

First Aid & Rescue Squad

volunteers Since 1939

WALL TOWNSHIP

FIRST AID & RESCUE SQUAD

AMENDED & RESTATED BY-LAWS

July 2018

Amended December 2021

Amended April 2022

Contents

Article I. Organization.....	1
Section 1. Corporate Title.....	1
Section 2. Mobile Equipment.....	1
Section 3. Squad Name & Insignia.....	1
Article II. Purpose	1
Article III. Membership.....	1
Section 1. General	1
Section 2. Associate Membership	2
Section 3. Probationary Membership	2
Section 4. Active Membership	2
Section 5. Driver Only Membership	3
Section 6. Community Membership.....	3
Section 7. Special Operations Group Membership	3
Section 8. Life Membership	4
Section 9. Medical Classification Membership.....	4
Section 10. Inactive Membership.....	5
Section 11. Returning Members	5
Article IV. Meetings.....	6
Section 1. Business Meetings.....	6
Section 2. Practice & Instruction Drills.....	6
Section 3. Special Meetings	6
Section 4. Quorum.....	6
Section 5. Meeting Attendees.....	6
Section 6. Meeting Minutes.....	6
Article V. Duties of Officers/Appointed Positions	7
Section 1. General	7
Section 2. President	7
Section 3. Vice President.....	7
Section 4. Recording Secretary	7
Section 5. Corresponding Secretary	7
Section 6. Treasurer.....	7
Section 7. Trustees.....	8
Section 8. Chaplain.....	8
Section 9. Captain.....	9
Section 10. First Lieutenant.....	9
Section 11. Second Lieutenant	9
Section 12. Sergeant.....	9

Section 13. Appointed Positions	10
Article VI. Committees	10
Section 1. Standing Committees.....	10
Section 2. Special Committees	11
Article VII. Finances	11
Section 1. Fiscal Year.....	11
Section 2. Funds	11
Article VIII. Nomination and Election of Officers/Appointments.....	11
Section 1. Offices	11
Section 2. Nomination & Election.....	12
Section 3. Filling Vacancies	12
Section 4. Commencement & Term	12
Section 5. Qualification & Progression.....	12
Article IX. Order of Business.....	13
Section 1. Standing Agenda	13
Section 2. Governance & Approvals.....	13
Article X. Rules and Regulations	13
Section 1. General Conduct.....	13
Section 2. Resignation & Withdrawal	14
Section 3. Relinquishment of Office	14
Section 4. Member gross lack of interest	14
Section 5. Officer neglect of duty.....	14
Section 6. Disciplinary Process	14
Section 7. Bringing and Processing Charges.....	14
Section 8. Expulsion, Suspension, Resignation and Reinstatement.....	15
Section 9. Confidentiality.....	16
Section 10. Disciplinary Action	16
Section 11. Inappropriate use of property.	16
Section 12. Attendance	16
Section 13. Excused Credit.....	17
Section 14. Pending Litigation	17
Section 15. Length of Service Awards Program	17
Section 16. Membership in Other Organizations	17
Section 17. Hardships	17
Section 18. Return of Squad Equipment	18
Article XI. Dissolution	18
Section 1. Effecting Dissolution.....	18
Section 2. NJ Statute.....	18
ADDENDUM A.....	19

Article I. Organization

Section 1. Corporate Title. The corporate title of this organization shall be “Wall Township First Aid & Rescue Squad” and shall hereinafter be referred to as the “Squad”.

Section 2. Mobile Equipment. All mobile equipment purchased by this organization shall have the name “Wall Township First Aid & Rescue Squad” suitably inscribed or placed thereon.

Section 3. Squad Name & Insignia. Squad name and insignia can only be used for the benefit or welfare of the Squad and upon express authorization of the Trustees or Executive Board.

Article II. Purpose

The purpose of this organization shall be to render such emergency medical service to the public as will help preserve life; to keep members and others well trained in the principles of First Aid as outlined by the New Jersey Department of Health, Office of Emergency Medical Service and the New Jersey State First Aid Council; to maintain and operate such equipment as may be necessary; and to advance such knowledge as will promote the prevention of injury and suffering. All activities of this Squad are to be conducted on a volunteer basis. All activities of the Squad are strictly confidential.

Article III. Membership

Section 1. General

- a. Squad membership is open to all residents of or those employed in the area served by the Squad.
- b. The membership of this Squad shall consist of the following types of members: Associate, Probationary, Active, Driver **Only, Community, Special Operations Group**, Life, and Medical.
- c. Upon receipt of a request **or application** for membership by a prospective member, the Membership Committee shall make its recommendation, as to whether the request **or application** for membership should be accepted or denied, to the general membership of the Squad within two regular business meetings after receipt of the prospective member's request **or application**.
- d. Upon receipt of a current member's request to change his or her membership status, the Membership Committee shall make its recommendation, as to whether the request for change in membership status should be accepted or denied, to the general membership of the Squad within two regular business meetings after receipt of the member's request to change status.
- e. Members are responsible to keep the Squad informed of all changes to all relevant certification changes, including but not limited to EMT certification and related training, CPR certification, and driving records.

- f. The New Jersey EMT Training Fund (EMTTF) pays for EMT training (initial and/or continuing education) for members of volunteer EMS agencies. This covers the majority of training identified in Squad Training Requirements Policy and Standard Operating Guidelines. Unless specifically stated to the contrary, the Squad will pay tuition for members only where there is benefit to the squad and it has the prior written approval of the Captain, only after courses are successfully completed.

Section 2. Associate Membership

ASSOCIATE members shall consist of persons who have signified in writing their desire to become a member of the Squad, reached their sixteenth birthday, comply with the Squad pre-requisite training requirements as set forth in the Squad Training Requirements Policy and Standard Operating Guidelines and have been recommended by the Membership Committee for ASSOCIATE membership. ASSOCIATE members shall have a maximum of eighteen (18) months to comply with the full training requirements as set forth for ACTIVE membership and may apply to the Membership committee for ACTIVE membership after twelve (12) months of ASSOCIATE membership and completion of the full training requirements. Associate members are unable to vote or run or hold any line or executive office position. Upon approval of the Membership Committee and a vote by the Squad consistent with Article IX, Section 2, an active member may transfer their membership to ASSOCIATE status at any time with the understanding that they will not be accruing credit toward their exempt or life status upon becoming an ASSOCIATE member. ASSOCIATE members must obtain CPR certification within three (3) months of first joining. If training is not completed within the allotted time, the Membership Committee shall review the status of the member and may recommend removal of the member, which must be approved by a vote by the Squad consistent with Article IX, Section 2.

Section 3. Probationary Membership

PROBATIONARY members shall consist of persons who have signified in writing their desire to become a member of the Squad, and reached their sixteenth birthday, comply with the Squad pre-requisite training requirements as set forth in the Squad Training Requirements Policy and Standard Operating Guidelines, or alternatively, have prior experience of a minimum of one (1) year on a first aid squad or paid ambulance service and hold current New Jersey EMT certification and supporting training requirements and have been recommended by the Membership Committee for PROBATIONARY membership. PROBATIONARY members shall have a maximum of eighteen (18) months to comply with the full training requirements as set forth for ACTIVE membership, and PROBATIONARY members may apply to the Membership committee for ACTIVE membership after: (i) six (6) months of PROBATIONARY membership; and (ii) completion of the full training requirements. PROBATIONARY members will receive credit toward LIFE membership for any time spent as a PROBATIONARY member. PROBATIONARY members are unable to vote or run or hold any line or executive office position.

Section 4. Active Membership

- a. ACTIVE members shall consist of members who have been recommended by the line officers following completion of PROBATIONARY or ASSOCIATE membership, complied with requirements of the Membership Committee, comply with the Squad training requirements for ACTIVE members as set forth in the Squad Training Requirements Policy and Standard Operating Guidelines. To be considered for Active membership, the member must either: (i) serve a minimum of six (6) months as a PROBATIONARY member with EMT certification; or (ii) serve twelve (12) months as an ASSOCIATE member with EMT certification and meet all ACTIVE membership requirements. ACTIVE members must be at least nineteen (19) years old. All ACTIVE Members must serve on a minimum of one duty crew, which is generally defined as an overnight shift in which the ACTIVE member is responsible for answering all dispatched call from 2200 hours until 0600 hours but which times may be altered per the direction of the Captain.
- b. ACTIVE members shall have voting privileges provided they have attended three of the four previous business meetings and have attended at least three special events during the previous twelve-month period, and are eligible to *run* for elected positions, as defined in Article VIII.

- c. If an ACTIVE member's EMT certification expires or the member fails to meet the requirements of ACTIVE member status, he/she shall revert to ASSOCIATE member status at the recommendation of the Membership Committee, which must be approved by a vote by the Squad consistent with Article IX, Section 2. Such members may be maintained in an ASSOCIATE status for not more than six (6) months. If the member has not re-certified or met the requirements of ACTIVE status at the conclusion of the six (6) month period, the Membership Committee may recommend removal of the member from the Squad, which must be approved by a vote by the Squad consistent with Article IX, Section 2.

Section 5. Driver Only Membership

- a. DRIVER ONLY members shall consist of persons who have signified in writing their desire to assist the Squad by acting as a driver, reached their twenty-first birthday, have a valid New Jersey Driver's License for two (2) years, personal auto insurance, comply with the Squad training requirements for DRIVER ONLY members as set forth in the Squad Training Requirements Policy and Standard Operating Guidelines and have been recommended by the Membership Committee for DRIVER ONLY membership, which must be approved by a vote by the Squad consistent with Article IX, Section 2. DRIVER ONLY members must meet all requirements pertaining to the operation of emergency vehicles as set forth in the Driver Approval Policy & Procedure. DRIVER only members must respond to ten percent (10%) of first aid calls, participate in one half of the drills during the Fiscal Year, and attend at least three special events each Fiscal Year.
- b. DRIVER ONLY members may not perform any first aid procedures; however they must be trained in CPR and may assist in CPR calls, if needed.
- c. DRIVER ONLY members will have all the privileges of other members, including the right to vote provided they have attended three of the four previous business meetings and have attended at least three special events during the previous twelve-month period. DRIVER ONLY members are not eligible to run for line officer positions.
- d. The number of DRIVER ONLY members may not exceed 15% of the total membership.

Section 6. Community Membership

- a. Residents of Wall Township who desire to assist the Squad with various operational functions but not participate in responding to first aid calls, may join the squad as a COMMUNITY member. COMMUNITY members must be at least 19 years of age and certified in CPR. COMMUNITY members may assist the Squad at the request of the Executive and Line Officers of the Squad. COMMUNITY members are not allowed to operate Squad vehicles or to ride in Squad vehicles when responding to emergency calls.
- b. COMMUNITY members may participate in the following activities: preparing food for the meetings, drills and special functions, cleaning and stocking rigs, cleaning Squad building, assisting with fund drive, public relations, and membership recruitment.
- c. COMMUNITY members will not have the right to vote on Squad matters and will not receive LOSAP credit.

Section 7. Special Operations Group Membership

- a. Residents of Wall Township or neighboring municipalities who desire to assist the Squad in extrication, search and rescue, disaster assistance, special events coverage, and fire call standby may join the Squad as a SPECIAL OPERATIONS GROUP member. SPECIAL OPERATIONS GROUP members must be at least 19 years old, certified in CPR, and must attend three (3) drills per calendar year. SPECIAL OPERATIONS GROUP members may assist in various extrication and rescue activities at the discretion of line officers. SPECIAL OPERATIONS GROUP members must participate in three (3)

drills per calendar year and be fully familiar with all special operations apparatus, including but not limited to the special operations trailer, all-terrain vehicles, and bicycles.

- b. **SPECIAL OPERATIONS GROUP** members do not have the right to vote on Squad matters and will not receive LOSAP credit.

Section 8. Life Membership

LIFE members shall consist of persons who have successfully performed their duties as an ACTIVE member or Driver Only member for a period of at least ten (10) years, as outlined in Article I, Section 4 or Article I, Section 5. A member seeking LIFE member status must submit a letter to the Membership Committee requesting LIFE member status. Upon receipt of a letter requesting LIFE member status, the Membership Committee shall review the request to determine eligibility and make a recommendation to the Squad within two months of the request. The Squad shall vote on the Membership Committee's recommendation, and such vote shall require a majority vote in affirmance. In the event a member's request for LIFE member status is rejected due to lack of service for at least 10 years, he or she may reapply for LIFE member status at any time after successfully completing 10 years' of service. Life members may either be: (1) LIFE ACTIVE members, Driver Only member; or LIFE INACTIVE members.

- a. LIFE ACTIVE members or Driver Only member are those members who have obtained LIFE member status and continue to successfully perform their duties as an ACTIVE member or Driver Only member. LIFE ACTIVE members or Driver Only members must satisfy all requirements of an ACTIVE member or Driver Only member and shall have voting privileges provided they have complied with all requirements for ACTIVE members or Driver Only member. LIFE ACTIVE members or Driver Only members are eligible to run for elected positions. If a LIFE member assumes a line officer position, he/she must maintain LIFE ACTIVE member status. Executive officer positions may be LIFE ACTIVE, Driver ONLY or LIFE INACTIVE. A LIFE ACTIVE member or Driver Only member who seeks to move to LIFE INACTIVE status may do so upon submitting a letter to the Membership Committee and such change to LIFE INACTIVE status shall take effect immediately. LIFE ACTIVE members or Driver Only members may receive LOSAP credit.
- b. LIFE INACTIVE members are those members who have obtained LIFE member status but do not wish to continue to satisfy all the duties of an ACTIVE member or Driver Only member. LIFE INACTIVE members shall have all voting privileges provided that they have attended three of the four previous business meetings. LIFE INACTIVE members are not eligible to run for line positions but eligible to run for executive officer positions provided they have voting status. LIFE INACTIVE members may receive LOSAP credit.

Section 9. Medical Classification Membership

- a. MEDICAL CLASSIFICATION members are members who are not able to meet the membership requirements for medical reasons. To obtain MEDICAL CLASSIFICATION membership, a member must request, in writing, a change of status to MEDICAL CLASSIFICATION membership to the Membership Committee and have been placed in this category after a review of their case by that Committee, which must be approved by a vote by the Squad consistent with Article IX, Section 2.
- b. In order to be removed from MEDICAL CLASSIFICATION status and return to the member's status prior to MEDICAL CLASSIFICATION membership, the MEDICAL CLASSIFICATION member must submit to the Membership Committee a request to return to the member's prior status along with an appropriate release from a physician stating that the member may return without restriction or specifying any working restrictions or limitations. The Membership Committee shall review the member's request to be removed from MEDICAL CLASSIFICATION status, and shall be removed from MEDICAL CLASSIFICATION membership after review by that Committee, which must be approved by a vote by the Squad consistent with Article IX, Section 2.

- c. A member may remain in the MEDICAL CLASSIFICATION membership category for up to one (1) year. If more time is required, the member must re-submit, in writing, a continuation of the MEDICAL CLASSIFICATION membership status that is to be reviewed by the Membership Committee on a case-by-case basis, which must be approved by a vote by the Squad consistent with Article IX, Section 2. **If a member remains a MEDICAL CLASSIFICATION member for at least six (6) consecutive months, the Captain, at his/her discretion, may request that the member return all Squad issued equipment, including but not limited to pagers, uniforms, jackets, etc.**
- d. **The Membership Committee will determine if the member qualifies for annual credit for calculation of LIFE membership purposes on a case-by-case basis based on their performance.**
- e. **MEDICAL CLASSIFICATION members shall have the same rights and privileges as ASSOCIATE members. MEDICAL CLASSIFICATION members are unable to run for line officer positions. MEDICAL CLASSIFICATION members are not allowed to operate Squad vehicles or to ride in Squad vehicles while on MEDICAL CLASSIFICATION status.**
- f. **In the event a current line officer seeks and obtains MEDICAL CLASSIFICATION status, the member must also immediately vacate his or her line officer position. Any line officer approved for MEDICAL CLASSIFICATION status must, within five (5) days of the approval for MEDICAL CLASSIFICATION status, arrange for the return of any Squad issued equipment related to the line officer position, such as any radio or badge. The Captain, at his or her discretion, may appoint a qualified member to temporarily fill a line officer position in the event a line officer seeks and obtains MEDICAL CLASSIFICATION status. A line officer who seeks and obtains MEDICAL CLASSIFICATION status shall be permitted to return to his/her line officer position upon returning to ACTIVE status. In the event the Captain seeks and obtains MEDICAL CLASSIFICATION status, then the First Lieutenant shall temporarily fill the Captain position.**

Section 10. Inactive Membership

A member with six months of inactivity will be referred to the Membership Committee for recommendation to the Squad for action to be taken. Any such recommended action must be approved by a vote by the Squad consistent with Article IX, Section 2. This provision shall not preclude a member from re-applying for membership, if qualified.

Section 11. Returning Members

A member who has left the Squad in good standing may return to the Squad by signifying in writing their desire to return to the Squad. Returning members will be placed as either an ASSOCIATE member if not a certified EMT or PROBATIONARY member if a certified EMT. Returning members may apply to the Membership Committee for ACTIVE membership, provided they have been recommended by the line officers and complied with the training requirements as set forth for ACTIVE members in the Squad Training Requirements Policy and Standard Operating Guidelines. Once accepted as an ACTIVE member, the credit accrued during their previous membership will apply.

Article IV. Meetings

Section 1. Business Meetings

- a. Regular business meetings shall be held on the first Friday of each month at 7:00 p.m. When a legal holiday falls on the first Friday of a month, the regular business meeting shall be held the following Friday. The regular business meeting held in November shall be the 'annual meeting' of members.
- b. Regular business meetings shall be conducted according to the Standing Agenda set forth in Article IX, Section 1 of these By-Laws.
- c. Unless otherwise stated in these By-Laws, all meetings shall be held in accordance with Robert's Rules of Parliamentary Procedure, unless otherwise stated in the By-Laws.

Section 2. Practice & Instruction Drills

Meetings for Practice and instruction (Drills) shall be held once a month. Drills will be held at 7:00 p.m. on the fourth Friday of each month, or at such day and time as shall be determined by the Captain. Other Practice and Instruction Drills on specialized topics (e.g. Extrication) may be held on other days and members shall be notified of such at least during the prior business meeting.

Section 3. Special Meetings

Special Meetings shall be called at the discretion of the President or a majority of the Trustees.

Written notices of Special Meetings must be furnished to each ACTIVE, DRIVER and LIFE members stating the business to be transacted at least seven (7) days prior to the meeting. No business other than that stated shall be transacted.

Section 4. Quorum

QUORUM: Ten (10) members eligible to vote must be present at any meeting for the transaction of business. A meeting may be held with less than ten (10) members eligible to vote providing no business requiring a membership vote is conducted. In the event there is no quorum, bills requiring payment may be approved for payment without a vote provided that such bills are reviewed and authorized by the President and Treasurer prior to payment, or alternatively, the bills may be held for discussion and approval via vote at the next regular business meeting.

Section 5. Meeting Attendees

- a. Attendance at business meetings is limited to members of the Squad as listed in Article III. Non-members may be present with the consent of the Squad, in writing by regular mail or electronic mail, as deemed necessary for presentations or other similar activities. Regular business will be conducted during these meetings.
- b. All members present and eligible to vote must vote on every motion; for, against, or abstain. Failure to vote for or against a motion shall be counted as an abstention.

Section 6. Meeting Minutes

After each meeting, the previous monthly meetings minutes will be copied and logged into a notebook that will be kept at the building in a safe place.

Article V. Duties of Officers/Appointed Positions

Section 1. General

The elected officers of the Squad shall consist of a President, Vice-President, Recording Secretary, Corresponding Secretary, Treasurer, (maximum of five) Trustees, Chaplain, Captain, First Lieutenant, Second Lieutenant, and Sergeant. Appointed positions consist of Engineer, Assistant Engineer, Janitor, and (two) Supply Officers.

Section 2. President

The President shall preside at all meetings, is an ex officio member of all committees, is responsible for all administrative aspects of the squad and shall: (i) appoint members to all standing committees; (ii) sign all checks presented by the Treasurer after approval of the Squad membership and review by the Trustees; (iii) call special meetings through the Secretary, as required by these by-laws; (iv) be co-custodian with the Secretary and have access to a safe deposit box; (v) present a balanced annual budget to the membership for approval at the first meeting in January; and (vi) perform such other duties, as custom and parliamentary usage requires of this office.

Section 3. Vice President

The Vice President shall be familiar with the affairs of the Squad and in the absence or inability to act of the President, shall possess all the powers and perform all the duties of the President, as set forth in Article V, Section 2. The Vice President is responsible for Good and Welfare of the Squad and on a case-by-case is authorized to spend up to fifty (50) dollars.

Section 4. Recording Secretary

- a. The Recording Secretary shall keep accurate minutes of the proceedings of this organization and, after their approval, shall enter therein into a book provided for that purpose.
- b. The Recording Secretary shall call the vote at the meetings and keep a permanent record of it.
- c. The Recording Secretary shall keep an accurate list of all members, noting the time of their respective membership, resignations and loss of membership as they occur.
- d. At the expiration of the term of office, the Recording Secretary shall deliver immediately to the successor all books, papers and records of the Squad that are in his/her possession.

Section 5. Corresponding Secretary

- a. The Corresponding Secretary shall read all communications of the Squad and keep them in regular uniform file.
- b. The Corresponding Secretary shall make copies and keep on file all letters which he/she may write officially and shall notify members of Special Meetings called by the President.
- c. The Corresponding Secretary shall keep an account of and turn over to the Treasurer all funds received.

Section 6. Treasurer

- a. The Treasurer shall receive, deposit and care for all money belonging to the organization.

- b. The Treasurer shall verify that appropriate Squad personnel have approved all invoices.
- c. The Treasurer shall maintain accurate records of all Squad accounts, payments made, and funds received.
- d. The Treasurer shall pay all bills once approved by the membership.
- e. The Treasurer shall ensure that all checks are signed by both the President and the Treasurer.
- f. The Treasurer shall render an annual report each year at the annual meeting and shall submit the books and accounts to the Audit Committee at the annual meeting.
- g. The Treasurer shall be bonded by the Squad in the amount of **Five Hundred Thousand Dollars (\$500,000.00)**.
- h. The Treasurer shall maintain any and all required state and federal forms.
- i. At the expiration of the term of office, the Treasurer shall deliver immediately all money, books, and records of the Squad to his/her successor.
- j. In the absence of the President and Vice President, the Treasurer shall assume the duties and powers of the President, as set forth in Article V, Section 2

Section 7. Trustees

The Trustees are charged with exercising careful supervision of the Squad and its expenditures, and shall have general control over its property. They shall conduct investigations regarding any member of the Squad as prescribed in the By-Laws. The Board of Trustees shall have a Chairperson as determined by seniority as a Trustee. It shall be the duty of the Board of Trustees to supervise the working unison of the Squad. The Board of Trustees shall report through its Chairman at each regular business meeting.

- a. There shall be a maximum of five (5) Trustees. Trustees are members of the Squad with a minimum of three (3) years of active service. The Trustees will have charge of all property belonging to the Squad. No Squad property shall be destroyed, modified, sold or loaned without a Trustee's written consent or by the direction of the membership after an affirmative vote of two-thirds of the eligible members voting at a business meeting.
- b. Trustees shall keep an accurate record available at all times of all property and its location and shall make a detailed report of it at the annual meeting.
- c. Trustees shall verify that the Treasurer is bonded.
- d. In the absence of the President, Vice President and Treasurer, the Senior Trustee shall assume the duties and powers of the President, as set forth in Article V, Section 2.
- e. Trustees shall appoint the Janitor.

Section 8. Chaplain

The Chaplain shall conduct the religious ceremonies such as prayer at the beginning of meetings, service for deceased members, prayers at the annual dinner, prayers before installation of officers for the new year, at the dedication of ambulances and buildings of the Squad, and as the President may direct.

Section 9. Captain

The Captain is the senior person in the Squad, the administrator of all first aid activities, and, operating through the other line officers, directs all field operations.

The duties of the Captain include, but are not be limited to:

- (i) Calling First Aid Drills;
- (ii) Keeping accurate records of the number of calls, types of call and location of calls. A written report with his data is to be submitted to the Squad at the monthly meeting. This report is to be both monthly and cumulative for the year;
- (iii) Placing equipment in all Squad vehicles as required by law or recognized standard;
- (iv) Drafting the Standard Operating Guidelines. Such rules detail the operational procedures for the Squad with respect to first aid;
- (v) Appointing crew chiefs;
- (vi) Relieving any member from duty immediately for just cause. Charges must be filed within twenty-four hours with the Secretary. Procedures under Article X, Section 7 of these By-Laws must be followed;
- (vii) Issuing radios, pagers and equipment to officers and members, as necessary. The Captain shall also be responsible for ensuring the return of all Squad issued equipment upon the resignation, suspension, expulsion, or approval of MEDICAL CLASSIFICATION for any member. The Captain may appoint an appropriate delegate to assist him or her in the issuing, or ensuring the return of, Squad equipment;
- (viii) Issuing disciplinary action consistent with Article X, Section 10 of these By-Laws.
- (ix) Ensuring that all members' certifications, licenses, and other documents are up-to-date and maintained in each member's personnel file. The Captain may appoint an appropriate delegate to assist him/her to ensure that all such records are up-to-date;
- (x) Promoting cooperation with government bodies, local municipalities, police, fire departments, and hospitals;
- (xi) Posting updated LOSAP totals each month;
- (xii) Updating all required information that is necessary to keep the Squad as an active member in the New Jersey State First Aid Council; and
- (xiii) Appointing the Engineer, Assistant Engineer, and Supply Officers.

Section 10. First Lieutenant

- a. In the absence of the Captain, it shall be the duty of the First Lieutenant to perform the duties of Article V, Section 9.
- b. When the Captain is present, the First Lieutenant shall be second in authority and assist the Captain.

Section 11. Second Lieutenant

- a. In the absence of the Captain and First Lieutenant, it shall be the duty of the Second Lieutenant to perform the duties of Article V, Section 9.
- b. When the Captain or the First Lieutenant is present, the Second Lieutenant shall render them assistance.

Section 12. Sergeant

- a. In the absence of the Captain, First Lieutenant and Second Lieutenant, it shall be the duty of the Sergeant to perform the duties of Article V, Section 9.

- b. When the Captain, First Lieutenant and Second Lieutenant are present, the Sergeant shall render them assistance.

Section 13. Appointed Positions

Engineer: It shall be the responsibility of the Engineer to ensure the maintenance and proper operating condition of all vehicles and mechanical equipment thereof. The Engineer shall be responsible to the Captain for the performance of his/her duties. The Engineer is not a line officer.

Assistant Engineer: It shall be the responsibility of the Assistant Engineer to assist the Engineer and assume the duties of the office during his/her absence. The Assistant Engineer shall be responsible to the Captain for performance of his/her duties. The Assistant Engineer is a position, which shall be appointed by the Captain. The Assistant Engineer is not a line officer.

Janitor: The Janitor shall be the caretaker of the Squad building and associated property. The Janitor shall receive a stipend, as applicable, and receive a Form 1099 in connection with such stipend.

Supply Officers: Two (2) Supply Officers shall be appointed by the Captain and shall be responsible for maintaining supplies for the ambulances and for accurate inventory of all equipment issued to members, as well as an inventory of all Squad equipment and supplies. Supply officers will be responsible for establishing a replenishment program for ambulance supplies. Supply Officers will be charged with ordering supplies as needed and as approved by the Captain. Each Supply Officer shall be responsible to the Captain for performance of his/her duties. A Supply Officer is not a line officer.

Article VI. Committees

Section 1. Standing Committees

There shall be the following standing committees appointed:

A. AUDIT COMMITTEE: The Audit Committee shall not exceed five (5) members. This committee shall audit the books and accounts of the Treasurer and provide an annual report in writing at the last business meeting in December.

B. BY-LAWS COMMITTEE: The By-laws Committee shall not exceed five (5) members. The duties of this committee shall be:

1. To make note of any and all amendments, deletions or other changes to the present by-laws;
2. To make sure every member understands and has a copy of the by-laws;
3. To act as Parliamentarians on any question about the by-laws; and
4. To consider and put into writing any by-law change that a member requests in writing for presentation to the Squad.

C. ENTERTAINMENT COMMITTEE: The Entertainment Committee shall consist of five (5) members whose duties shall be the arrangement of social functions as directed by the organization.

D. FINANCE COMMITTEE: The Finance Committee shall not exceed five (5) members of which at least one must be a Trustee. This committee shall approve/make recommendations on all spending in excess of two hundred and fifty (250) dollars as determined by the budget or available funds. They are responsible for coordinating inputs to the annual budget, which the committee will present to the President the last regular business meeting in December.

E. FUND DRIVE COMMITTEE: The Fund Drive Committee shall not exceed five (5) members. They shall develop a Fund Drive schedule. Select a Fund Drive mailing service and provide oversight to that service. The committee will ensure a complete and accurate mailing list is provided to the service. The committee will

provide an accurate account of all funds and transfer those funds to the Treasurer. The committee will document, in conjunction with the Treasurer, all funds received or expended for the Fund Drive. The committee will report to the Squad the status of the Fund Drive.

F. FUND RAISING COMMITTEE: The Fund Raising Committee shall not exceed five (5) members. The committee shall coordinate and supervise all fund raising campaigns. A complete accounting of all campaigns shall be presented to the Treasurer and to the membership at the business meeting immediately following the fund raising event. A complete accounting consists of a description of the event, total revenues and expenditures and net proceeds submitted to the Treasurer.

G. MEMBERSHIP COMMITTEE: The Membership Committee shall consist of no more than five (5) members. Duties shall be to investigate and make recommendations on all membership requirements, and discrepancies. This committee shall also investigate and recommend action on applicants. The Membership Committee will present to the general membership in the month of November qualified members who have met the requirements for active membership to be eligible to run for an officer position

Section 2. Special Committees

The President may create Special Committees. Their specific function and term of office shall be defined when requested by the President.

Article VII. Finances

Section 1. Fiscal Year

The fiscal year for this organization shall be from January 1 to December 31, inclusive.

Section 2. Funds

Funds for meeting the expenses of this organization shall be raised by the following methods:

- A. Voluntary contributions
- B. Special methods when approved by a two-thirds affirmative vote of the eligible voting members at a business meeting.

Article VIII. Nomination and Election of Officers/Appointments

Section 1. Offices

The Elected Officers shall consist of:

- a. Executive: President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, Trustees, and Chaplain.
- b. Line: Captain, First Lieutenant, Second Lieutenant and Sergeant.

The Appointed offices shall consist of:

- a) Appointed by the Captain: Engineer, Assistant Engineer and Supply Officers
- b) Appointed by the Trustees: Janitor.

Section 2. Nomination & Election

An eligible voting member may make nominations for an elected office during the nomination period at the November or December meeting.

Regular election of officers shall take place at the December meeting after nominations have been closed.

Election shall be by written ballot and a majority affirmative vote of the eligible voting members voting shall elect.

The Membership Committee will present to the general membership in the month of November qualified members who have met the requirements for active membership to be eligible to run for an officer position.

Section 3. Filling Vacancies

A vacancy in any elected office or offices shall be filled at the next regular business meeting after such vacancy shall occur.

In the event of a vacancy, the nomination and election shall both occur at the next regular business meeting after such vacancy shall occur. Election shall be by written ballot, and a majority affirmative vote of the eligible voting members voting shall be required to elect.

A vacant position may only be filled by a member eligible to hold the position and only for the unexpired term of that office.

A vacancy in an appointed position may be filled immediately (no vote required).

Section 4. Commencement & Term

The term of office for all officers shall be a period of one (1) year from the January Installation meeting. The Trustees' term of office shall be three (3) years except when a Trustee position is vacated before finishing the term, the newly elected Trustee will fill that position for the remainder of the term.

Officers shall assume office at the January Installation meeting unless elected to fill a vacancy.

Section 5. Qualification & Progression.

- A. Members will not be allowed to hold any line office until they have been an ACTIVE member for at least two (2) years. Members will not be allowed to hold any line office unless they meet the requirements of ACTIVE membership according to Article III, Section 4.
- B. In order to be eligible to hold the office of Captain, a member must have served a minimum of three (3) years as a line officer, one (1) of which must have been as a Lieutenant.
- C. Any member wishing to become a line officer must start at the position of Sergeant. Past line officers may return to a line position up to and including their highest prior position held, providing a minimum of one year annual credit was received in that position.
- D. Committee Chairmen: Line or Executive officers shall not chair committees where the best interest of the Squad may be influenced as a result of the Officer's position. Potential conflicts will be identified by the Membership Committee prior to appointment of Chairmen.
- E. Members will not be allowed to hold any **executive** office until they have been a member in good standing for at least two (2) years with the exception of Recording and Corresponding Secretary which require at least one (1) year.

Article IX. Order of Business

Section 1. Standing Agenda

The order of business of this organization shall be as follows:

Call to order

Prayer, salute to the flag and moment of silence.

Roll Call (when responding to roll call, each member will be notified of their voting eligibility)

Reading of the minutes of the previous meeting or meetings.

Treasurer's report.

Communications.

Reports of officers and committees.

Deferred business.

New business.

Good and welfare of the Squad.

Nomination and elections

Adjournment.

Section 2. Governance & Approvals.

Squad business requiring a membership vote will be approved by a **majority** affirmative vote by all voting members present, including for election of officers which requires a majority vote of the eligible voting members providing a quorum is present.

Section 3. Amendments to By-Laws

- a. Amendments and/or additions to the By-Laws shall require two (2) regular or Special Meetings for debate and ratification.
- b. All members of the Squad shall be notified in writing by regular mail or electronic mail of the date and time of the second meeting no later than one full week prior to the date of the second meeting.
- c. Amendments and/or additions to the By-Laws shall require a **majority** vote of the membership eligible to vote present at the second meeting.
- d. Deliberations by the Squad regarding any proposed amendments to the By-Laws shall be governed by parliamentary usage as contained in Roberts Rules of Order.

Article X. Rules and Regulations

Section 1. General Conduct

- a. Members shall conduct themselves appropriately at all times. Members on First Aid Calls shall follow Operating Guidelines as promulgated by the Captain.
- b. Members shall comply with the requirements of the Driver Approval Policy & Procedure prior to being allowed to drive Squad vehicles. A list of Approved Drivers shall be posted in the vehicle bay.

Section 2. Resignation & Withdrawal

Any member wishing to **resign** or withdraw from **the Squad** shall notify the Secretary in writing, who in turn will present the request to the organization at the next regular business meeting. No vote is required when a member resigns from the Squad.

Section 3. Relinquishment of Office

Any officer desiring to relinquish their office shall notify the Secretary in writing. The procedure shall follow the course as described in Article VIII, Section 3.

Section 4. Member gross lack of interest

All cases of members showing “gross lack of interest” in the organization and those who have not complied with the provisions of Article VIII, Section 2 shall be referred to the Membership Committee, which will conduct a hearing to determine whether there has been a gross lack of interest as well as to consider all other pertinent circumstances. Gross lack of interest is generally defined as a member who fails to respond to at least 5% of calls in a calendar year and/or attends less than 10% of drills or meetings in a calendar year.

The Membership Committee shall notify the Secretary of the date and nature of this hearing at least ten (10) days in advance. The Secretary shall notify all members eligible to vote of the date and the nature of the hearing in writing by regular mail or by electronic mail.

The committee will conduct the hearing on the date specified and will report their recommendations at the next business meeting. This report will immediately be placed before the members and action taken by a majority affirmative vote of the eligible voting members.

Section 5. Officer neglect of duty

In the event of any officer neglecting the performance of his/her duties, a special committee shall be named to investigate and make a report with the proper recommendations at the next business meeting. This report will immediately be placed before the members and action taken by a two-thirds affirmative vote of the eligible voting members.

Section 6. Disciplinary Process

Any member, regardless of class, who is guilty of gross misconduct as a citizen, is guilty of a criminal offense, or who violates willfully any of the provisions of the by-laws of this organization shall be liable to censure, suspension or expulsion, consistent with the procedure outlined in this Article.

Section 7. Bringing and Processing Charges:

1. Any member may bring charges against any other member. Any charge brought against a member must be submitted in writing to the Corresponding Secretary. In addition, to bring any charge, the member bringing the charge must also submit any known evidence relating to the charge to the Corresponding Secretary, and such evidence shall be presented to the Membership Committee before the member may be formally charged.
2. In the event a formal charge is brought against a member, such formal charge should be brought at the next regular business meeting following the charge being raised to the Corresponding Secretary, but such formal charge may also be brought at the subsequent regular business meeting to give an opportunity for the Membership Committee to review any evidence.
3. Following the bringing of a formal charge, the Corresponding Secretary shall call for a hearing before the Membership Committee to be held with at least two (2) weeks' notice to the member being charged and all witnesses.
4. The Corresponding Secretary shall provide the person being charged with a copy of the written Notice of Hearing that states the charges and the date of the Membership Committee hearing. Such date of the Membership Committee hearing shall be not less than

two (2) weeks after mailing the Notice of Hearing to the person being charged. Mailing shall be via Certified Mail, Return Receipt Requested, and Regular Mail.

5. The Corresponding Secretary shall also send a copy of the Notice of Hearing to the member who brought the charge(s). The member who brought the charge(s) must appear at the Membership Committee hearing or the charges shall be dropped.
6. Either the member charged or the member who brought the charge(s) may ask for an adjournment of the Membership Committee hearing date, which shall be granted provided that all relevant individuals agree upon a new date for the Membership Committee hearing.
7. The member who brought the charge(s) and the member charged may bring to the Membership Committee hearing such persons who may have personal knowledge of the charge(s) or events relating thereto. It is the responsibility of the member who brought the charge(s) or the member charged to notify any of these persons with such personal knowledge to attend the Membership Committee hearing.
8. During the Membership Committee hearing, the Membership Committee shall hear the charge(s), evidence of the member who brought the charge(s), and evidence of any other persons with personal knowledge of the charge(s) or events relating thereto, if any. The Membership Committee shall also hear the evidence of the member being charged if that member chooses to provide such evidence, and evidence of any other persons with personal knowledge of the charge(s) or events relating thereto, if any.
9. Both the member being charged and the member who brought the charge(s) may have an advisor present, provided that such advisor is not also a witness in the hearing.
10. Upon completion of all evidence, the Membership Committee shall privately review all the evidence submitted and prepare recommendations for presentation to the Squad at the next regular business meeting. **The Membership Committee's recommendations shall be separated into numbered paragraphs for each recommendation so that each recommendation may be separately voted on by the Squad.**
11. **The Squad shall vote on each of the separate recommendations of the Membership Committee, and a majority affirmative vote shall be required. The Squad may affirm all or some of the Membership Committee's recommendations.**
12. No member or person involved in the charge(s) or evidence, who is also a member of the Membership Committee, shall be present at the review of the evidence or preparation of the recommendations.
13. Further charges for the same specific incident may not be submitted

Section 8. Expulsion, Suspension, Resignation and Reinstatement

1. The word "expulsion" as used in these by-laws is defined as being removed from membership of the Squad. The word "suspended" as used in these by-laws is defined as being deprived of all rights and privileges for the period of time which the member is suspended.
2. A member may only be suspended or expelled by motion of the Squad as the result of the recommendations of a Membership Committee hearing.
3. Any member expelled must return all Squad equipment, such as: badges, keys, jackets, pagers, etc., **in accordance with Article X, Section 18.**
4. When a member has been expelled, his/her application for reinstatement must take the course of an application for a new member.

5. The Membership Committee may recommend, or an expelled member may agree, that he/she is forever barred from re-applying to the Squad. In such circumstances, the expelled member may not re-apply for membership.

Section 9. Confidentiality.

Squad business should not be discussed with non-members, especially matters discussed at meetings, drills, and on first aid calls.

Patient information, including protected health information and personally identifiable information, shall not be disclosed other than consistent with law.

Section 10. Disciplinary Action.

The Captain may apply a maximum 15-day suspension upon a member for violation(s) of Operating Guidelines or procedures. **The President may apply a maximum 15-day suspension upon a member for violation(s) of the by-laws.** Within 24 hours of notice of the suspension to the member, the Captain **or President** shall notify the Membership Committee of the suspension and the reason(s) for the suspension. Any suspension by the Captain **or President** may be instituted for infractions that do not warrant charges to be filed under Section 7 of this Article. In the event charges are not filed, the suspension may not be extended beyond 15 days.

Section 11. Inappropriate use of property.

Any member removing property of the Squad from the Squad building or its vehicle(s), except on legitimate work of the Squad or by written permission of the Trustees or a line officer **shall be subject to the preceding outline in Section 7, 8 and/or 10 of this Article.**

Section 12. Attendance

Attendance: Roll calls will be held at each business and instruction meeting.

To be considered present, each member must be actually present at roll call or be excused by the President for a good reason.

ACTIVE members shall attend at least eight (8) regular business meetings each fiscal year. ACTIVE members shall attend at least eight (8) practice and instructional drills each fiscal year. ACTIVE members shall make at least ten (10) percent of the alarm calls each fiscal year.
LINE officers shall make at least fifteen (15) percent of alarm calls each fiscal year.

PROBATIONARY members shall be subject to the same requirements as ACTIVE members, including that PROBATIONARY members shall make at least ten (10) percent of the alarm calls each fiscal year.

DRIVER ONLY members shall attend half of the yearly general membership meetings, driving drills and participate in fund raising activities. They will be required to answer a minimum of ten (10) percent of the alarm calls, each fiscal year.

Attendance at calls: The Captain or other line officer performing the Captain's duties, or in the absence of an officer, the member completing the call sheet (Patient Care Report or Non-Patient Run Sheet), shall keep an attendance record of all members.

To be considered for annual credit, LIFE members must participate in any two (2) of the following three (3) items: attend four (4) business meetings, attend four (4) drills, participate in standing/special

committees or answer calls (as an approved driver or by maintaining current ACTIVE member training standards).

The Membership Committee shall evaluate all items in this section to determine members' eligibility for annual credit and attendance at the annual dinner.

The Membership Committee and Captain shall decide attendance at the annual dinner based upon members' attendance and other activities to support the squad, their decision shall be final.

Section 13. Excused Credit

A member will be given excused credit for meetings and/or drills if a member submits a written request. A member given excused credit for 50% or more meetings and/or drills will not be able to hold elected office, but shall retain the right to vote if they meet all other requirements and show an active interest in functions and duties of the Squad. Written letter excuses only 50% of drills.

Section 14. Pending Litigation

Any member/s that has pending litigation that is against the Squad will be referred to a Special Committee to be appointed by the President. The Special Committee will make a report to the Squad with recommendations as to the involved member/s level of participation within the Squad until litigation is resolved. The Special Committee's recommendations may be ratified by a majority vote of the Squad.

Section 15. Length of Service Awards Program

The Membership Committee shall evaluate all items of members' performance and compliance with the Length of Service Awards Program (LOSAP) of the Township of Wall as governed by provisions of Wall Township Administrative code, Chapter 18, Article III: Length of Service Awards Program for First Aid Squads, and any amendments thereto attached and considered of Addendum A. The Membership Committee shall, at the end of the calendar year, determine members' eligibility for annual credit under LOSAP, and communicate in writing that eligibility to those members. The Membership Committee shall furnish to the Administrator of the Township of Wall an annual certification list, at such time as required by the Administrator of the Township of Wall, of all members who have qualified for credit under the award program for the previous year.

Section 16. Membership in Other Organizations

Any member of the Wall Township First Aid & Rescue Squad desiring to become a member of any other paid or volunteer fire, rescue or EMS squad may do so without objection.

Any member of a Wall Township paid or volunteer fire, rescue or EMS squad may make application to become a member of the Squad. The member may not hold dual **line** officer positions within any Wall Township paid or volunteer fire, rescue or EMS to eliminate the potential of a conflict of interest. The member may, at the discretion of the Membership Committee, hold dual officer positions other than line officer positions provided that the Membership Committee first determines that there exists no conflict of interest.

Section 17. Hardships

Any member who is unable to meet the requirements set forth in the by-laws may request, in writing, to the Membership Committee for relief of a specific requirement. The member's request for such relief must be for valid reasons, i.e., conflict with work schedules, family illness, parental obligations, attendance at college in a location that would prohibit the member from regularly respond to calls or otherwise participating in Squad events.

Section 18. Return of Squad Equipment

- a. Any member who: (i) resigns from the Squad in accordance with this Article, Section 2; (ii) is expelled pursuant to this Article, Section 8; or (iii) is approved for MEDICAL CLASSIFICATION in accordance with Article III, Section 9, must return to the Captain, or his/her designee, all Squad equipment that was issued to the member within seven (7) days of the notice of resignation, notice of expulsion, or approval for MEDICAL CLASSIFICATION, as applicable. If the individual does not return all equipment within seven days, the Captain, or his or her designee, shall send a written demand via electronic mail and Certified Mail for the return of all equipment to the Captain or his/her designee within five (5) days. Any individual who fails to return Squad equipment following resignation, expulsion, or approval of MEDICAL CLASSIFICATION, shall be responsible for reimbursing the Squad for any equipment not returned.
- b. Any member who is suspended pursuant to this Article, Section 8, may be required, at the discretion of the Captain, to return to the Squad any Squad equipment during the term of the suspension. If a suspended member is required by the Captain to return any Squad equipment, the member must return to the Captain, or his/her designee, any and all equipment demanded to be returned within seven (7) days of the demand. Any suspended member who fails to return Squad equipment may be subject to additional discipline consistent with these By-Laws, including but not limited to, additional suspension or expulsion.

Article XI. Dissolution

Section 1. Effecting Dissolution

The Trustees may affect the dissolution of the corporation known as the 'Wall Township First Aid Squad' by:

- a. Recommending that the corporation be dissolved, adopting a plan of dissolution, and then submitting that plan of dissolution for a vote at a meeting of members.
- b. Giving written notice by certified mail of that meeting to all members.
- c. Having the plan of dissolution approved by an affirmative vote of two-thirds of the eligible voting members at a business meeting.
- d. Carrying out the plan of dissolution, and subsequent disposition

Alternatively, the corporation can be dissolved without a meeting, by the written consent of all members entitled to vote thereon.

Section 2. NJ Statute

1. The dissolution of this corporation is governed by the provisions of NJ Statutes, Title 15A, entitled 'Corporations, Nonprofit', and Chapter 12 therein, entitled 'Dissolution' and any amendments thereto.

ADDENDUM A

Length of Service Awards Program

Section 1. Establishment.

The Squad, as implemented by the Township of Wall and consistent with the Emergency Services Volunteer Length of Service Award Program Act, N.J.S.A. 40A:14-183, and the regulations promulgated thereunder at N.J.A.C. 5:30-14.1, et.seq., maintains a length of service program, known as "LOSAP." All **members in good standing in eligible membership categories** that meet the yearly requirements are eligible to receive LOSAP credit.

Section 2. Eligibility.

For a member to be LOSAP-eligible, he/she must meet the attendance requirements in Article X, Section 12 of these By-Laws and also obtain 500 points during the Squad's Fiscal Year. The point system for LOSAP was developed by the Township of Wall and was voted on by the residents. The point breakdown is as follows:

The amount of the award for a year under the program shall be based upon the points accrued in a calendar year in accordance with the following point schedule:

- (1) Ten points for responding in an ambulance to a dispatched emergency or dispatched unscheduled assignment;
- (2) Three points for immediately responding to the squad headquarters for such a call, but being unable to respond in the ambulance due to impossibility, such as the ambulance being in service or fully staffed prior to the member's arrival at the squad headquarters;
- (3) Eight points for responding and remaining with the ambulance for scheduled events, such as local school athletic events, parades and special events sponsored by the Township which benefit from the presence of the emergency service organization;
- (4) Five points for attendance at a drill, training session, or other recognized continuing education event;
- (5) Three points to be awarded at the discretion of a Squad Captain;
- (6) Three points for washing or other maintenance of ambulances or squad equipment;
- (7) Three hundred points for a full year of service as Squad Captain;
- (8) Two hundred points for a full year of service as 1st Lieutenant;
- (9) One hundred fifty points for a full year of service as 2nd Lieutenant;
- (10) One hundred points for a full year of service as Sergeant;
- (11) One hundred points for a full year of service as Engineer;
- (12) Two hundred points for a full year of service as President;
- (13) Two hundred points for a full year of service as Vice President;
- (14) Two hundred fifty points for a full year of service as Secretary;
- (15) Two hundred fifty points for a full year of service as Treasurer;

(16) One hundred fifty points for a full year of service as trustee;

(17) Fifty points for a full year of service as crew chief.

Employee Protection (Whistleblower) Policy

If any employee reasonably believes that some policy, practice, or activity of Wall Township First Aid & Rescue Squad Inc. is in violation of law, a written complaint must be filed by that employee with the President or Trustees.

It is the intent of Wall Township First Aid & Rescue Squad Inc. to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of Wall Township First Aid & Rescue Squad Inc. and provides the Wall Township First Aid & Rescue Squad Inc. with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

Wall Township First Aid & Rescue Squad Inc. will not retaliate against an employee who in good faith, has made a protest or raised a complaint against some practice of Wall Township First Aid & Rescue Squad Inc., or of another individual or entity with whom Wall Township First Aid & Rescue Squad Inc. has a business relationship, on the basis of a reasonable belief that the practice is in violation of law, or a clear mandate of public policy.

Wall Township First Aid & Rescue Squad Inc. will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of Wall Township First Aid & Rescue Squad Inc. that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

CONSCIENTIOUS EMPLOYEE PROTECTION ACT

ACKNOWLEDGMENT

I have received a copy of the “Conscientious Employee Protection Act ‘Whistleblower Act’” notice and acknowledge that I am now fully aware of my rights and responsibilities under this act.

MEMBER _____

Print Name

Signature

Date

CHAPTER 28

AN ACT concerning invasion of privacy and supplementing Title 2A of the Revised Statutes_

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.2A:58D-2 Definitions relative to invasion of privacy relative to first responders; violations, penalties_

1_ a. As used in this section:

"Disclose" means to sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer.

"First responder" means a law enforcement officer, paid or volunteer firefighter, paid or volunteer member of a duly incorporated first aid, emergency, ambulance, or rescue squad association, or any other individual who, in the course of his employment, is dispatched to the scene of a motor vehicle accident or other emergency situation for the purpose of providing medical care or other assistance.

b. A first responder who is dispatched to or is otherwise present at the scene of a motor vehicle accident or other emergency situation, for the purpose of providing medical care or other assistance, shall not photograph, film, videotape, record, or otherwise reproduce in any manner, the image of a person being provided medical care or other assistance, except in accordance with applicable rules, regulations, or operating procedures of the agency employing the first responder.

c. A first responder shall not disclose any photograph, film, videotape, record, or other reproduction of the image of a person being provided medical care or other assistance at the scene of a motor vehicle accident or other emergency situation without the prior written consent of the person, or the person's next-of-kin if the person cannot provide consent, unless that disclosure was for a legitimate law enforcement, public safety, health care, or insurance purpose or pursuant to a court order.

d. A person who knowingly violates the provisions of subsection c. of this section shall be guilty of a disorderly persons offense.

e. In addition to any other right of action or recovery otherwise available under the laws of this State, a first responder who knowingly violates the provisions of subsection b. or c. of this section shall be liable to the person whose image was taken or disclosed, who may bring a civil action in the Superior Court.

The court may award:

(1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act:

- (2) punitive damages upon proof of willful or reckless disregard of the law;
- (3) reasonable attorney's fees and other litigation costs reasonably incurred; and
- (4) such other preliminary and equitable relief as the court determines to be appropriate.

2_ This act shall take effect immediately_

Approved August 7, 2012.

BYLAWS ACKNOWLEDGMENT

I have received a copy of the Wall Township First Aid & Rescue Squad Amended & Restated Bylaws (“Bylaws”). I will familiarize myself with the information in the Bylaws, and I will comply with all Bylaws.

MEMBER _____
Print Name

Signature

Date