

RESOLUTION NO. 2011 – 78

LANDIS SEWERAGE AUTHORITY
RESOLUTION ADOPTING AN ANTI-NEPOTISM POLICY

WHEREAS, the Commissioners of the Landis Sewerage Authority desire to adopt an anti-nepotism policy to assure the reality and appearance of fairness in the best interest of the Authority; and

WHEREAS, the Commissioners of the Landis Sewerage Authority desire to adopt an anti-nepotism policy to prohibit the appointment or employment of family members of Authority Supervisors or Authority Commissioners; and

WHEREAS, the Commissioners of the Landis Sewerage Authority desire to provide for the public trust in its actions that the best qualified individuals be hired; and

WHEREAS, the Commissioners of the Landis Sewerage Authority desire to permit members of the same family to be eligible for employment, however, such employment shall not result in an employee directly or indirectly supervising a member of his or her immediate family; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of The Landis Sewerage Authority, City of Vineland, State of New Jersey, as follows:

Section 1: Anti-Nepotism Policy

The Commissioners declare that an anti-nepotism policy should be enacted.

Section 2: Amendment to Policy Manual

This resolution shall hereby amend the Personnel Benefits Policies and Procedures adopted by the Landis Sewerage Authority. Specifically, this Policy shall be found under Chapter 6 entitled “General Policies” 6.7 “Anti-Nepotism Policy”:

Section 3: Definitions

“Family Member” or “Relative,” same refers to: spouse; child; parent; sibling; grandparent; grandchild; father-in-law; mother-in-law; brother-in-law; sister-in-law; stepfather; stepmother; stepsibling; half-brother; half-sister; nephew; niece; first cousins; aunt; uncle; foster children; domestic partner or cohabitants as defined by the New Jersey Civil Union Act.

“Authority Commissioner” refers to the Commissioners of the Landis Sewerage Authority.

“Authority Supervisor” refers to any employee within the Landis Sewerage Authority who holds a position wherein he or she supervises one or more employees.

Section 4: Hiring and Supervision/Discipline of Employees

a. Upon passage of this resolution, no person who is a relative or family member of any Authority Commissioner or Authority Supervisor may be considered for employment as an employee of the Authority. This applies to regular full-time or regular part-time employment. This shall not apply to temporary or seasonal employment provided any such employment shall not result in an employee having direct supervision over a member of the employer’s family member. This shall not restrict nor prohibit the continued employment of individuals to a position or positions with the Authority where a relative of a permanent employee is elected or appointed after the date of the permanent employee’s start date of employment with the Authority.

b. No Authority employee shall be in a position that provides supervision over or the ability to discipline a member of his or her family. This precludes the acceptance of applications for full-time, part-time or seasonal employment from relatives for positions in the same department where supervision conflicts exist or through hiring of a family member or relative.

RESOLUTION NO. 2011-78 Can’t.

c. These policies are not for the purpose of depriving any citizen of an equal chance for a government job, but solely to eliminate the potential for preferential treatment of the relatives of government personnel or commissioners.

Section 5: Promotion of Existing Employees

a. No Authority Commissioner or Authority Supervisor may participate in the promotion process, or any other personnel matter, of any existing Authority employee who is a relative or family member of such Commissioner or supervisor.

Section 6: Appointments

a. No relative or family member of an Authority Commissioner or Authority Supervisor shall be appointed to the position of any Authority professional who receives compensation.

Section 7: Complaints

a. Any complaints that allege a violation of this policy shall be submitted in writing to the Executive Director of the Authority for his review.

b. The Executive Director shall have the authority to investigate the complaint and shall do so in a reasonable time period.

c. At the conclusion of the investigation, the Executive Director shall make findings of whether a violation of this policy has occurred and report his findings to the Commissioners.

d. After receipt of the findings of the Executive Director, the Commissioners shall take whatever appropriate action they deem necessary, within the confines of the law, to address the incident. In the event one of the Commissioners has a conflict or is a family member involved in the investigation, such Commissioner shall abstain from any vote that takes action with regard to the alleged violation.

Section 7: Severability

a. If any portion of this resolution is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the Resolution, which shall remain in full force and effect.

Section 8: Repealer

a. All prior policy inconsistent with the provision of this Resolution, are hereby repealed as to such inconsistency.

Section 9: Effective Date

a. This Resolution shall take effect upon passage.

THE LANDIS SEWERAGE AUTHORITY

JOSEPH R. RUEBEN, Chairman
Adopted: June 6, 2011

Attest:

FRANCIS A. GANA, Secretary