

## **Township of West Milford**

Passaic County, New Jersey

~ Resolution 2012 - 177 ~

### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ADOPTING AN UPDATED DRUG AND ALCOHOL POLICY FOR SAFETY SENSITIVE EMPLOYEES IN NJ TRANSIT**

**WHEREAS**, the NJ Transit Authority has directed the Township of West Milford, as a grant recipient, to update the NJ Transit Drug and Alcohol Policy in order to reflect any compliance issues identified during the audit; and

**WHEREAS**, the Mayor and Council of West Milford Township have determined that there is a need for the policy to be updated to ensure that employees and prospective employees are treated in a manner consistent with the laws and regulations.

**NOW, THEREBY, BE IT RESOLVED** by the Mayor and Council for West Milford Township that the Drug and Alcohol Policy for Safety Sensitive Employees in Transit is hereby adopted.

**BE IT FURTHER RESOLVED** that these drug and alcohol procedures shall apply to all Township employees that operate the NJ Transit busses. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

**BE IT FURTHER RESOLVED** that this policy is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this policy may be amended and supplemented from time to time without notice and at the sole discretion of the Township of West Milford.

**BE IT FURTHER RESOLVED** that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "employment at will."

**BE IT FURTHER RESOLVED** that duly appointed legal counsel appointed annually by the Township Council by virtue of resolution and contract shall advise the Township in personnel matters as necessary.

Adopted: May 23, 2012

Adopted this 23<sup>rd</sup> day of May, 2012  
and certified as a true copy of an original

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Antoinette Battaglia, Township Clerk