevant to the Township's placement and upgrading procedures.
- (h) Consult with the AA Officer relative to existing or developing EEO problems to determine the best course of action to take that is consistent with the Township's Affirmative Action Program and EEO Policy.

3.4 HUMAN RESOURCE DIRECTOR'S RESPONSIBILITIES

- (a) Identify all employees considered ready for upgrading or promotion, particularly minorities and women and the skills (on and off the job) they possess that may qualify them for openings that occur.
- (b) Advertising for positions must include minority newspapers and any other source deemed to be an effective outreach to the minority community or other underrepresented group.
- (c) Develop complete familiarity with all job groups that are underutilized and the goals that have been established.
- (d) Conduct recruitment efforts and activities in a manner consistent with, and in furtherance of, the goals, objectives and policies established by the AA Plan.
- (e) Maintain complete and accurate workforce statistics including new-hires, terminations, transfers, promotions, lay-offs, recalls, applicant flow selection, testing, disciplinary records, and other employee data as may be required to support and/or supplement the Township's EEO/AA policies and objectives.
- (f) Conduct training, as necessary, to ensure that all employees recognize and understand unacceptable workplace conduct which contributes to and results in conflict and allegation of discrimination.

3.5 CIVIL RIGHTS COMMISSION

- (a) Serve in an advisory capacity to the Township Council, the Township Manager, Affirmative Action and Human Resources Officers.
- (b) Periodically meet with the Township Manager, and Affirmative Action and Human Resources Officers to discuss broad issues affecting Township residents and their possible impact on the municipal workforce.
- (c) Participate and provide input as a member of the Township's Equal Opportunity Committee.

SECTION 4

COMMUNITY **AFFIRMATIVE ACTION**

SECTION 4- **COMMUNITY AFFIRMATIVE ACTION**

OBJECTIVE

The Township's objective is to ensure its continued on-going involvement in associations, community based programs, and activities that include minorities and women and encourage all employees, including minorities and women, to increase their participation.

4.1 COMMUNITY ACTION PROGRAMS

The Township of Montclair is committed to its involvement in community affairs. Members of the staff, council and employee body at large serve on various boards and are active in community organizations (e.g. NAACP, Conversations on Race Program, Essex County Urban League, etc.), which include minorities and females, thus enhancing the flow of minority and/or women applicants for employment and participants in community programs.

The Township publishes a periodic newsletter and bi- annual Recreation & Cultural Affairs Calendar which includes activities of interest. Both of these publications are made available to employees and Township residents.

Individual flyers announcing ethnic and cultural activities are also posted throughout the Township and encourage participation by all employees, including minorities and women as part of the Township's ongoing community outreach efforts.

4.2 MINORITY SUPPLIER PROGRAM

The Township of Montclair's Purchasing Office, as part of the Township's Minority, Women, and Small Business Enterprise Affirmative Action Program will promote the development of Minority Business utilizing a listing of certified MBE/WBE/SBE enterprises.

4.3 PROGRAM OBJECTIVES

The Township of Montclair will continue efforts under its MBE/WBE/SBE program to identify, develop, and utilize women and minority vendors in supplying the Township with the goods and services required to support its daily operations.

4.4 CONTRACT COMPLIANCE

All Township contractors, lessors, vendors and suppliers will be provided copies of the Township's Affirmative Action Policy Statement by the Purchasing Agent. The Township will include non-discrimination clauses in all bid documents, contracts and leases. Contractors, lessors, vendors and suppliers will agree to comply with all state and federal Equal Employment Opportunity and Affirmative Action mandates as required or requested by the Township. It is the stated intention of the Township to award all contracts and leases, especially for state or federally-funded projects, to contractors, lessors, vendors and suppliers who have, or participate in, a written Affirmative Action Plan subject to the New Jersey bidding law, and other legal, practical, and economic considerations.

4.5 CONTRACT COMPLIANCE BASED ON TOWNSHIP ORDINANCE

All contractors, vendors and suppliers are required to comply with Ordinance #06-10 (Chapter 8 of the Code of the Township of Montclair) which reiterates the requirement of Local Public Contracts Law, and mandates affirmative action by all service providers doing business with the Township of Montclair.

TOWNSHIP OF MONTCLAIR
MUNICIPAL BUILDING
205 CLAREMONT AVENUE
MONTCLAIR, NEW JERSEY 07042
973-744-1400

Dear MBE/WBE/SBE Contractor:

The municipal Council of the Township of Montclair has enacted Ordinance #06-10 (Chapter 8 of the Code of the Township of Montclair) to supplement the township's ongoing policy on equal opportunity, and reaffirms its program for qualified Minority Business Enterprises (MBE), Women's Business Enterprises (WBE), and Small Business Enterprise (SBE).

The Township has established a goal of awarding contracts to minority owned businesses, woman owned businesses, and small businesses for the purchase of goods and services. To ensure the success of the program we need your participation.

Safeguards are required to ensure that only M/W/S business enterprises certified by the State of New Jersey is included in the program, and that your business is a qualified participant under the Montclair program. If your business has not been certified please contact the below listed agencies to have your business certified.

CERTIFYING AGENCIES

NJ Transit

Office of Business Diversity
One Penn Plaza
Newark, NJ 07106
(973) 491-8065

NJ Department of Environmental Protection

Office of Equal Opportunity & Public
Contract Assistance
P.O. Box 402
Trenton, NJ 08625-0402
(609) 984-9742

NJ Department of Transportation

Office of Civil Rights/Contract Compliance
P.O. Box 600
Trenton, NJ 08625-0600
(609) 530-2000 Ext. 3888

NJ Commerce & Economic Growth Commission

Office of Business Services
P.O. Box 820
20 West State Street
Trenton, NJ 08625
(609) 292-2146

If you would like your business to be considered for vending and/or contracting opportunities with the Township of Montclair, please complete the attached Vendor's Registration Form and return to:

Affirmative Action Officer
Township of Montclair
205 Claremont Avenue
Montclair, NJ 07042

To ensure efficient processing of your registration form, please attach a copy of your State of New Jersey Registration/Approval Certificate as evidence of your eligibility to participate in the program. If your business has not yet been registered/certified with an appropriate State agency, your (Montclair) Vendor Registration will be held in an inactive status pending receipt of evidence of your designation and certification by the State of New Jersey.

TOWNSHIP OF MONTCLAIR
MUNICIPAL BUILDING
205 CLAREMONT AVENUE
MONTCLAIR, NEW JERSEY 07042
973-744-1400

VENDOR'S REGISTRATION FORM

Minority Business Enterprise (**MBE**)
Women Business Enterprise (**WBE**)
Small Business Enterprise (**SBE**)

Please Type or Print in Ink

Firm's Name _____ Date _____

Firm's Mailing Address _____

City _____ State _____ Zip-Code _____

Federal Tax I.D. No. _____ Soc. Sec. No. _____

Tel. No. _____ Contact Person _____

A. Type of Organization (Please Circle One)

- (a) Corporation (b) Sole Proprietorship (c) Partnership (d) Other

**B. Do you presently have a contract with the State of New Jersey, Division of Purchasing?
If so, please include a copy of your Notice of Term Award.**

C. Indicate Goods and/or Services provided by your (MBE/WBE/SBE**) business:**

<u>Goods</u>		<u>Services</u>	
1) _____	9) _____	1) _____	9) _____
2) _____	10) _____	2) _____	10) _____
3) _____	11) _____	3) _____	11) _____
4) _____	12) _____	4) _____	12) _____
5) _____	13) _____	5) _____	13) _____
6) _____	14) _____	6) _____	14) _____
7) _____	15) _____	7) _____	15) _____
8) _____	16) _____	8) _____	16) _____

(Attach separate sheet if necessary)

D. Indicate Type of Business (Please Check One)

- 1) _____ Small Business (Annual sales of less than \$100,000)
2) _____ Medium Business (Annual sales of less than \$1,000,000)
3) _____ Large Business (Annual sales of more than \$1,000,000)

Number of Employees: (Please Check One)

- 1) _____ Less than 50
2) _____ More than 50

E. Minority/Sex Identification: (Please Circle One of the Following)

MINORITY:

- a) **BLACK** - A person having origins in any of the black racial groups of Africa.
- b) **HISPANIC** - A person of Spanish or Portuguese culture, with origins in Mexico, Puerto Rico, Cuba, South or Central America, or the Caribbean Islands, regardless of race.
- c) **ASIAN AMERICAN** - A person having origins in any of the original peoples of the Far East, Southeast Asia, Indian Sub-Continent, or the Pacific Islands.
- d) **AMERICAN INDIAN or ALASKAN NATIVE** – A person having origins in any of the original peoples of North America.

MINORITY BUSINESS ENTERPRISE (MBE):

- a) A sole proprietorship, partnership or joint venture owned and controlled by minorities in which at least 51% of the ownership interest is held by minorities, and the management and daily business operations are controlled by one or more of the minorities who own it; or
- b) A corporation or other business authorized under the laws of the United States whose management and daily business operations are controlled by one or more minorities; who own at least 51% of the stock, and is owned by one or more of its minority group members.

WOMEN BUSINESS ENTERPRISE (WBE):

- a) A sole proprietorship owned and controlled by a woman;
- b) A partnership or joint venture owned and controlled by women in which at least 51% of the ownership is held by women, and the management and daily business operations of which are controlled by one or more women who own it; or
- c) A corporation or other business entity authorized under the laws of the United States whose management and daily business operations are controlled by one or more women who own it, and least 51% of the stock is owned by one or more women.

SMALL BUSINESS ENTERPRISE (SBE):

An enterprise that is independently owned and operated, and has 100 or fewer employees.

F. Note to Registrants:

The Township of Montclair maintains a current prospective MBE/WBE/SBE listing categorized by commodities for the purpose of inviting sealed bids and quotations. To be placed on the appropriate commodities list, please complete this registration form and return to:

Affirmative Action Officer

Municipal Building

Township of Montclair

205 Claremont Avenue

Montclair, NJ 07042

PLEASE SUBMIT A COPY OF YOUR CERTIFICATION AS A MINORITY VENDOR.

SECTION 5

COMPLIANCE WITH THE OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP) SEX DISCRIMINATION GUIDELINES

SECTION 5- COMPLIANCE WITH THE OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP) SEX DISCRIMINATION GUIDELINES

5.1 SEX DISCRIMINATION GUIDELINES

A thorough analysis of the policies and practices of the Township of Montclair will be conducted annually by the Affirmative Action Officer to assure full adherence to the sex discrimination guidelines for government contractors. Our policies and practices regarding sex discrimination are covered throughout the Affirmative Action Plan (AAP), but can be summarized as follows:

5.2 RECRUITING AND ADVERTISING

- (A) Individuals of both sexes will continue to be recruited for all jobs.
- (B) Advertisement in newspapers or other media will not express a sex preference.
- (C) Recruitment sources, both public and private, will continue to be informed of our sex discrimination guidelines.

5.3 JOB POLICIES AND PRACTICES

- (A) Employees of both sexes shall continue to be provided equal access with respect to any available job they are qualified to perform.
- (B) All personnel policies shall continue to clearly indicate that there will be no discrimination because of sex.
- (C) There shall continue to be no distinction based upon sex in employment opportunities, wages, hours or other conditions of employment:
 - Women will not be discriminated against because of state "Protective Laws" that restrict employment opportunities.
 - Wage schedules and job classifications shall not be related to or based upon sex differences.

- (D) There shall continue to be no distinction made between male and female employees in either mandatory or optional ages for retirement.
- (E) Seniority lists and lines will continue to include both sexes on an equal basis, and no separation shall be made.
- (F) Sexually harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel, is prohibited.

OBJECTIVE

The overall objective of the Township of Montclair shall be to eliminate underutilization of women in all job categories, where applicable. This will ensure that equal access to employment opportunities shall continue to be afforded to all qualified women employees.

SECTION 6

WORKFORCE UTILIZATION ANALYSIS

SECTION 6- WORKFORCE UTILIZATION ANALYSIS

6.1 RACE/ETHNIC DESIGNATION

The concept of race, as used by the Equal Employment Opportunity Commission (EEOC), does not denote clear-cut scientific definitions of anthropological origins. Therefore, for reporting purposes, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. NOTE: The category Hispanic, while not a race identification, is included as a separate ethnic category. Hispanic origin is an ancestry, not a race. Persons of Hispanic origin can be of any race.

6.2 RACE/ETHNIC CATEGORIES

The following Race/Ethnic categories are published by the Equal Employment Opportunity Commission (EEOC), and should be used as a guide:

Classification-	Race/Ethnic Category	Group Included
3	White (not of Hispanic Origin)	All persons having origins in any of the original peoples of Europe, North America or the Middle East.
5	Hispanic	All persons of Mexican, Puerto Rican, Cuban or South American, or other Spanish culture or origin, regardless of race. Only those persons from Central and South American countries who are of Spanish origin, descent, or culture should be included in this category.
6	Black (not of Hispanic origin)	All persons having origins in any of the black racial groups of Africa.
7	Asian or Pacific Islander	All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Pacific Islands or the Indian Sub-Continent. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa. (The Indian Sub-Continent takes in the countries of India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikkim and Bhutan)

8	American Indian or Alaskan Native	All persons having origins in any of the original peoples of North America, including Alaskan natives, and who maintain cultural identification through tribal affiliation or community recognition.
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6.3 WORKFORCE ANALYSIS

The workforce analysis is included in the Affirmative Action Plan (AAP) as part of the Utilization Analysis. It contains a listing of each job group within the Township by department. For each job group, the total incumbents, by race and sex and total incumbents by total men and women is listed. A copy of the Workforce Analysis is included in this section.

6.4 JOB GROUPING

All the job groups within the Township are aggregated for the purpose of conducting availability and utilization analysis. This aggregation has been made on the basis which conforms with the regulatory requirements of Title 41 CFR 60-2.11(B) which states that a job group is "A job or a group of jobs having similar content, wage rates and opportunities."

For Affirmative Action Program use, job groups at the Township are divided into two categories as follows:

(1) NON-MANAGEMENT

Job groups normally comprised of populated titles in the following EEO-4 categories:

- TECHNICIANS
- PROTECTIVE SERVICE
- PARA PROFESSIONALS
- ADMIN. SUPPORT (OFFICE AND CLERICAL)
- SKILLED CRAFT
- SERVICE MAINTENANCE

(2) MANAGEMENT

Job groups normally comprised of populated titles in the following EEO-4 categories:

- OFFICIALS/ADMINISTRATORS
- PROFESSIONALS

6.5 DETERMINING UNDERUTILIZATION

Underutilization will be identified when there are fewer minorities or women in a particular job group than would be expected by their availability.

This "Underutilization Analysis" is part of the Affirmative Action Program prepared to meet standards required by revised Order No. 4. The terms used herein, such as "Underutilization" and "Availability" are used solely in the context of the Affirmative Action Program for the purpose of complying with the Affirmative Action objectives of such order. They have no meaning for any other purpose.

6.6 LABOR AREA

The labor area is the primary recruiting area from which the Township is most likely to draw employees who are hired locally or from which the Township regularly hires employees.

The area of reasonable recruitment for the Township of Montclair is Essex County, New Jersey, which includes the City of Newark (see map, Figure 2) additional areas of recruitment could also include small portions of Passaic County, Union County, Middlesex County, and other counties within a 50-mile radius of the Township. When the internal population from these areas constitute a number that is relevant, the statistics will become a factor in the utilization analysis.

6.7 UTILIZATION ANALYSIS METHODOLOGY

The State of New Jersey Department of Labor has provided the manpower information for Affirmative Action Programs based on the 2000 Census used in the analysis. The data which the State has compiled was designed specifically to provide information to employers regarding the presence of women and minorities in the labor force so that goals may be set to correct any inconsistencies.

6.8 TOWNSHIP OF MONTCLAIR LABOR AREA STATISTICS

Essex County, including the City of Newark labor statistics were used for the purpose of this analysis.

6.9 AVAILABILITY STATISTICS

The number and percent of women and minority groups available in the labor area were derived by first determining the number of minority and female employed individuals in each specific job category, and second, dividing that number by the total number of individuals employed in each job category.

A comparison of the availability of minorities and females in the Township of Montclair Labor Area (Essex County) with the current percentage of minorities and females employed by the Township of Montclair is shown on the "Workforce Analysis".

6.10 DESCRIPTION OF JOB CATEGORIES

1. OFFICIALS AND ADMINISTRATORS

Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. INCLUDES: department heads, bureau chiefs, division chiefs, directors deputy directors, controllers, wardens, superintendents, sheriffs, police chiefs, and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and-housing, fire, A.B.C. board, license dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.

2. PROFESSIONALS

Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. INCLUDES: Personnel, and other labor relations workers, social services, doctors, psychologists, registered nurses, economists, dieticians, lawyers, system analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, and kindred workers.

3. TECHNICIANS

Occupations which require a combination of basic scientific of technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. INCLUDES: computer programmers, drafters, surveyors, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.

4. PROTECTIVE SERVICE WORKERS

Occupations in which workers are entrusted with public safety, security and protection from destructive forces. INCLUDES: police patrol officer, fire fighters, guards, deputy sheriff, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (except maintenance), and kindred workers.

5. PARA PROFESSIONALS

Occupations in which workers perform some of the duties of a Professional or Technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. INCLUDES: research assistants, medical aides, child support workers, recreation assistants, home makers aides, home health aides, library assistants and clerks, ambulance drivers and attendants, and kindred workers.

6. ADMINISTRATIVE SUPPORT (INCLUDING CLERICAL AND SALES)

Occupants in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. INCLUDES: bookkeepers, messengers, clerk-typists, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

7. SKILLED CRAFT WORKERS

Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through in-the-job training and experience or through apprenticeship or other formal training programs. INCLUDES: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, and kindred workers.

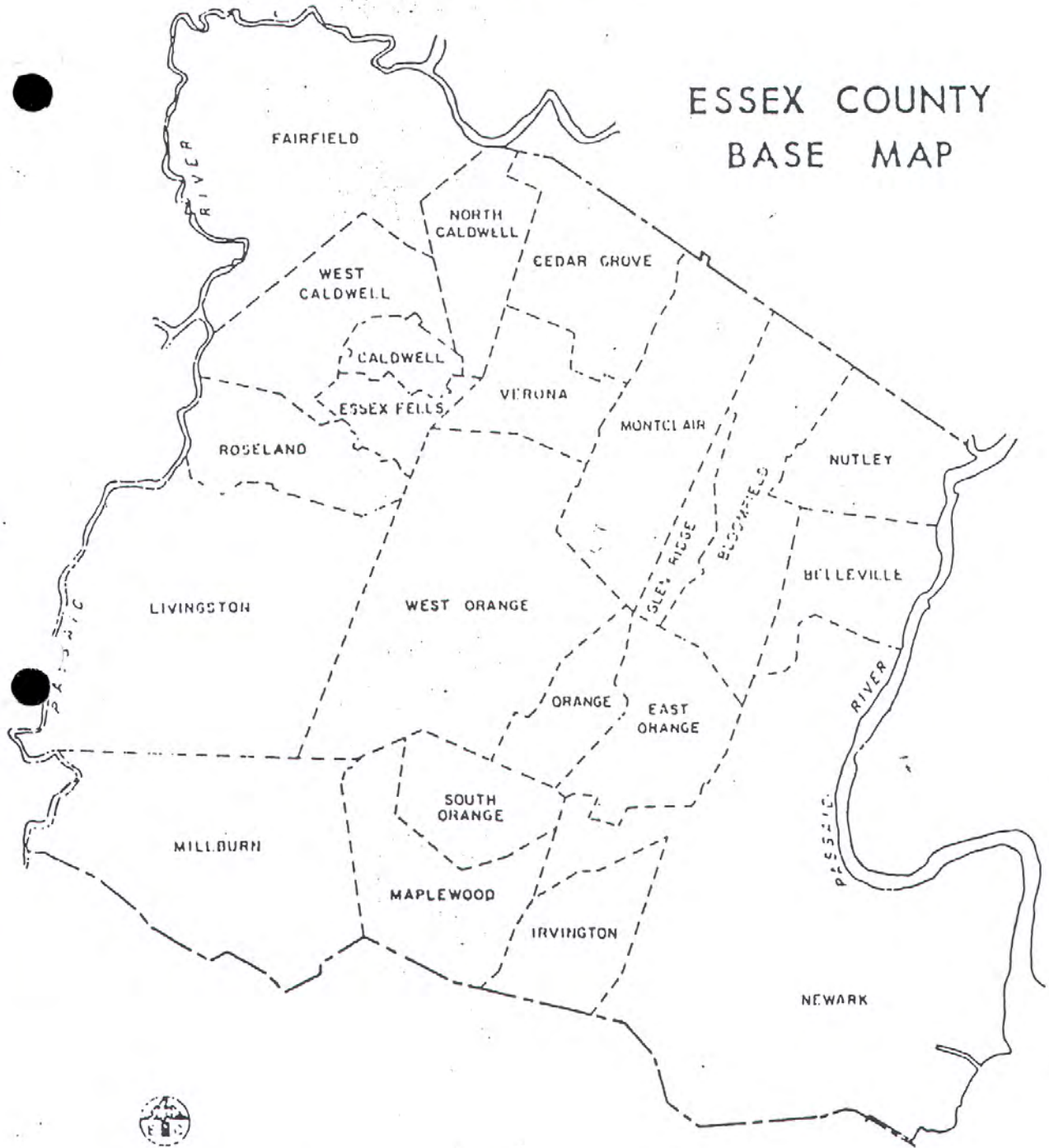
8. SERVICE MAINTENANCE

Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property.

Workers in this group may operate machinery. INCLUDES: chauffeurs, laundry and drycleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and ground keepers, refuse collectors, construction laborers, park rangers (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.

TOWN OF MONTCLAIR
LABOR AREA

ESSEX COUNTY BASE MAP



0 5000 12500
SCALE IN FEET

(Figure 2)

SECTION 7

ESTABLISHMENT OF GOALS AND TIMETABLES

SECTION 7- ESTABLISHMENT OF GOALS AND TIMETABLES

It is the Township of Montclair's intention to project an effective strategy to overcome underutilization of minorities in the workforce, and eliminating barriers, which impede greater job progressions. Long range and short-term goals are indicated below.

7.1 LONG-TERM GOALS

The long-range Affirmative Action Plan for the Township of Montclair is to eliminate any barriers to equal employment based on race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status) at all job levels throughout the Township government. Provide special effort planning to recruit females and minority group members to the management job group level whenever positions become available.

JOB SKILLS CATEGORIES (JOB GROUP A / HIGHER LEVEL JOBS)

- Target Date: December, 2016
- To increase the representation of minorities and females by approximately 15% within the job titles included in the Officials & Managers Job Group.

FIREFIGHTING SUPERVISORS (CAPTAIN)

- Target Date: December, 2016
- To increase by 12% the representation of minority males at the rank of Fire Captain.

FIREFIGHTERS

- Target Date:
- To increase the representation of minority (Black, Hispanic, Asian) male firefighters by 27% by December, 2016.

POLICE (SERGEANT)

- Target Date: December, 2016
- To increase by 15% the representation of minorities, males, and females at the rank of Police Sergeant.

POLICE (OFFICER)

- Target Date: December 2016
- To aggressively recruit and hire qualified minority (Black, Hispanic, Asian) males for the title of Police Officer with the objective of increasing the representation by 10% by December, 2016.

7.2 SHORT-TERM GOALS

The following short-term goals have been established based on continuous efforts:

1. Every attempt will be made to increase the number of females and minority group members in each job category in each department in which they are under-represented through active and vigorous advertising in the minority media whenever a position is vacant. It is impossible at this time to project, which, if any, positions will actually become vacant within the year. However, when positions do become vacant, a vigorous recruitment campaign will be made to identify qualified females and minority group members for consideration.
2. Promotable and transferable minorities and females in each department will be given full consideration when and if an opportunity becomes available.
3. Career development and training will be provided whenever possible for all employees to increase their growth and potential, and to assist them in job performance.
4. The Equal Opportunity Committee will participate in assessing the factors for reviewing and establishing annual Affirmative Action Plans and objectives.
5. The goals will be significant, attainable, and able to be measured and monitored.
6. A reporting, monitoring, and evaluating system has been developed by the Affirmative Action Officer, to work toward yearly improvement in hiring, training, transfer and promotion of each job group in each area and department where under-utilization has been identified.
7. Problem areas which serve as a barrier to goal achievement will be identified and corrective action proposed.

SECTION 8

ANALYSIS OF

PERSONNEL PROCEDURES

SECTION 8 - ANALYSIS OF PERSONNEL PROCEDURES-PROBLEM IDENTIFICATION AND CORRECTIVE ACTION

8.1 RECRUITING PROCEDURES

8.1(1) ADVERTISING

All advertising is placed in local newspapers with circulation which accesses minorities and women in addition to advertising in minority circulated newspapers. The use of the "Equal Opportunity Employer" tag line is included in each ad enabling a cross section of minorities and women to respond to these ads.

8.1(2) STANDARD RECRUITING SOURCES

All positions will be advertised and/or posted whenever they become open and are going to be filled. All available positions will be posted on a bulletin board located in the Municipal Building, first floor lobby, second floor Human Resources Office, Police and Fire Headquarters, Bloomfield Avenue and Pine Street, respectively, and the Community Services Center/Public Works Building, 219 No. Fullerton Avenue. Posting will be done for a period of no less than three working days.

The department head will contact the HR Director when a position is open and to be filled. The Human Resources Director, in conjunction with the department head, will determine when positions should be advertised in addition to the posting, in which case they will be advertised in the minority media and local newspapers which cover the relevant labor area including other journals and publications of wider circulation whenever appropriate and feasible. The HR Director will contact appropriate recruitment sources regarding each available position.

Note: Certain positions may be limited to internal candidates only.

8.1(3) RECRUITING IN AREAS OF DIVERSE RELIGIOUS AND ETHNIC CONCENTRATIONS

The Township recruits among educational and religious institutions within its Standard Metropolitan Statistical Area (SMSA) with substantial membership from various ethnic groups.

Private agencies are utilized only when the Township is unable to fill openings by other means. The Township will communicate its EEO Policy to these agencies requesting a written reply from them assuring the township that they are able to supply minorities and females. Agencies which do not respond as well as those who indicate they cannot supply the required mix of personnel will be dropped as a source.

8.1(4) HIGH SCHOOLS AND TECHNICAL / VOCATIONAL SCHOOLS

Local high schools are used for recruiting skilled summer clerical help (e.g. typists, stenographers, etc.). The technical and vocational schools are used to fill openings in the areas of special expertise.

8.1(5) COLLEGES

When appropriate, recruitment will be conducted by Township personnel.

EEO IMPACT -

The Township of Montclair's recruiting sources yield candidates from various minority groups and women. Employment agencies supplying temporary employees will continue to be contacted in addition to local high schools and other recruiting sources, when the need so indicates, to assure their compliance with our objectives.

8.2 EMPLOYMENT PROCEDURES

1. The HR/Personnel Office is located on the second floor of the Municipal Building which is easily accessible by bus, train and by personal automobile. Signs clearly designating the location of the office are posted in strategic areas. The HR assistant provides guidance and assistance to applicants in the pre-employment process and schedules interviews, if applicable, with the HR/Personnel representative. The HR Director interviews all qualified applicants for all positions.
2. A Township pre-employment application form is used by all Township departments. The form has been adapted to suit the needs of each department, and is in conformance with EEO regulations. The application form will become a part of an employee's permanent personnel record, if hired. All employee applications will be retained by the Personnel Office for a minimum of six months in conformance with EEO Record Retention Regulations.
3. The Affirmative Action Officer will analyze and review recruitment and selection procedures for each job category to identify and eliminate any possible discriminatory barriers.
4. An "Applicant Flow Record" will be used by the Affirmative Action Officer to measure and monitor the recruitment procedure.
5. A skills bank of applicants, including minorities and females not hired but considered potential applicants for future openings, will be

maintained by the HR/Personnel Officer to which the AA Officer has access.

6. The HR Director will recruit in media directed toward minorities and women whenever feasible as part of the overall recruitment process.
7. Personal contact will be made where feasible by the HR Director with recruitment sources including, but not limited to, high school and college counselors, minority women and community organizations and employment agencies.

EEO IMPACT

The Township of Montclair is easily accessible from several communities in the immediate labor area. The application form complies with local, state and federal requirements. Accommodations will be made for religious beliefs and practices, when applicable.

8.3 PLACEMENT PROCEDURES

8.3(1) POSITION DESCRIPTIONS AND JOB REQUIREMENTS

- a. File of current job descriptions are maintained by the HR Director and are available for review.
- b. Job descriptions are consistently updated and truly reflect the functions of the job.
- c. Job descriptions are free of bias and do not screen out minority group members or females.
- d. The academic requirements, experience, and skill requirements are valid.
- e. Job descriptions are available to all supervisors and other management personnel who participate in the selection process.

8.3(2) PLACEMENT PROCEDURES FOR NON-REPRESENTED EMPLOYEES

Placement procedures for non-represented employees are essentially the same as represented employees.

8.3(3) REVIEW OF COMPLAINTS ALLEGING DISCRIMINATION

All complaints (internal and external) that are received alleging discrimination because of race, creed, color, national origin, nationality, ancestry, age, sex, (including pregnancy) familial status, marital status, religion, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status) will be reviewed by the AA Officer. Any unlawful discrimination revealed by such reviews will be corrected.

EEO IMPACT

To effectively resolve all complaints, the AA Officer will meet with all levels of supervision, labor relations, personnel and employees to ensure as complete an investigation as possible.

8.3(4) TESTING AND SELECTION

All tests used by the Township in its selection procedure will be validated job related, predictive of job skills required, and free of ethnic, gender or cultural bias.

8.3(5) PROMOTION

Job vacancies will be posted by the HR Director on the bulletin board in the Municipal Building, first floor lobby, second floor Personnel Office, Police and Fire Headquarters on Bloomfield Avenue and Pine Street, respectively, and the Community Services Center/Public Works Building, 219 No. Fullerton Avenue.

EEO IMPACT

Tests are used only as a means to determine the degree of proficiency of candidates to meet minimum requirements of skilled positions.

8.3(6) TERMINATIONS, LAYOFFS AND RECALLS

When terminating an employee's service with the Township, attention is given to the length of service and severity of the act or conduct involved. Where an employee's health condition is a contributing factor for termination, a doctor's prognosis is of vital importance, as well as advice from other outside professional sources when available. Other factors that are considered are the rehabilitative measures attempted/undertaken by the supervisor to accommodate the condition.

In all terminations, the HR Director is obligated to ensure that the employee's rights have been protected in accordance with the Township's Personnel Practices and Procedures Manual, and that contractual obligations have been discharged, where applicable. Copies of the Township's Personnel Practices

and Procedures Manual has been distributed to all employees, and is in the AA Officer's and HR's Office, as well as each department.

8.3(7) REFERENCES

Persons giving references are required to exercise care and judgment when designating employee's character and reason for leaving. They are expected to give an estimate that is totally objective.

8.3(8) LAYOFF AND RECALL PROCEDURES

Layoff and recall procedures for employees in the bargaining units are governed by the Township contracts with unions. While the Township does not have a commitment to lessen the impact of layoffs on minority group or female employees, the AA Officer will analyze the workforce profile to determine if these procedures have a disparate impact on minorities and/or females.

All terminations, layoffs and recalls will be reviewed by the HR Director to ensure conformity and to ensure that they are consistent with Township procedures. Reviews will continue to be made to detect deficiencies and appropriate corrective measures will be taken where necessary.

8.3(9) TRAINING

All Township training programs will be non-discriminatory. Training access will be provided in accordance with Township guidelines, and without regard to race, sex, ethnic or other prohibitive factors.

8.4 TOWNSHIP SPONSORED RECREATION AND SOCIAL PROGRAMS

The Township sponsors numerous activities residents and employees participate in on a voluntary basis. The objective of these programs are to join together in fellowship for healthful, recreational and educational opportunities, and to foster cooperation in matters of common interest through social and recreational activities.

Some of the activities are listed below:

RECREATION & CULTURAL AFFAIRS SPONSOR
VARIOUS COMMUNITY EVENTS THROUGHOUT THE YEAR:

- SUMMER CONCERTS IN THE PARKS (SEASONAL)
- MONDAY NIGHT JAZZ AT THE TOWNSHIP LIBRARY
- AFRICAN AMERICAN HERITAGE DAY PARADE AND CELEBRATION
- "FIRST NIGHT" CELEBRATION ON NEW YEAR'S EVE

8.6(2)

JOB POLICIES AND PRACTICES

- A. Employees of both sexes shall continue to have equal opportunity for all available jobs that they are qualified to perform
- B. All personnel policies shall clearly indicate that there shall be no discrimination based on sex.
- C. There shall be no distinction based upon sex in employment opportunities, wages, hours or other terms, benefits or conditions of employment.
 - Women shall not be discriminated against because of any State "Protective Laws" that restrict employment opportunities.
 - Wage schedules and job classifications shall not be related to or based upon sex differences.
- D. There shall be no differences for male and female employees in either mandatory or optional ages for retirement.
- E. Seniority lists and lines shall include both sexes on an equal basis and no separation shall be made.

EEO IMPACT

The overall objective of the Township shall be to eliminate underutilization of women where applicable. This will help to ensure that an equal access to employment opportunities will be afforded to all qualified women employees.

SECTION 9

DEVELOPMENT AND EXECUTION OF ACTION ORIENTED PROGRAMS

SECTION 9- DEVELOPMENT AND EXECUTION OF ACTION ORIENTED PROGRAMS

1. The AA Officer will monitor on an on-going basis records of referrals, placements, rejections, transfers, promotions and terminations in all departments to ensure non-discriminatory treatment, as necessary.
2. The AA Officer shall prepare and submit an Affirmative Action Status Report semi-annually to the Township Council, the Township Manager and the Civil Rights Commission.
3. Semi-annual Status Report results shall be reviewed with all department heads and supervisory personnel, where applicable.
4. The AA Officer will file a semi-annual report listing the number of complaints with the Manager, and the Civil Rights Commission.
5. The AA Officer will, wherever necessary, recommend to the Township Council and the Township Manager, any corrective action needed to adjust unsatisfactory compliance with the Affirmative Action Program.

An annual Affirmative Action Program Report will be compiled by the AA Officer which will include, but not be limited to, a census of the employee population by sex, minority group status and job category. This report will be made available to the Township Council, Township Manager and the Civil Rights Commission.

SECTION 10

INTERNAL AUDIT AND REPORTING SYSTEMS

SECTION 10 - **INTERNAL AUDIT AND REPORTING SYSTEMS**

10.1 **GENERAL**

It is the policy of the Township of Montclair to appraise and evaluate its performance in the utilization of minority group persons and women on a continuing basis in order to ensure that the requirements of all applicable local and federal laws are being met, and that the Township's Equal Opportunity Policy, as expressed in the Affirmative Action Program, management announcements and Township endorsed programs of voluntary compliance, is being effectively implemented. To effectively monitor progress in meeting Affirmative Action objectives, the system of internal reviews and reports in the area of employment, placement, terminations, etc. shall continue to be utilized. These reports will be reviewed for indications revealing the existence of deficiencies. If deficiencies are revealed, corrective action shall be initiated for the prompt achievement of full employment and equal opportunity to all employees. Areas reflecting deficiencies shall be scrutinized on a periodic basis to gauge the effectiveness of corrective measures and recommended strategies.

The following reports are issued by the Affirmative Action Officer to assist in the appraisal and evaluation of equal opportunity efforts.

1. **UTILIZATION ANALYSIS**

This report compares minority and female representation in the Township's workforce by job categories with their availability in the external labor market, and is used in establishing the goals for the Township.

2. **WORKFORCE ANALYSIS**

This report is prepared annually and provides the number of employees on roll in each job category, and salary band at the Township of Montclair.

3. **EEO - 4**

State and local government information - prepared bi-annually.

10.2 AUDITING SYSTEMS

10.2(1) POLICY DISSEMINATION

The Affirmative Action Officer will make follow-up reviews to assure that the policy is disseminated as specified in Section 2 of this program.

10.2(2) COMMUNITY AND EQUAL OPPORTUNITY ACTIVITIES

Documentation will be maintained in the Affirmative Action Officer's files on all community-related activities.

In addition to the above, the Affirmative Action Officer will review and document the following activities. This documentation will be retained in the AA Officer's files.

- POLICY DISSEMINATION (Annual check to determine that all the mandatory actions specified in Section 2 of the program have been accomplished).
- APPLICANT FLOW
- SUMMARIES OF NEW HIRES, TRANSFERS, PROMOTIONS AND TERMINATIONS
- STATUS REPORT - DISCRIMINATION CHARGES
- TRAINING (RACE/SEX COMPOSITION BY MAJOR CATEGORY OR TRAINEES)
- PARTICIPATION IN RECREATION AND SOCIAL PROGRAMS
- COMMUNITY ACTIVITIES

Department breakdowns will be forwarded to all department heads by the AA Officer to assist them in evaluating organization's work force, and also to identify areas of underutilization.

PEOPLE

WITH

DISABILITIES

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PREFACE

This document is the Township of Montclair's Affirmative Action Program developed to comply with Section 503 of the Rehabilitation Act of 1973, as amended, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and the Americans with Disabilities Act (ADA) of 1991. * It describes the policy, practices and procedures implemented in employing and advancing at all levels of management and non-management, qualified individuals with disabilities, special disabled veterans, veterans of the Vietnam Era, and Americans with disabilities without unlawful discrimination. The Americans with Disabilities Act of 1991 makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also prohibits discrimination against individuals with disabilities in state and local government services, public accommodations, transportation and telecommunications. The U.S. Equal Employment Opportunity Commission (EEOC), and State and local Civil Rights Enforcement Agencies that work with the Commission enforce this part of the law.

Employees and applicants may review these programs upon request. All employees and applicants who believe they are covered under the provisions of these Acts are invited to identify themselves, if they so desire. Such information is voluntary and will be kept confidential to the extent provided for by the Acts. Failure to identify themselves or to respond to inquiries regarding individuals with a disability, veterans status or qualified individuals with disabilities (1) will not result in adverse treatment and (2) will not relieve the Township of its obligation to take affirmative action with respect to those applicants and employees of whose disabilities the Township has actual knowledge.

The Township is committed to a program of Affirmative Action geared toward equality of employment, and providing reasonable accommodations to the physical and mental limitations of job applicants and employees. No individual will be unlawfully discriminated against because of a physical or mental impairment or disability. All employment and advancement decisions will be based solely upon the determination of each candidate's job qualifications.

The Township of Montclair will take appropriate action to ensure that the right of individuals to file complaints, furnish information or participate in an investigation, compliance review, hearing or any other related activity to the administration of the Acts will be respected and not interfered with in any manner.

* Hereinafter to be referred to as the Acts

SECTION 1

POLICY STATEMENT

Township of Montclair Policy Statement on People with Disabilities

To All Employees:

The Township of Montclair's Policy Statement on the employment of individuals with disabilities, special disabled veterans, veterans of the Vietnam Era, and Americans with disabilities is prominently posted on bulletin boards throughout the Township. As a reaffirmation of our commitment to equal opportunity for all employees and applicants for employment, this important statement is being re-distributed to all employees.

As noted in our policy statement, we have prepared and maintain an Affirmative Action Program directed toward people with disabilities, special disabled veterans, veterans of the Vietnam Era, and Americans with disabilities. Definitions of the classifications of persons covered by this program are listed under Section 8, Exhibit B, (Employee Voluntary Self-Identification Classifications).

Employees who believe themselves to be covered by one of the definitions and wish to be considered under our Affirmative Action Program are invited to voluntarily identify themselves by filling out the Employee Voluntary Self-Identification form. Failure to provide the information will not subject an employee to any adverse treatment. The information submitted will be kept confidential and used only for Affirmative Action purposes.

While self-identification under any of the four categories will not accord you preferential treatment with regard to training or advancement opportunities, the objective of the Affirmative Action Program is to ensure equal opportunity for employment, and to provide reasonable accommodations for the physical and/or mental limitations of covered employees and applicants for employment.

Employees claiming coverage as a Special Disabled Veteran, or a Veteran of the Vietnam Era will be required to furnish a copy of their DD-214 and/or Veterans Administration Certificate to verify eligibility.

Marc Dashield, Township Manager

SECTION 2

DEFINITIONS (AS PRESCRIBED BY FEDERAL LAW)

SECTION 2 - DEFINITIONS (AS PRESCRIBED BY FEDERAL LAW)

2.1 DEFINITIONS APPLICABLE TO INDIVIDUALS WITH DISABILITIES - 41CFR 60-741

2.1(1) INDIVIDUALS WITH DISABILITIES

An individual with a disability is one who (a) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (b) has a record of such an impairment; or (c) is regarded as having such an impairment.

(A) ... SUBSTANTIALLY LIMITS means the degree that the impairment affects employability. A physically or mentally impaired individual who is likely to experience difficulty in securing, retaining or advancing in employment would be considered substantially limited.

... MAJOR LIFE ACTIVITIES may be considered to include communication, ambulation, self-care, socialization, education, vocational training, employment, transportation, adapting to housing, etc. for the purposes of Section 503 of the Act, primary attention is given to those life activities that affect employability.

(B) ... HAS A RECORD OF SUCH AN IMPAIRMENT means that an individual may be completely recovered from a previous physical or mental impairment, (e.g. heart attack, cancer, or mentally restored). It is included because the attitude of employers, supervisors and co-workers toward that previous impairment may result in an individual experiencing difficulty in securing, retaining or advancing in employment. Also, this part of the definition would include persons such as those who may have been erroneously classified as mentally or physically impaired, and may experience discrimination based on this misclassification.

(C) ... IS REGARDED AS HAVING SUCH AN IMPAIRMENT refers to those individuals who are perceived as having a physical or mental limitation whether or not an impairment exists, but who, because of attitudes or any other reason are regarded as physically or mentally limited by employers or supervisors whose perception(s) may have a negative effect on such individuals ability to secure and retain a job, or advance in employment.

2.1(2) QUALIFIED INDIVIDUAL WITH A DISABILITY

An individual with a disability as defined in Paragraph 2.1(1) who is capable of performing a particular job with reasonable accommodation to his or her physical or mental impairment.

2.2 DEFINITIONS APPLICABLE TO VETERANS - PUBLIC LAW 96-466 AS AMENDED

2.2(1) SPECIAL DISABLED VETERAN

A special disabled veteran is (a) a veteran who is entitled to compensation under laws administered by the Veterans' Administration for a disability rated at 30% or more, or (b) a person who was discharged or released from active duty because of a service connected disability.

2.2(2) DISABLED VETERAN

A disabled veteran is (a) a veteran who is entitled to compensation under laws administered by the Veterans' Administration, or (b) a person who was discharged or released from active duty because of a service connected disability.

2.2(3) VETERAN OF THE VIETNAM ERA

A Veteran of the Vietnam Era is a person who (a) served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975, and was discharged or released therefrom with other than a dishonorable discharge, or (b) was discharged or released from active duty for a service-connected disability if any part of such active duty was performed between August 5, 1964 and May 7, 1975. However, no veteran may be considered to be a veteran of the Vietnam Era under this paragraph after December 31, 1991.

2.2(4) COVERED VETERAN

The terms, Special Disabled Veteran and Veteran of the Vietnam Era will be referred to hereinafter as covered veterans.

2.3 DEFINITIONS APPLICABLE TO AMERICANS WITH DISABILITIES ACT.
ADA 29 CFR 1602 AND 1627

2.3(1) AMERICANS WITH DISABILITIES ACT

The ADA defines an individual with a disability as a person:

- (a) with a physical or mental impairment that substantially limits one or more major life activities.
- (b) with a record of such impairment or one who is regarded as having an impairment.
- (c) who cares for a person with a disability as outlined in (a) or (b) above.

A qualified individual is a person who can perform the essential function of the job with or without accommodations.

2.3(2) PHYSICAL OR MENTAL IMPAIRMENT MEANS:

- (A) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine: or
- (B) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- (C) Major life activities means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- (D) Substantially limits means unable to perform a major life activity that the average person in the general population can perform; or significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity.

SECTION 3

RESPONSIBILITIES

SECTION 3 - RESPONSIBILITIES

3.1 TOWNSHIP MANAGER'S RESPONSIBILITY

The Manager of the Township of Montclair has the responsibility to assure the development, implementation and results of a meaningful equal opportunity policy and Affirmative Action Program to employ and advance qualified handicapped individuals, covered veterans and Americans with disabilities without unlawful discrimination. To carry out this responsibility, the Manager may delegate these tasks to a subordinate at a high enough level to assure effective implementation. This individual will be identified as the Affirmative Action Officer.

3.2 AFFIRMATIVE ACTION OFFICER'S RESPONSIBILITIES

The Affirmative Action Officer, with the support of all management, will execute the following actions for qualified handicapped persons, covered veterans and Americans with disabilities:

- (a) Implement the Affirmative Action Program and develop internal and external communication techniques.
- (b) Identify deficiencies and problem areas.
- (c) Ensure that opportunities are provided for applicants and employees to self-identify themselves if they believe they should be covered under the Affirmative Action Plan (AAP).
- (d) Assist line management in arriving at solutions to problems or deficiencies that have been identified, particularly in terms of reasonable accommodation considerations, and removal of architectural barriers that may affect employment and job placement.
- (e) Design and implement audit and report systems that will measure the effectiveness of personnel procedures and Affirmative Action projects. The success of the projects and procedures in meeting EEO objectives will be measured and any need for remedial action will be identified.

- (f) Review all movement of personnel that involves a promotion, transfer, demotion, hire, or termination to be certain that no discriminatory practices or procedures are being used to screen out qualified individuals with disabilities, covered veterans and Americans with disabilities employees or applicants for employment, and that the goals of the AAP are being carried out.
- (g) Review any decision not to hire a qualified individual with a disability, covered veteran, or an American with disabilities or permanently work-restricted applicant with a work restriction that cannot be accommodated.
- (h) Review any decisions involving the non-selection, downgrading or termination of a qualified individual with a disability, covered veteran, or an American with disabilities or permanently work-restricted employee.
- (i) Serve as a liaison between the establishment and local organizations and institutions that serve individuals with disabilities, covered veterans, and Americans with disabilities.
- (j) Keep management informed on current developments in the area of equal opportunity and affirmative action.
- (k) Serve as a liaison between the Township enforcement agencies and supervise the Township's participation in complaint investigations or government compliance review.
- (l) Disseminate EEO Policy - Internal and External.
- (m) Ascertain employee attitudes and knowledge regarding Township EEO Policy.
- (n) Investigate all complaints and counsel any employee who has EEO-related problems. Recommend remedial action when necessary.
- (o) Obtain copies of State and local laws pertaining to equal opportunity and affirmative action responsibilities for individuals with disabilities, covered veterans and Americans with disabilities, where applicable.
- (p) Conduct tours of the location, at least semi-annually, to ensure that EEO posters and EEO policy statements are properly displayed.
- (q) Determine whether a known individual with disabilities, covered veteran or an American with disabilities employee has had the

opportunity to participate in all Township sponsored educational, training, recreational and social activities. If indicated, develop and implement programs to encourage their involvement and attendance.

- (r) Develop and maintain a central file for documentation of EEO and Affirmative Action activity of the Township. (SEE SECTION 7)

3.3 DEPARTMENT HEADS AND SUPERVISORS RESPONSIBILITIES

Department Heads and Supervisors are responsible for ensuring that the policies of the AAP are followed for individuals with disabilities, covered veterans, and Americans with disabilities employees within their department by taking the following actions:

- (a) Be familiar with all EEO information that is disseminated relevant to the Township's EEO Policy and Affirmative Action Program for individuals with disabilities, special disabled veterans, veterans of the Vietnam Era and Americans with disabilities.
- (b) Provide all subordinates with sufficient EEO information to understand the Township's EEO Policy, and commitment to employ qualified individuals with disabilities, covered veterans, and Americans with disabilities.
- (c) Ensure that all subordinates are aware that the Township is an EEO employer and will not discriminate against any employee or applicant for employment because of such individuals' physical or mental impairment, veteran status, or Americans with Disabilities Act status, and that any related harassment of employees is prohibited by Township policy and will be dealt with as a disciplinary matter.
- (d) Determine the qualifications (attained on and off the job) of all employees reporting to them, to ensure that qualified individuals with disabilities, covered veterans and Americans with disabilities employees are given full opportunities for training, transfers and promotions.
- (e) Be alert to any EEO problems that have developed or may be developing within their departments/divisions.
- (f) Consult with the AA Officer relative to existing or developing EEO problems to determine the best course of action to take, which is consistent with the Township's EEO Policy and Affirmative Action Program for individuals with disabilities, covered veterans, and Americans with disabilities.

HUMAN RESOURCE DIRECTOR'S RESPONSIBILITIES

- (a) Be familiar with the policies, practices and procedures of the Affirmative Action Program for individuals with disabilities, covered veterans, and Americans with disabilities.
- (b) Identify all employees considered ready and available by virtue of seniority, and/or appropriate personnel placement procedures for upgrading or promotion. This identification system must also include skills (on and off the job) that individuals with disabilities, covered veterans, and Americans with disabilities possess that may qualify them for openings that occur.
- (c) Ensure that for the purpose of a pre-placement health evaluation, Township personnel are informed of the specific job for which the applicant is being considered.
- (d) Ensure that the Health Department is knowledgeable of those employees who have jobs that have been designated by the Industrial Hygienist (or other responsible person) as requiring occupational health examinations, if applicable.
- (e) Maintain confidentiality with respect to knowledge of those employees or applicants for employment who have physical or mental impairments, or disabilities and/or work restrictions.
- (f) Ensure that reasonable accommodations, when necessary and feasible, are made at each step of the employment and placement process.
- (g) Obtain the approval of the Township Manager who is functionally responsible for equal opportunity in any decision not to hire a qualified individual with a disability, covered veteran or an American with disabilities applicant, or an applicant with a work restriction that cannot be accommodated.
- (h) Obtain the approval of the Township Manager who is functionally responsible for equal opportunity in the non-selection, downgrading or termination of a qualified individual with a disability, covered veteran, and/or a qualified American with disabilities employee with a work restriction that cannot be accommodated.

SECTION 4

POLICY DISSEMINATION

SECTION 4 - POLICY DISSEMINATION

4.1 GENERAL

This section describes each of the techniques or procedures that will be used to disseminate EEO policy relative to individuals with disabilities, covered veterans, and Americans with disabilities eligible employees.

Supportive documentation of all policy dissemination will be maintained in the EEO file. Examples illustrating the diversity and extent of local efforts will be included as required by Section 7, Affirmative Action documentation.

4.2 INTERNAL POLICY DISSEMINATION

Internal dissemination procedures have been developed to ensure that the Township's Affirmative Action Program (AAP) for individuals with disabilities, covered veterans, and Americans with disabilities is fully implemented. Knowledge of the AAP is communicated to all management and non-management employees to ensure internal support and employee participation.

A policy statement on employment and advancement of individuals with disabilities, covered veterans, and Americans with disabilities eligible employees signed by the Township Manager, is included in Section 1 of this program. This statement is applicable to the entire Township and is reflected throughout the Township's operating procedures.

The program is reviewed annually and updated as necessary. Significant changes in procedures, rights or benefits as a result of the annual review are communicated to all employees during periodic reviews.

Periodically, and at least annually, employees will be informed of the Township's policy on the employment of individuals with disabilities, covered veterans, and Americans with disabilities eligible employees to foster understanding, acceptance and support, and to assure their awareness of the provisions of the program requirements. This will be accomplished by posting the Policy Statement on all bulletin boards; scheduling annual meetings with all employees to explain the intent of the policy and individual responsibilities for effective implementation making clear the Township Manager's support; and by distributing the Policy Statement directly to all employees.

All supervisors are required to be knowledgeable of the policies and procedures set forth in the AAP, and are aware that their performance will be evaluated, in part, on the basis of their affirmative action efforts.

The existence of the AAP requirements are communicated to all applicants for employment via posters on all bulletin boards. (Section 8, Exhibit A).

The provisions of the AAP requirements are communicated during both employee orientation and management training programs.

Supervisors and employees directly involved in the screening and/or hiring process such as interviewing, selection, and placement affecting either individuals with a disability, covered veterans, Americans with disabilities or applicants for employment should have copies of the AAP, and should be familiar with its content. Supervisors are also responsible for determining how the AAP affects those job functions, and for ensuring that the employees are in compliance.

EEO posters as identified below are displayed on bulletin boards in conspicuous places in buildings in which employees are located and/or congregated, and in the reception area of the employment office.

(A) Township of Montclair invitation for self-identification.

This poster informs employees and applicants for employment of the identity of the individual responsible for administering the AAP (the Affirmative Action Officer), and the availability of the AAP and the locations and hours during which it may be reviewed.

(B) The Township Manager's Policy Statement, (Section 1).

The Township of Montclair will notify each labor union representative and its employees of its adherence to the policies and procedures outlined in the AAP and its commitment to equal employment for qualified individuals with disabilities, covered veterans, and covered individuals under the Americans with Disabilities Act. Meetings are held annually between the AA Officer, representatives of labor relations organizations and union officials. At these meetings, a full review is made of the AAP and the efforts required with respect to individuals with disabilities, covered veterans and Americans with disabilities eligible employees.

A bi-lateral non-discrimination clause is included in the general agreements with the unions.

When feasible, Township publications will include articles on the accomplishments of individuals with disabilities, covered veterans, and Americans with disabilities participating employees.

4.3 EXTERNAL POLICY DISSEMINATION

Affirmative Action policy covering individuals with disabilities is communicated to outside sources to ensure appropriate outreach and positive recruitment through the activities listed below.

When job vacancies occur, the Township will enlist the assistance and support of recruitment sources such as State Employment Security Agencies, Vocational Rehabilitation agencies or facilities, National Alliance of Business (NAB), local Veterans' Administration Office, sheltered workshops, college placement offices, state education agencies and Montclair's People with Disabilities organizations, and

other local organizations serving individuals with disabilities, covered veterans and Americans with disabilities for referral of candidates for available positions in the Township.

We will establish contacts with organizations that represent the interests of individuals with disabilities, covered veterans, and Americans with disabilities for the purpose of seeking advice and/or technical assistance, as required, concerning proper placement, training and accommodations for qualified applicants for employment.

When feasible, individuals with disabilities will be featured when employees are pictured in consumer, promotional or help-wanted advertising.

The Township of Montclair will include the appropriate clauses in all covered government contracts and sub-contracts, as required by Federal Regulations. (CFR, Part 60-250.4, and Part 60-741.4).

SECTION 5

PLAN OF ACTION

SECTION 5 - PLAN OF ACTION

5.1 GENERAL

The Township of Montclair, consistent with its other equal opportunity responsibilities and business needs, undertakes the development of reasonable internal procedures to ensure that its obligations to engage in affirmative action to recruit and employ qualified individuals with disabilities, covered veterans, and Americans with disabilities without unlawful discrimination, are being implemented to ensure them equal opportunity for promotions of jobs for which they qualify.

5.2 PERSONNEL PROCEDURES

The following procedures have been developed and are followed to ensure that individuals with disabilities, covered veterans and Americans with disabilities are, on a continual basis, provided equal employment opportunities. The Township reviews these procedures to ensure that they provide careful, thorough and systematic consideration of the job qualifications of known individuals with disabilities, covered veterans, and Americans with disabilities employees and applicants for employment for job vacancies to be filled by hire or promotion and for all training opportunities offered or available. As necessary, these procedures will be modified or new procedures will be developed to ensure that the policy of equal opportunity for employees and applicants for employment continues to be realized.

5.3 EMPLOYMENT INFORMATION

Periodically, employees are informed of the Township's obligations and commitment to engage in affirmative action efforts to employ and advance qualified individuals with disabilities, covered veterans and Americans with disabilities. This information is presented in such a manner as to foster understanding, acceptance and support among the Township's supervisors and all other employees, and to encourage such persons to take the necessary actions to aid the Township in meeting this obligation.

5.4 OUTREACH

When developing applicant pools, the Township will conduct external outreach and recruitment activities directed to stimulate a flow of qualified individuals with disabilities, covered veterans and Americans with disabilities applicants.

The kinds and extent of recruiting may depend upon the number of projected and actual job vacancies. The following are some of the recruiting techniques the Township will engage in, as appropriate:

- (a) State employment security agencies, vocational rehabilitation agencies or facilities, National Alliance of Business (NAB), college placement offices, state education agencies, and other appropriate community and local agencies will be used as recruiting sources for qualified individuals with disabilities. A list of national organizations serving individuals with disabilities, many of which have state or local affiliates, is found in the directory of organizations interested in the physically impaired and disabled, published by the People-to-People Committee for the Handicapped, Suite 1130, 1522 K Street, N.W., Washington, D.C. 20005.
- (b) Educational institutions that participate in training of individuals with disabilities such as schools for the blind, deaf or mentally challenged persons, will also be used as recruiting sources for qualified and disabled persons.
- (c) The local "Veterans" employment representatives in the state employment securities agencies, the local Veterans' Administration Office, National Alliance of Business (NAB), Veterans' Counselors on Campuses, Local Veterans' groups and other appropriate organizations will be used as recruiting sources for qualified individuals with disabilities, and covered veterans.
- (d) Where appropriate, social service agencies, including organizations for individuals with disabilities, covered veterans, Americans with disabilities, and vocational rehabilitation agencies will be contacted for advice and/or technical assistance on the proper placement, training and accommodations for qualified individuals with disabilities, covered veterans and Americans with disabilities.
- (e) Recruiting sources will be informed by means of written notification of the types of jobs expected to be available and the functional requirements of the jobs identified. When appropriate, site visits may be arranged to familiarize the representatives with the work environment as well as the tasks to be performed.
- (f) Recruiting activities will be monitored to determine the effectiveness of sources used in providing qualified individuals with disabilities, covered veterans and Americans with disabilities candidates, and in providing advice and/or technical assistance when necessary. Agencies and organizations which are effective recruiting sources are identified in Section 8, Exhibit C.

5.5 EMPLOYMENT AND SELECTION

- a) All job vacancies compensated on a salary base of less than \$25,000 per year to be filled by hiring for temporary or regular employment, are listed by means of written notification with the State Employment Service (SES). Records of job vacancies listed with the SES are retained locally for one year.
- b) The employment and placement process is available to all employees and applicants for employment, including both individuals with disabilities, covered veterans and Americans with disabilities. Careful, thorough and systematic consideration is given to the job qualifications of all employees and applicants for

employment, including those who are known to be physically impaired, covered veterans, or people with disabilities. Prior to hiring, employment records are reviewed to determine the availability of promotable and/or transferable qualified known disabled employees, covered veterans and people with disabilities to assure their present and potential skills are fully considered for existing job vacancies. When job vacancies are to be filled, disabled, covered veterans and people with disabilities are considered without preference or prejudice along with all other employees consistent with established employment and placement procedures. This provides for ongoing review of employment records of qualified employees. Accommodations are made at each step of the employment and placement process.

- c) Employment interviewers, selecting supervisors, and others participating in the hiring and placement process are primarily responsible for carrying out the Township's obligation to employ and advance qualified covered veterans and people with disabilities. As such, these employees are obligated to be aware of the practices and procedures outlined in the AAP.
- d) All applicants for employment in the uniformed services who have been otherwise determined to be fully qualified for general employment or a specific occupation are required to take a pre-placement *(Baseline) health evaluation, 1) at Township expense and by a Township designated medical provider; 2) as a precautionary health measure; and 3) as a basis for suitable job placement before being placed on the employment roll.
- e) Medical information obtained from the pre-placement health evaluation shall be kept confidential except that 1) supervisors and managers with a "need to know" may be informed of work restrictions and/or necessary accommodations; 2) government (federal, state or local) officials investigating compliance with the Rehabilitation Act, the Vietnam Era Veterans' Readjustment Assistance Act, the Americans with Disabilities Act or other State or local laws may have the right of access to such information; * and 3) it may be necessary to inform safety personnel so that they can prepare to render first aid and/or assistance in the event of an emergency or the evacuation of the building.
- f) The Township's Human Resources (HR) Office employees shall not discuss with the applicant the results of the health evaluation with reference to employability. Township personnel will, however, inform the applicant of any work restriction(s) and of the related impairment(s). The decision to place an employee or applicant with a permanent work restriction(s) is the responsibility of the line supervisor, in conjunction with the HR Office. The Affirmative Action Officer may also be consulted, as appropriate.
- g) Hiring of applicants or the selection of employees for promotion, rotation, transfer, training, layoff or demotion will be based upon the candidate's qualifications and ability to perform the requirements of the particular job for which the individual is being considered, and will be consistent with the efficient operation of the business, applicable labor agreements, the safe performance of the job, and equal opportunity for all employees for advancement and personal development.
- h) When reasonable accommodations are made to place a qualified individual with disabilities, covered veteran, American with disabilities or a qualified individual with a

permanent work restriction on the job, a memorandum containing a description of the accommodation(s) shall be appended to the application or personnel records.

- i) Employees being considered for advancement or placement, as well as applicants for employment will not be rejected solely for medical reasons without reference to specific job qualification requirements, work environment, the consideration of reasonable accommodations, and other pertinent factors.
- j) It will be determined that employees or applicants are able to meet the physical demands of the specific current job duties without being a hazard to themselves or to others, and that the task does not aggravate the degree of disability. Proper placement will then match the individual to the job on the basis of ability to meet the demands of the job. Thus, the impairment is eliminated as a job related factor.

*NOTE: The Affirmative Action Officer and HR Director are to be contacted for direction when government officials request medical information pertinent to qualified, physically impaired, covered veterans and people with disabilities employees and applicants for employment.

5.6 NON-SELECTION OF AN INDIVIDUAL WITH DISABILITIES

- A) A DECISION NOT TO HIRE A QUALIFIED PHYSICALLY IMPAIRED, SPECIAL DISABLED VETERAN, VIETNAM ERA VETERAN, AN AMERICAN WITH DISABILITIES APPLICANT OR A QUALIFIED APPLICANT WITH A PERMANENT WORK RESTRICTION (OR ANY OTHER MEDICAL CONSIDERATION) REQUIRES THE APPROVAL* OF THE TOWNSHIP MANAGER, AND THE DEPARTMENT HEAD FUNCTIONALLY RESPONSIBLE FOR EQUAL OPPORTUNITY COORDINATION.
- B) A memorandum shall be appended to the application forms of qualified individuals with disabilities, covered veterans, and Americans with disabilities applicants identifying each vacancy for which they were considered and will include a statement as to the reason(s) for non-selection and, if applicable, a description of the accommodations considered or attempted. For such applicants, a supportive memorandum shall be retained for a period of 1 year following the date of non-selection.
- C) If a qualified employee with an impairment, a work restriction or who is a special disabled veteran is actively considered and not selected for placement (i.e., training, promotion, etc.), the approval* of the Township Manager, and the Dept. Head functionally responsible for equal opportunity coordination is required.
- D) The line organization will be consulted to assure that non-selection is not solely related to work restrictions and/or the impairment. Reference must be made to specific, current job qualification requirements, work environment, consideration of reasonable accommodations and other pertinent factors to substantiate the non-selection decision.
- E) Accommodation considerations are made during the attempted placement of work-restricted, individuals with disabilities, covered veterans and Americans with disabilities employees displaced in workforce adjustment because of lack of work. Downgrading and/or termination require the approval* of the Township Manager, and the Dept. Head functionally responsible for equal opportunity coordination.

- F) A memorandum will be included in the personnel record of qualified physically disabled, covered veteran, Americans with disabilities or permanently work-restricted employees identifying each vacancy for which they were considered, and will include a statement as to the reason(s) for non-selection, and if applicable, a description of the accommodations considered or attempted. This process applies to all placement decisions, including selection for promotion, rotation, training and transfer.
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*NOTE: This approval is to certify that the non-selection decision has taken into consideration specific, current job duties, and determined that the candidate could not meet the physical or mental requirements of the particular vacancy after reasonable accommodations have been attempted or considered.

5.7 FUNCTIONAL JOB QUALIFICATION REQUIREMENTS

Functional requirements for jobs are reviewed and revised to ensure that they contain only job related criteria, and are consistent with business necessity and the safe performance of the job. As new jobs are established, and/or when major job requirements for existing jobs change, their functional requirements are reviewed to ensure compliance with the applicable disability Act requirement. A schedule for the review of functional requirements is developed and adhered to.

5.8 VOLUNTARY SELF-IDENTIFICATION

All employees and applicants for employment are informed of their right to voluntarily self-identify if they believe themselves to be impaired as a special disabled veteran, veteran of the Vietnam Era, or a candidate eligible for coverage under the Americans with Disabilities Act, and wish to receive consideration under the provisions of the AAP. (See Section 8, Exhibit A).

5.9 APPLICANTS

All applicants for employment who voluntarily self-identify as an individual with a disability, a covered veteran, or an American with disabilities applicant, and wish to receive consideration under the provisions of the AAP, should also advise the Township of Montclair of special skills they possess and of accommodations they may require to perform a job properly and safely.

5.10 EMPLOYEES

All employees may also voluntarily self-identify if they believe themselves to be an individual with a disability, a covered veteran, or an American with disabilities employee, and wish to identify special skills and accommodations they believe will help them in the proper and safe performance of their job.

5.11 PROCEDURES / CONFIDENTIALITY TO BE FOLLOWED BY THE AA OFFICER

In order to provide confidentiality to employees or applicants for employment who wish to be considered (through self-identification) under the Affirmative Action Program for individuals with disabilities, covered veterans, and covered persons under the Americans with Disabilities Act, the following actions will be adhered to:

- Assure employees who provide information about their impairment or disability, that the information provided will be kept confidential; however, it will be necessary for the AA Officer or HR Office to arrange a medical appointment for employees identifying themselves as an individual with a disability, a covered veteran, or as an American with disabilities to determine if work restrictions are necessary.

- Determine whether accommodations, as identified in (Par. 5.12) are necessary. A consultation with the employee is advised so that special skills may be identified and possible accommodations, which would help to perform a job properly and safely, are known.

- If work restrictions or accommodations are necessary, the employee or applicant should be informed that:
 - a) On a "need to know" basis, supervisors and managers may be informed of work restrictions and/or necessary accommodations.

 - b) Government (federal, state or local) officials investigating compliance with the Rehabilitation Act, The Vietnam Era Veterans Readjustment Assistant Act or other state or local laws have the right to access such information.

 - c) It may be necessary to inform safety personnel so that they can prepare to render first aid and/or assistance in the event of an emergency or the evacuation of the building.

 - d) Advise all employees with responsibilities which may require knowledge of physical impairments or work restrictions, that they are to treat such knowledge with confidentiality.

 - e) Request employees claiming coverage as a Special Disabled Veteran or Veteran of the Vietnam Era to submit their Veterans' Administration Certificate or veterans form DD-214 (Discharge Form)* to verify their eligibility. The form is to be returned to the employee and not retained in their personnel folder.

 - f) Once it has been determined by Township medical representatives that a health condition exists which may affect job placement of an individual, the permanent work restrictions and accommodations, if made, are to be noted on the confidential listings maintained by the AA Officer and HR Office in the central EEO/HR Confidential File.

 - g) The AA Officer and the HR Office will monitor the confidential listing together with those other persons covered by the provisions of the AAP to determine that all such individuals have been, and will continue to be, given equal consideration with regard

to placement, downgrades, terminations and all other personnel actions and conditions of employment.

- h) The Township's obligation with respect to employees and applicants for employment who have degenerative diseases will be dealt with on an individual basis. Medical providers/personnel will monitor such persons and provide necessary guidance and direction.

*NOTE: Only that portion of the military record, including discharge papers relevant to the specific job qualifications for which the veteran is being considered will be utilized.

5.12 ACCOMMODATIONS

- a) The Township of Montclair shall attempt to make an accommodation to the physical or mental impairments of a qualified individual with a disability, covered veteran, or an American with disabilities employee or applicant for employment when such an accommodation is reasonable in terms of the conduct of the business.

In determining the extent of the Township's accommodation obligations the following factors, among others, will be considered:

- 1) Business necessity. *
- 2) Financial costs and expenses.

* "Business necessity" will include reasonable consideration of productivity, safety, and efficiency in the operation of the business.

Reasonable accommodations will be made to facilitate and enable the employee to perform the job or tour of duty.

- b) It is the responsibility of the HR Director and the Dept. Head along with the Supervisor to determine what accommodations might be appropriate. Employees and applicants for employment will be requested to supply information including medical data, where appropriate, on accommodations they believe would be helpful in performing the job for which they are under consideration. The AA Officer will be consulted as required.
- c) The advice and/or technical assistance of social service agencies specializing in accommodation treatment, and rehabilitation of individuals with a disability, covered veterans, and Americans with disabilities will be sought when exploring the feasibility of providing specific accommodations.

- d) Accommodation decisions are documented and attached to the application form or personnel record of the individual involved and a copy will be maintained in the EEO/HR Confidential File.
- e) Reasonable accommodations will be made on an individual basis by considering the employees or applicant's job-related abilities, the specific current duties of the particular vacancy, and safety and efficiency in the operation of the business.
- f) The NJ State Public Employees Occupational Safety and Health Administration (**PEOSHA**) with responsibility for the Township, will be consulted to ensure that there are adequate provisions for specialized support and first aid measures to assist physically impaired, covered veterans, and Americans with disabilities employees and applicants in emergency situations.
- g) The following structural accommodations to the buildings and facilities are made in accordance with the Township's architectural barrier removal plan.
 - Employment office is made accessible.
 - Reasonable accommodations are made at impaired employee's work locations.
 - New construction is planned with consideration for accessibility.
 - Reserved parking facilities, closer to building entrances, with maneuvering space and ramps for wheel chairs are provided, when appropriate.
 - Township training facilities and other locations where physically impaired and disabled employees may need to gain access are made accessible.

5.13 IMPLEMENTATION (MONITORING PROCEDURES)

The Township of Montclair using good faith efforts, and as permitted by business conditions, commits itself to attempt to annually increase:

- The number of recruiting contacts with organizations and agencies representing physically and mentally challenged persons.
- The number of impaired applicants.
- The number of impaired hires.
- The number of impaired employees upgraded.

5.14 INTERNAL MONITORING

Documentation and records maintained by the AA Officer and HR Office will be used in monitoring and measuring the effectiveness of the AAP to identify needs for remedial action, and to ensure that the objectives of the AAP are met. Therefore, it is necessary that accurate and up-to-date documentation be maintained.

INFORMATION AND DOCUMENTATION OF EFFORTS WILL BE TREATED WITH CONFIDENTIALITY AT ALL TIMES.

The AA Officer and the HR Director or Office is responsible for maintaining accurate, complete and up-to-date information on personnel matters involving known individuals with disabilities, covered veterans, and Americans with disabilities employees and applicants for employment. The Affirmative Action documentation requirements covered in the AAP [Section 7] in addition to information on structural modifications [Section 5], and complaint investigations, compliance reviews [Section 6] represent the data that is maintained in the EEO/HR Confidential File.

5.15 EXTERNAL MONITORING

Documentation and records will also be used to cooperate with government (federal, state or local) representatives conducting complaint investigations and compliance reviews that may result from complaint investigations.

The AA Officer will ensure the availability of the following pending an Office of Federal Contract Compliance Program (OFCCP) compliance review and/or complaint investigation;

- (a) Management organization chart;
- (b) Uncompleted application form (latest issue);
- (c) Pertinent personnel and employment records for a period not less than one year, regarding complaints and actions taken thereunder;
- (d) Collective bargaining agreements (all appropriate and current);
- (e) Copies of required posters, notices and Township policy;
- (f) Internal complaint procedures.

If notified of a compliance review by OFCCP, the AA Officer will advise the Township Manager immediately.

SECTION 6

ALLEGED DISCRIMINATION COMPLAINTS

SECTION 6 - ALLEGED DISCRIMINATION COMPLAINTS

6.1 TOWNSHIP RESPONSIBILITY

- (a) The Township of Montclair has the responsibility to receive, investigate, and attempt to resolve internal and external complaints of alleged violations of its obligations under government regulations. Appropriate action will be taken to ensure that the right of individuals to file complaints or participate in investigations for the purpose of resolving such complaints or participate in investigations for the purpose of resolving such complaints will be respected and not interfered with in any manner.
- (b) All employees and applicants for employment shall be informed that no individual will be intimidated, threatened, coerced or discriminated against by the Township for filing a complaint, furnishing information or participating in any manner in investigations, compliance reviews, hearings or any other activity related to the administration of the Township's policy to employ and advance in employment qualified impaired individuals, covered veterans and employees covered by the Americans with Disabilities Act.
- (c) Complaints and all actions taken to resolve them through the Township's internal review procedures will be maintained in the strictest confidence.

6.2 INDIVIDUAL'S RIGHT TO FILE COMPLAINTS OF ALLEGED DISCRIMINATION

- (a) Any employee or applicant for employment may file a complaint with the Township, the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) or their respective state or local agency.
- (b) Applicants for employment may bring their concerns to the Affirmative Action Officer who will pursue the matter in keeping with the Township's internal review procedure to investigate, and attempt to resolve such situations.

SECTION 7

DOCUMENTATION

AND

RECORDKEEPING

SECTION 7 - DOCUMENTATION AND RECORDKEEPING

7.1 GENERAL

In order for the Township of Montclair to determine its progress in meeting the objectives of this program, to communicate this progress, to develop future action plans and to meet the requirements of the Acts, it is necessary to maintain accurate and up-to-date documentation and records. Documented information will be treated as confidential, except where there is an identifiable need to know for the administration and implementation of the program.

Documentation and record keeping pursuant to previous sections of this program is the responsibility of the AA Officer and the HR/Personnel Office, and is maintained in the EEO/HR Confidential File.

7.2 DOCUMENTATION PURSUANT TO SECTION 4 - (POLICY DISSEMINATION)

- (a) Copy of current signed policy statement and EEO posters.
- (b) Locations of bulletin boards posting the policy statement and EEO posters.
- (c) Copy of the agenda for employee orientation and management training programs highlighting the review of the Affirmative Action Plan (AAP).
- (d) Copies of local publications and job advertisements when individuals with disabilities, covered veterans, and Americans with disabilities employees are featured.
- (e) When job vacancies occur, maintain formal correspondence and documentation of person-to-person contacts made with the recruiting sources.
- (f) When seeking advice and/or technical assistance, maintain formal correspondence and documentation of person-to-person contacts made with organizations of and for disabled persons, covered veterans and individuals covered under the Americans with Disabilities Act.

- (g) Copy of the Affirmative Action clauses included in all covered government subcontracts.

7.3 DOCUMENTATION PURSUANT TO SECTION 5 - PAR. 5.2 THRU 5.10 (PERSONNEL PROCEDURES)

- (a) Listings of job vacancies submitted to the State Employment Service.
- (b) When job vacancies occur, maintain formal correspondence and documentation of person-to-person contacts made with recruiting sources.
- (c) When seeking advise and/or technical assistance maintain formal correspondence and documentation of person-to-person contacts made with organizations of and for disabled individuals, covered veterans and Americans with disabilities.
- (d) A listing of effective recruiting sources.

Documentation of the effectiveness of recruiting sources in providing qualified individuals with disabilities, covered veterans, and Americans with disabilities applicants, and in providing advice and/or technical assistance when necessary.

- (e) Listings, by name, of applicants hired and employees selected for promotion, rotation, transfer, training, layoff or demotion who were accommodated in the employment or placement process. The listing will also contain a description of the accommodation.
- (f) Listings of known qualified disabled, covered veterans, permanently work-restricted or Americans with Disabilities Act applicants who were not hired or employees who were actively considered and not selected for placement, (i.e. training, promotion, etc.) and approved by the supervisor functionally responsible for equal opportunity will identify each vacancy for which they were considered and will include a statement as to the reason(s) for non-selection and, if applicable, a description of the accommodations considered or attempted.
- (h) Listing of the job vacancies reviewed (for job qualification requirements) when qualified individuals with disabilities, covered veterans, and Americans with disabilities candidates are considered for the vacancy.

7.4 DOCUMENTATION PURSUANT TO SECTION 5 - PAR. 5.8 (VOLUNTARY SELF-IDENTIFICATION) AND PAR. 5.11 (PROCEDURES/CONFIDENTIALITY TO BE FOLLOWED BY THE AA OFFICER)

- (a) Listings, by name, of those employees responding to the poster on self-identification, and if used, to the written invitation.
- (b) Listings, by name, of those employees who did not respond to the self-identification invitation, but who have been identified by the AA Officer or HR

Director as having an obvious disability that is known beyond the medical organization.

- (c) Date(s) of 1) the posting of the Township's notice of self-identification, and 2) periodic checks, at least quarterly, to ensure the poster is permanently displayed.
- (d) Locations of bulletin boards posting the Township's notice on self-identification.
- (e) Copy of dated written invitation, if used.
- (f) Listings, by name, of permanently work-restricted employees being accommodated. State the work restriction code and type of accommodation.

7.5 DOCUMENTATION PURSUANT TO SECTION 5 - PAR. 5.12 (ACCOMMODATIONS)

- (a) Listings of accommodated employees by name and type of accommodations will include a statement as to whether the individual involved was consulted on accommodation techniques.
- (b) Contacts made with social service agencies and their effectiveness in providing advice and/or technical assistance on accommodations for employees and applicants.
- (c) Approval of the Dept. Head or Supervisor functionally responsible for equal opportunity. Listings of the applicants who were not hired and employees who were actively considered and not selected for placement will identify each vacancy for which they were considered, and include a statement as to the reason(s) for non-selection and, if applicable, a description of the accommodations considered or attempted.
- (d) Maintenance and repair costs of vocational aids and devices used by employees for job performance.

SECTION 8

EXHIBITS



**INDIVIDUALS WITH DISABILITIES
DISABLED VETERANS
VETERANS OF THE VIETNAM ERA
AND
AMERICANS WITH DISABILITIES**

**EMPLOYEES AND APPLICANTS
YOU HAVE THE RIGHT:**

**TO SELF-IDENTIFY AS AN INDIVIDUAL WITH A DISABILITY
AND /OR AS A COVERED VETERAN
AND CAN REVIEW THE AFFIRMATIVE ACTION PROGRAM
FOR INDIVIDUALS WITH DISABILITIES, COVERED
VETERANS, AND AMERICANS WITH DISABILITIES**

Voluntary Self-Identification -Review of Affirmative Action Plan (AAP)

Applicant:

- Hours 8:30 a.m. - 4:30 p.m.
Human Resources Office - (973) 509-4939

Employee:

- Affirmative Action Office - (973) 509-4935