

EMPLOYEE HANDBOOK

THE AGENCY
BROOME COUNTY IDA / LDC



TABLE OF CONTENTS

FORWARD	4
SECTION 1: DIVERSITY	
A. Equal Employment Opportunity Statement.....	5
B. Anti-harassment Policy and Complaint Procedure.....	5
C. Americans with Disabilities Act and the ADA Amendments Act.....	7
SECTION 2: EMPLOYMENT	
A. Employee Classification Categories.....	8
B. Reference Checks.....	9
C. Nepotism, Employment of Relatives and Personal Relationships.....	9
D. Separation of Employment.....	9
E. Dispute Resolution.....	10
SECTION 3: WORKPLACE SAFETY	
A. Drug-Free Workplace.....	11
B. Workplace Bullying.....	12
C. Violence in the Workplace.....	12
D. Safety.....	13
E. Smoke-Free Workplace.....	13
SECTION 4: WORKPLACE EXPECTATIONS	
A. Confidentiality.....	14
B. Conflicts of Interest.....	14
C. Outside Employment.....	14
D. Attendance and Punctuality.....	15
E. Attire and Grooming.....	15
F. Electronic Communication and Internet Use.....	16
G. Social Media-Acceptable Use.....	16
H. Solicitations, Distributions and Posting of Materials.....	17
I. Employee Personnel Files.....	17
SECTION 5: COMPENSATION	
A. Hiring.....	18
B. Performance and Salary Review.....	18
C. Payment of Wages.....	18
D. Hours of Work.....	19
E. Overtime.....	19
F. Employee Travel and Reimbursement.....	19
SECTION 6: TIME OFF/LEAVES OF ABSENCE	
A. Holiday Pay.....	20
B. Vacation.....	20
C. Personal Time.....	21
D. Sick Leave.....	21
E. Family and Medical Leave Act.....	22
F. Paid Family Leave Act.....	27
G. Coordination of Benefits.....	30
H. Personal leave of Absence.....	30
I. Bereavement Leave.....	30
J. Jury Duty.....	31

K. Voting Leave.....	31
L. Military Leave of Absence.....	31
M. Lactation/Breastfeeding.....	32
SECTION 7: BENEFITS	
A. Legislated Benefits.....	32
B. Employer Sponsored Benefits.....	33
C. Same-Sex Marriages, Civil Unions and Domestic Partners.....	34
SECTION 8: OFFICE PROCEDURES	
A. Absences.....	35
B. Mail.....	35
C. Filing.....	36
D. Use of Telephones.....	36
E. Leaving the Office.....	36
F. Noise.....	36
G. Signature.....	36
H. Staff Meetings.....	36
I. Housekeeping.....	36
J. Purchasing of Supplies and Equipment.....	36
K. Request for Advance Funds.....	36
L. Petty Cash.....	37
M. Handling Finances.....	37
N. Paying Invoices.....	37
O. Meeting Minutes.....	37
P. Cooperation of Employees.....	37
Q. Service.....	37
R. Names.....	38
S. Publicity.....	38
T. Job Descriptions.....	38
U. Further Information.....	38
SECTION 9: CHANGES OR MODIFICATIONS	38
EMPLOYEE HANDBOOK ACKNOWLEDGEMENT AND RECEIPT	39
DISPUTE RESOLUTION REQUEST	40
ACCIDENT/INCIDENT REPORT FORM	41
HARASSMENT COMPLAINT FORM	42
APPENDIX A:	
Employee Rights & Responsibilities under the Family & Medical Leave Act	43
APPENDIX B:	
Information for Employees – Paid Family Leave	44

FOREWORD

Welcome to the Broome County Industrial Development Agency (“The Agency”)

As an employee of the Agency, we look forward to a productive and successful association. This handbook has been provided to serve as the guide for the employer/employee relationship.

This handbook contains general information and guidelines and is not intended to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your Operations Manager.

Neither this handbook nor any other company document confers any contractual right, either express or implied, to remain in the company's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the company, or you may resign for any reason at any time. No representative of the organization, except the Board of Directors has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except employees and others affiliated with the Agency whose knowledge of the information is required in the normal course of business.

Some subjects described in this handbook are covered in detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statements made in this or other documents.

Section 1: DIVERSITY

A. Equal Employment Opportunity Statement

The Agency provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. The Agency complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The Agency expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of Agency employees to perform their expected job duties is absolutely not tolerated.

B. Anti-harassment Policy and Complaint Procedure

The Agency is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the Agency expects that all relationships among persons in the office will be business-like and free of including but not limited to, bias, prejudice and harassment.

It is the policy of the Agency to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. The Agency prohibits any such discrimination or harassment.

The Agency encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the Agency to promptly and thoroughly investigate such reports. The Agency prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Agency (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy or who believe they have witnessed such conduct should submit a Harassment Complaint Form. A copy of this form can be found in the back of the Employee Handbook.

If the employee is more comfortable reporting verbally or in another manner, they may discuss their concerns with the Operations Manager, their immediate supervisor or any other member of management. The recipient of the complaint will use the information to complete the Harassment Complaint Form, make a copy for the complainant and follow the harassment prevention policy by investigating the claims.

When possible, the Agency encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The Agency recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

The Agency encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore,

although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to the Agency's Chairman of the Board or Executive Director.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

C. Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the Agency to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The company will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the Agency.

Section 2. EMPLOYMENT

A. Employee Classification Categories

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and the Agency.

Nonexempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

Exempt employees are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

The Agency has established the following categories for both nonexempt and exempt employees:

- **Regular, full time:** Employees who are not in a temporary status and who are regularly scheduled to work the company's full-time schedule of 37.5 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.
- **Regular, part time:** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule but at least 20 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the company subject to the terms, conditions and limitations of each benefits program.
- **Temporary, full time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.
- **Temporary, part time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary employees are not eligible for company benefits unless specifically stated otherwise in company policy or are deemed eligible according to plan documents.

B. Reference Checks

To ensure that individuals who join the Agency are well qualified and to ensure that the Agency maintains a safe and productive work environment, it is our policy to conduct pre-employment reference checks on all applicants who accept an offer of employment. All offers of employment are conditioned on receipt of a professional reference check report that is acceptable to the Agency.

The Agency also reserves the right to conduct a background check on potential employees to determine eligibility for hire. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

C. Nepotism, Employment of Relatives and Personal Relationships

The Agency wants to ensure that corporate practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners or members of the same household and if one party is in a supervisory position, that person is required to inform management of the relationship.

The Agency reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

D. Separation of Employment

Separation of employment within an organization can occur for several different reasons.

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, in writing, to facilitate a smooth transition out of the organization. Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

- **Retirement:** Employees who wish to retire are required to notify their director in writing at least one (1) month before the planned retirement date.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The manager shall notify the Operations Manager at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- **Termination:** Employees are employed on an at-will basis, and the company retains the right to terminate an employee at any time.

Return of Company Property

The separating employee must return all company property at the time of separation, including but not limited to, uniforms, cell phones, keys, PCs and identification cards. Failure to return some items may result in deductions from the final paycheck. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

The separating employee shall contact the Operations Manager as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed on.

Accrued vacation leave will be paid in the last paycheck unless the employee resigned and did not give and work a full two weeks' notice.

Health insurance terminates the last day of the month of employment, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the month.

Rehire

Former employees who left the Agency in good standing and were classified as eligible for rehire may be considered for reemployment. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

E. Dispute Resolution

It is the policy of the Agency to treat their employees in a fair and impartial manner. The Agency will make every effort possible to resolve issues in a timely and equitable manner. Employees are encouraged to share their concerns, seek information, provide input and resolve potential problems/issues through their immediate supervisor.

Employees who believe they have been treated unfairly, or in a manner inconsistent with established policies and practices, or applicable law, and after having made attempt to resolve

issues through their immediate supervisor, should complete a Dispute Resolution Request form included in this handbook. After thorough investigation, the Executive Director will make a decision that will be considered final and binding to all parties.

Section 3. WORKPLACE SAFETY

A. Drug-Free Workplace

The Agency has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, the Agency is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment.

Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. All employees who voluntarily seek help for such problem, should consult with their immediate supervisor before becoming subject to discipline and/or termination under this or other policies.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless requested to do so.

Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any company vehicle, are present on company premises, or are conducting related work off-site, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
 - Being under the influence of alcohol or an illegal drug as defined in this policy.
- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing company business or while in a company facility is prohibited.
- The Agency will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.

- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

B. Workplace Bullying

The Agency defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates the company Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives, that the company will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. The Agency considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

C. Violence in the Workplace

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to themselves or others.

Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. Agency resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The Agency treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor. When reporting a threat or

incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Executive Director of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence.

Any employee found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment. The Agency encourages employees to bring their disputes to the attention of their immediate supervisor.

D. Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a client.

Each employee has the responsibility to identify and familiarize her/himself with the emergency plan for his/her working area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination. An Accident and Incident Report form has been included in this handbook.

Furthermore, management requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow company safety and health guidelines or engaging in conduct that places the employee, client or company property at risk can lead to employee disciplinary action and/or termination.

E. Smoke-Free Workplace

It is the policy of the Agency to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." This includes e-cigarettes.

The smoke-free workplace policy applies to:

- All areas of company buildings.
- All company-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the company.
- All visitors (customers and vendors) to the company premises.
- All contractors and consultants and/or their employees working on the company premises.
- All employees, temporary employees and student interns.

Smoking is permitted in parking lots only.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

Section 4. WORKPLACE EXPECTATIONS

A. Confidentiality

Our clients and other parties with whom we do business entrust the company with important information relating to their businesses. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred to the Executive Director and/or the Chairman of the Board.

B. Conflicts of Interest

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of the Agency may conflict with the employee’s own personal interests.

Conflicts of interest could arise in the following circumstances:

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with the Agency.
- Hiring or supervising family members or closely related persons.
- Serving as a board member for an outside commercial company or organization.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all company employees.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their manager.

C. Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise the company interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by the Agency. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If the Agency determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

D. Attendance and Punctuality

Vacation and holidays must be requested with one's manager in advance in writing. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. **A no call/no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.**

E. Attire and Grooming

It is important for all employees to project a professional image while at work by being appropriately attired. Agency employees are expected to be neat, clean and well-groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

The Agency is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in termination.

F. Electronic Communication and Internet Use

The following guidelines have been established for using the Internet, company-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, company-provided equipment (e.g., cell phone, laptops, and computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the Agency or be contrary to the Agency's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the company.

Right to Monitor

All company-supplied technology and company-related work records belong to the Agency and not to the employee. The Agency reserves the right to monitor use of company-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

G. Social Media—Acceptable Use

Below are guidelines for social media use.

Employees shall not post financial, confidential, sensitive or proprietary information about the company, clients, employees or applicants.

Employees shall not post obscenities, slurs or personal attacks that can damage the reputation of the company, clients, employees or applicants.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *“The opinions expressed on this site are my own and do not necessarily represent the views of the Agency.”*

The Agency may monitor content on the Internet. Policy violations may result in discipline up to and including termination of employment.

H. Solicitations, Distributions and Posting of Materials

The Agency prohibits the solicitation, distribution and posting of materials on or at company property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by the Agency management and company-sponsored programs related to the Agency’s products and services.

Provisions:

- Nonemployees may not solicit employees or distribute literature of any kind on company premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a company-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto company property except for official company business.
- Employees may not solicit other employees during work times, except in connection with a company-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a company-sponsored event
- The posting of materials or electronic announcements are permitted with approval

Violations of this policy should be reported to the Executive Director.

I. Employee Personnel Files

Employee files are maintained by the Operations Manager and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis.

A manager considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files may not be taken outside the department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Section 5. **COMPENSATION**

A. Hiring

The hiring and/or termination of the Executive Director is done by resolution of the Board of Directors.

The Executive Director has sole responsibility for hiring additional personnel as needed to conduct the affairs of the Agency. The creation of new staff positions, however, must be approved by the Board of Directors. The Executive Director is responsible for termination of employees.

B. Performance and Salary Review

Performance appraisals are conducted on an annual cycle. Employees will receive a performance review on the established date each year. The performance appraisal will be discussed, and both the employee and manager will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

Merit increases are based on company performance and financials and are not guaranteed. A performance review does not always result in an automatic salary increase. The employee's overall performance and salary level relative to his/her position responsibilities are evaluated to determine if a salary increase would be warranted.

Budget allocations for merit increases are planned for and allocated before the start of each calendar year. The annual salary increase program is designed to assist management in planning and allocating merit and promotional increases that reward individual performance, that are market competitive and that are internally equitable.

Salary adjustments are occasionally requested or warranted at times other than the employee's scheduled annual salary reviews. Out-of-cycle salary increases must be preapproved by the Board of Directors to ensure internal equity and compliance with company policies and guidelines.

C. Payment of Wages

Salary payment is made **Bi-Weekly** for salary due up to the pay date. Paydays are Bi-Weekly on every other **Friday**.

If the normal payday falls on a company-recognized holiday, paychecks will be distributed one workday before the aforementioned schedule.

Employees may be paid by check or through direct deposit of funds to either a savings or checking account at the financial institution of their choice. It is the company's policy that employee paychecks will only be given personally to that employee or mailed to his/her home address.

In the event of a lost paycheck, the Operations Manager must be notified in writing as soon as possible and before a replacement check can be issued. In the event the lost paycheck is recovered and the company identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the company within 24 hours of the time it is demanded.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Operations manager

Except for extreme emergencies and vacation pay, no salary advances will be made.

D. Hours of Work

Full-time employees work a minimum of thirty-seven and one-half (37.5) hours per week. Full-time employees are eligible for all benefits listed under "Employee Benefits." Part-time employees work less than thirty-seven and one-half (37.5) hours per week. Part-time employees are not eligible for any benefits, except Retirement (see Retirement) or as may be required by law.

Full-time employees are scheduled Monday through Friday 8:30 a.m. – 5 p.m. Employees are given two (2) fifteen minutes breaks, one (1) in the a.m., and one (1) in the p.m. and all full-time employees receive one (1) hour unpaid lunch break. Lunch and break schedules will be determined by the Executive Director or designee. Work hours for part-time employees will be determined by the Executive Director or designee.

E. Overtime

Non-exempt employees, if required to work beyond thirty-seven and one half (37.5) hours in one work week, will be given compensatory time for all hours worked between thirty-seven and one half (37.5) hours and forty (40) hours. Non-exempt employees will be paid time and one half their basic rate or be given compensatory time at time and one half for all hours worked over forty (40) hours per work week. Compensatory time must be used in the week in which overtime was completed. Prior authorization to work overtime must be obtained from the Executive Director or designee in advance.

While salaried exempt employees will not receive overtime pay, their salary will not be docked for absences of less than a full day.

F. Employee Travel and Reimbursement

Employees will be reimbursed for reasonable expenses incurred in connection with approved travel on behalf of the company.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not

specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a Travel Reimbursement Form and supporting documentation to obtain reimbursement of expenses.

Exempt employees will be paid their regular salary for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

Section 6. TIME OFF/LEAVES OF ABSENCE

A. Holiday Pay

There will be eleven (11) holidays observed and paid as follows:

New Year's Day	Veterans Day
Presidents Day	Thanksgiving
Memorial Day	Day after Thanksgiving
4 th of July	Christmas
Labor Day	Two (2) Floating Holidays

Should a holiday fall on a weekend, the holiday will be observed on the work day closest to the holiday.

Time off may be granted to employees who desire to observe a religious holiday that is not recognized by the company.

B. Vacation

Paid Time Off:

It is the policy of the Agency to recognize the importance of paid time off to cover for vacations, holidays and unexpected illnesses, absences and/or emergency personal days. For these reasons, regular full-time employees will maintain vacation and sick time banks and will begin to accumulate sick time from their date of employment with the Agency.

Vacation Time:

Regular employees will begin accumulating vacation time from their date of employment. Vacation days must be used in ½ day or full day increments and approved by management in advance.

Years of Service	Maximum Days Earned Per Year
0 to 3 Years	10 Days
4 to 7 Years	15 Days
8 and Over	20 Days

Vacation Carry Over:

Employees may carry over a maximum of five (5) days of accrued unused vacation time into the following calendar year, unless business demands require an exception to normal practice. Such exceptions must be approved by the Executive Director.

To schedule vacation time, employees should submit a completed leave form to the supervisor at least two weeks before the requested leave. Employees must ensure that they have enough accrued leave available to cover the dates requested. Requests will be approved based on a number of factors, including department operating and staffing requirements.

The supervisor should return the leave request to the employee within three business days of the date it is submitted indicating that the request has been approved or denied. If the request for vacation leave is denied, the supervisor should provide an appropriate reason on the form returned to the employee.

Vacation will be paid at the employee’s base rate at the time the leave is taken. Vacation pay is not included in overtime calculation and does not include any special forms of compensation such as incentives, commissions, bonuses or shift differentials. If a holiday falls during the employee’s vacation, the day will be charged to holiday pay rather than to vacation pay.

Leave taken beyond an employee’s available vacation balance may be unpaid unless otherwise required under state or federal law.

If employment is terminated, accrued unused vacation leave earned through the last day of active employment will be paid at the employee’s base rate of pay at termination. In the event of the employee’s death, earned unused vacation time will be paid to the employee’s estate or designated beneficiary.

C. Personal Time

The Agency provides three (3) days of personal leave per calendar year to all full-time employees. All personal leave is subject to prior approval by the supervisor and Executive Director and must be requested in hourly increments. No personal leave benefits are paid upon separation from employment with The Agency for any reason.

D. Sick Leave

Employees will begin accruing sick time from their original date of hire on a monthly basis. In order to qualify for the monthly accrual employees must have either worked or been paid

for all days through to and including the last work day of each month. Management reserves the right to require a doctor's certificate of reason for being out of work for absences greater than three consecutive days.

Days Earned Per Year	Days Earned Per Month
6 Days	0.5 Days

Sick days must be used in ½ days or full day increments. No monetary consideration for accumulated sick leave will be given upon separation from employment.

Sick leave may be used for an employee's personal illness, well-care, and medical and dental appointments. Sick leave may also be used for illness and well-care in an employee's immediate family.

Sick leave may not be used before accrual. If sick leave is exhausted, any available vacation hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days must present medical documentation for the absence. Employees are not paid for unused sick leave upon termination of employment.

E. Family and Medical Leave Act

Upon hire, The Agency provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Act . A copy of this can be found in the back of the Employee Handbook: Appendix "A".

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact the Operations Manager in writing or email.

General Provisions

Under this policy, The Agency will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the company for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an

employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in a work site where 50 or more employees are employed by the company within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child or parent with a serious health condition (Under the FMLA, a “spouse” means a husband or wife as defined under the law in the state where the employee resides, including same-sex marriages in states that legally recognize such civil unions).
- The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the company's sick leave policy are encouraged to consult with the Human Resource manager.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the company may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Covered active duty means:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Title 10 U.S.C. §101(a)(13)(B).

The leave may commence as soon as the individual receives the call-up notice. (*Son* or *daughter* for this type of FMLA leave is defined the same as for *child* for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term *covered service member* means:

- A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a

member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The term *serious injury or illness* means:

- In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Amount of Leave

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, the company will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the company and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the company and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

While an employee is on leave, the company will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Use of Paid and Unpaid Leave

All paid vacation, personal and sick leave runs concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

Certification for the Employee's Serious Health Condition

The company will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for the Family Member's Serious Health Condition

The company will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification of Qualifying Exigency for Military Family Leave

The company will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

The company will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

The company may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the Operations Manager with verbal or written notice of the need for the leave. Within five business days after the employee has

provided this notice, the Operations Manager will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. To the extent possible, an estimated return to work date must be provided. When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Operations Manager will provide the employee with a written response to the employee's request for FMLA leave.

Intent to Return to Work from FMLA Leave

The company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

F. Paid Family Leave Act

Upon hire, The Agency provides all new employees with notices required by the N.Y. Department of Labor on Employee Rights and Responsibilities under the Paid Family Leave Act. A copy of this can be found in the back of the Employee Handbook: Appendix "B".

The function of this policy is to provide employees with a general description of their Paid Family Leave (PFL) rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact the Operations Manager in writing or email.

General Provisions

New York's Paid Family Leave provides job-protected, paid time off for employees to bond with a newly born, adopted or fostered child; care for a close relative with a serious health condition; or assist with family situations when a family member is deployed abroad on active military service.

Eligible employees can take Paid Family Leave for up to 10 weeks in 2019 and 2020, and 12 weeks in 2021. Leave can be taken either all at once or in full-day increments. Employees may take the maximum time-off benefit in any given 52-week period.

Benefits are a percentage of the employee's average weekly wage, capped at that same percentage of the New York State Average Weekly Wage, as calculated annually by New York State's Department of Labor. These benefits are 55% of the employee's average weekly wage in 2019, 60% in 2020, and 67% in 2021.

Paid Family Leave is funded through employee payroll contributions that are set each year to match the cost of coverage. The rate of employee contributions is reviewed annually, and is subject to change by New York State's Department of Financial Services.

Eligibility

All eligible employees are entitled to participate in Paid Family Leave. Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment. Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which need not be consecutive. Employees are eligible regardless of citizenship and/or immigration status.

Type of Leave Covered

To qualify as Paid Family Leave under this policy, the employee must be taking leave for one of the reasons listed below:

- **New Child:** The employee can take Paid Family Leave during the first 12 months following the birth, adoption, or fostering of a child. Expectant mothers cannot take Paid Family Leave for their own pregnancy. Paid Family Leave for the birth of a child begins after the birth. It is not available for prenatal conditions.
- **Serious Illness:** The employee can take Paid Family leave to care for a close relative with a serious health condition. These relatives can live outside of New York State and even outside the country. An employee may not take Paid Family Leave for their own health condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves: Inpatient care in a hospital, hospice, or residential health care facility, or Continuing treatment or continuing supervision by a health care provider. A close relative includes: spouse, domestic partner, child and stepchild, parent and stepparent, parent-in-law, grandparent, grandchild.
- **Military Active Service Deployment:** The employee can take Paid Family Leave to assist with family situations arising when their spouse, domestic partner, child, or parent is deployed abroad on active military service or has been notified of an impending military deployment abroad. An employee may not take Paid Family Leave for their own qualifying military event.

Employee Rights and Protections

- The employee has job protection ensuring they may return to the same job, or a comparable one, upon return from PFL.
- The employee may continue health insurance while on leave; however, employees are responsible for continuing to contribute to health care premiums while on Paid Family Leave. An employee who does not continue the pre-existing premium contributions will risk cancellation of health care coverage during their leave period.
- The Agency is prohibited from discriminating or retaliating against employees for requesting or taking Paid Family Leave.
- The employee does not have to take all of their sick and/or vacation time before using Paid Family Leave.

Procedure for Requesting PFL

All employees requesting PFL must provide the Operations manager with verbal or written notice of the need for the leave. When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a

need for PFL leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. To the extent possible, an estimated return to work date must be provided. When the need for PFL leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave.

The employee should then take the following steps:

1. Obtain the required forms from the Operations Manager or online at ny.gov/PaidFamilyLeave. The Operations Manager must complete the employer section of the form and return it to the employee within three business days. If the Operations Manager fails to respond within three days, the employee may proceed to the next step and submit all materials directly to the Agency's Paid Family Leave insurance carrier.
2. Obtain and attach specific supporting documentation or additional forms required for each type of leave as described on the request for Paid Family Leave and at ny.gov/PaidFamilyLeaveApply.
3. Submit request forms and supporting documentation to the Agency's Paid Family Leave insurance carrier. The employee may submit their claim before or within 30 days after the start of leave. The insurance carrier must pay or deny the request within 18 calendar days of receiving the completed forms.

Waiver

An employee may opt out of Paid Family Leave if they do not expect to work for the Agency for the minimum amount of time required for eligibility. If the employee meets this criteria and wishes to opt out, they should complete a Paid Family Leave Waiver. A waiver of family leave benefits may be filed when:

- An employee's schedule is 20 hours or more per week, but will not work 26 consecutive weeks; or
- Schedule is less than 20 hours per week and will not work 175 days in a 52 consecutive week period.

The Agency will keep completed waivers on file. A waiver will be automatically revoked if the employee's schedule changes. It can be voluntarily revoked by the employee at any time.

Discrimination Complaints

Employees are protected from discrimination and retaliation for requesting or taking Paid Family Leave.

If employment is terminated, and/or benefits are reduced, or the employee is disciplined in any way as a result of requesting or taking Paid Family Leave, the employee has a right to send the Operations Manager a formal request for job reinstatement using the Formal Request For Reinstatement Regarding Paid Family Leave (Form PFL-DC-119), which can be found in the forms section of ny.gov/PaidFamilyLeave. File the completed form with the Agency and send a copy to:

Paid Family Leave
P. O. Box 9030
Endicott, NY 13761-9030

If the Agency fails to comply with the request for reinstatement within 30 days, the employee may file a Paid Family Leave discrimination complaint with the Workers' Compensation Board

using Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also available on the Paid Family Leave website. Once the complaint is received, the Board will assemble a case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.

G. Coordination of Leave Benefits

Paid Family Leave will work in conjunction with several other benefits. PFL will coincide with FMLA where eligibility overlaps. PFL benefits are paid in daily increments, whereas FMLA can be in hourly increments. An employee cannot receive disability and PFL benefits at the same time. Additionally, the total amount of disability and PFL benefits employees receive cannot total more than 26 weeks in a 52 week period.

H. Personal Leave of Absence

Employees who require time off in addition to vacation may request a personal leave of absence without pay for up to a maximum of 30 days. An extension may be approved in limited circumstances.

All regular employees employed for a minimum of 90 days are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved.

Please contact the Operations Manager for more information on request procedures.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment. Extensions of leave will only be considered on a case-by-case basis.

I. Bereavement Leave

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately.

Bereavement leave will be granted unless there are unusual business needs or staffing requirements.

Paid bereavement leave is granted according to the following schedule:

- Employees are allowed five days of paid leave in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter.
- Employees are allowed three days of paid leave in the event of death of the employee's brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.

- Employees are allowed up to four hours of bereavement leave to attend the funeral of an employee or retiree of the company.

J. Jury Duty

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. The company will pay regular full-time and regular part-time employees for time off for jury duty up to one week of pay.

K. Voting Leave

Voting Time

All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, employees will receive up to three hours during the work day to vote. Time off for voting should be reported and coded appropriately on timekeeping records.

Election Leave

Employees who are chosen to serve as election officials at polling sites will be permitted to take required time off to serve in this capacity. It is incumbent on employees who are chosen to act as election officials to notify their manager a minimum of seven days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. Time engaged as an election official should be reported and coded appropriately on timekeeping records.

L. Military Leave of Absence

The Agency is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the company's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy. If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact the Operations Manager.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact the Operations Manager to request leave as soon as they are aware of the need for leave.

M. Lactation/Breastfeeding

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. The Agency has designated a room location for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Section 7. BENEFITS

A. Legislated Benefits

Federal and State laws legislate that payments be made in varying proportions by the employer and the employee to the Government for certain employee benefit programs. Following are those benefits legislated for employees in the State of New York. They may vary from state to state.

Social Security:

Employees and the Agency are required to contribute toward federal Social Security benefits from the first day of employment. The amount deducted from employees' wages is deducted automatically, and the rate is established by law. Social Security provides retirement income, disability, death and retirement health care. Booklets explaining these details in full are available at your nearest Social Security office.

15 Henry Street
Binghamton, NY 13901-2723
Phone: (607) 773-2884

Workers' Compensation:

The Agency pays Workers' Compensation Insurance so that employees who suffer from work-related injuries or disease resulting from their employment at the Agency and are temporarily unable to continue their responsibilities at the Agency receive benefits that are governed by state law. Questions concerning these benefits should be directed to your immediate supervisor or the State Workers' Compensation Appeals Board.

State Office Building
44 Hawley Street
Binghamton, NY 13901
Phone: (866) 802-3604

State Disability Insurance:

The State of New York requires that employees who are temporarily disabled because of non work-related disability obtain certain benefits. Required disability benefits provide qualified

employees with partial income replacement for a prescribed maximum period of disability and this benefit is funded by the Agency. Descriptive brochures of the plan and benefit provisions are available through your doctor or the New York State Labor Department office.

State Office Building
44 Hawley Street
Binghamton, NY 13901
Phone: (607) 721-8356

Unemployment Insurance:

Employees may be eligible for unemployment benefits through the New York State Unemployment Office upon termination of service with the Agency depending on State law and circumstances connected with termination. This benefit is paid entirely by the Agency.

1-888-209-8124

B. Employer Sponsored Benefits

Health Insurance:

Health insurance, including dental and vision coverage is available for regular full-time employees the first day of hire with the Agency. See Summary Plan Description for further information.

Life Insurance:

Participation is open to all full-time employees. Individual life insurance is provided for employees at two and one half (2 ½) times the employee's annual salary to a maximum of \$300,000. Employees may elect to purchase spouse/dependent children coverage at their own cost. See Summary Plan Description for further information.

Retirement Benefits:

401(k) Savings Plan:

The Plan is a defined contribution plan provided through NBT Bank. All regular full-time employees and part-time employees are eligible and vested from the first day of employment.

For each "Plan Year", the Agency will contribute to the Plan an amount equal to 6.00% of each participant's total annual earnings. Participants may also elect to make pre-tax contributions (subject to limitations established by the IRS) to the Plan. For each "Plan Year", the Agency will contribute to the Plan an amount equal to 100% of each participant's pre-tax contribution up to 2.00%.

NYS Retirement Plan:

Short-Term Disability (STD) & Long-Term Disability Supplements (LTD):

Regular full-time employees are provided supplemental disability coverage in addition to the benefits defined in the Worker's Compensation Law. Subject to a 30-day elimination period and approval by the insurer, STD pays up to 60% of weekly earnings, less other income replacement such as the State mandated Workers' Compensation benefits for a maximum period of eight (8)

weeks. If continuously disabled, LTD benefits will be payable up to 60% of gross monthly earnings, less any other replacement income received. Insurance premiums are shared equally by the Agency and participating regular full-time employees. See Summary Plan Description for further information.

The Agency will contribute its required share of health insurance benefits for a maximum period of twelve (12) weeks from the last day worked for regular full-time employees receiving Workers' Compensation Insurance and/or STD benefits.

Group Long Term Care Insurance:

All regular employees who work a minimum of 20 hours per week may qualify for participation in the Agency's group Long Term Care Insurance Policy subject to "Evidence of Insurability" satisfactory to the insurer. Long term care is the type of care received either at home or in a facility, when someone needs assistance with activities of daily living (bathing, dressing, toileting, transferring, continence and eating) or suffers severe cognitive impairment. Continuation of this coverage is available even if employment ends. Participants may notify the Insurer of their wish to continue coverage and direct that premiums be billed to their home address. See Summary of Benefits for further information.

Flexible Benefit Plan:

Participation is open to all regular full time employees. The Flexible Benefit Plan is designed to qualify as a cafeteria plan within the meaning of section one hundred twenty-five of the Internal Revenue Code of 1986, as amended, in order that benefits which the employee elects to receive under the Plan may be included or excluded from the employee's income under section one hundred twenty-five (a) and other applicable sections of the Internal Revenue Code of 1986, as amended. See Summary Plan Description for further information.

For more information regarding benefits programs, please refer to the company Summary Plan Descriptions, which were provided to employees upon hire, or contact the Operations Manager.

C. Same-Sex Marriages, Civil Unions and Domestic Partners

Same-sex marriages/Civil Unions are persons who:

- Are at least 18 years of age and of the same biological gender
- Have participated in a legally recognized marriage or civil union ceremony in a state which legally allows and recognizes same-sex marriages/civil unions.

Domestic partners are persons who:

- Are at least 18 years of age and of the same gender.
- Are not legally married to any person and are not related in any way that would prohibit marriage in the company's state of operation.
- Share permanent residence.

Domestic partners must have two of the following:

- Joint lease, mortgage or deed.
- Joint ownership of a vehicle.
- Joint ownership of a checking account or credit account.

- Designation of the domestic partner as beneficiary for the employee's life insurance or retirement benefits.
- Shared household expenses.

Company registration of a domestic partnership will be required for coverage under company benefits.

- An employee who wishes to register a domestic partnership must contact the Operations Manager for information and the registration form. Upon receipt of a properly completed form, the department will consider the partnership registered as of the date on the form's signature line.
- Children of domestic partners are eligible for benefits under the same conditions as are the children of employees' legal spouses.
- Enrollment of domestic partners and eligible dependent children is subject to the same rules as enrollment of other dependents.
- Domestic partners and their enrolled dependents receive the same or equivalent benefits as spouses, and their enrolled dependents receive group continuation health coverage through COBRA and/or individual conversion.
- An employee may terminate a domestic partnership by notifying the Operations Manager in writing of the termination of the domestic partnership within 30 days of its termination.

The tax consequences of a domestic partnership are the responsibility of the employee. The value of benefits provided to an employee's domestic partner (and to the domestic partner's eligible children, if any) is considered part of the employee's taxable income, unless the employee's domestic partner qualifies as a dependent under Section 152 of the Internal Revenue Code.

Section 8. OFFICE PROCEDURES

A. Absences

Whenever employees are absent for whatever reason, they must notify the Agency office by 9:00 a.m.; explaining the reason for the absence and giving the expected day of return. The Operations Manager maintains a permanent record of all absences, including personal time, personal leaves of absence, vacation and jury duty. It is the responsibility of the employee to make certain the Operations Manager is informed and has accurate information.

B. Mail

The person responsible for distribution of mail is expected to be knowledgeable concerning the most efficient and cost effective use of mail services.

Postage is the same as money which is a budget item for which employees are accountable. Judgment by employees should be used in determining method of mailing. Personal items are not to be run through the postage meter.

C. Filing

Since office files are for the general use of all employees, a complete and adequate system must be maintained. All filing should be in accordance with standard procedures in order to make records readily available, meaning alphabetical, numerical, or chronological ordering as appropriate for the material being filed.

D. Use of Telephones

In answering the telephone, each employee should bear in mind that he or she can make a friend for the Agency or lose one each time a call is made. It is necessary that every courtesy be shown to the person at the other end. Long distance calls add to the cost of doing business, and while necessary, should be held to a minimum.

E. Leaving the Office

When a staff member is carrying out assigned duties outside the office, he or she must make sure that another member of the staff knows of the absence, the destination, and the approximate time of return.

F. Noise

Every bit of noise, no matter what the source, adds to confusion and to that extent decreases good work and efficiency. Please therefore, avoid any unnecessary noises or loud talking. This is particularly important when there are visitors in the office or when someone is telephoning.

G. Signature

Every letter leaving the Agency office requiring the signature of an officer or committee chairman or any other person, must be cleared with the signatory before it leaves the office. If the signatory cannot be reached, only the Executive Director can decide whether or not the letter may go.

H. Staff Meetings

All staff will attend regular staff meetings.

I. Housekeeping

Offices should be kept neat and orderly at all times. Tops of desks, files and bookcases should be kept clear of unnecessary items. Desks should be cleared at the end of the day.

J. Purchasing of Supplies and Equipment

The purchasing of all supplies and equipment will be made by the Administrative Assistant or the Operations Manager. No purchase will be made for any purpose which is not authorized in the budget unless prior approval is obtained from the Executive Director. Judicious use of office supplies is expected.

K. Request for Advance Funds

A request for the amount required should be approved by the Executive Director at least one (1) week in advance of the trip. All expenses must be accounted for within three (3) working days after return from a trip.

L. Petty Cash

A small amount of petty cash is kept in the office for expenses such as paper towels, coffee, etc. All expenses out of this fund must be accounted for with a receipt. Receipts must be turned in immediately after purchase with signature and budget line item indicated.

M. Handling Finances

All funds received by the Agency, whether cash or check, will be directed immediately to the Operations Manager.

N. Paying Invoices

The Agency seeks to maintain its credit standing at the very highest level at all times. This can be accomplished by the prompt paying of its bills. Staff members should see that all bills are promptly delivered to the Operations Manager.

O. Meeting Minutes

It is required that adequate minutes be kept of all official meetings of the Agency's Committees and Board of Directors.

Minutes should record date, place of meeting and the names of those present and absent. Minutes should be brief, but full enough to make clear the subject matter discussed and what disposition was made of it. In each case, action items must be clearly shown. Minutes are distributed to all committee members in a timely fashion as well as being posted on the Agency's website.

P. Cooperation of Employees

The Agency is by its nature an example of teamwork. A high degree of teamwork is necessary at the staff level. Employees having a slack period are expected to offer their assistance to others when needed. In turn, any employee confronted with an emergency assignment can expect cooperation from other employees.

Q. Service

Pleasant and courteous treatment of callers, together with prompt and intelligent service are required of all persons employed by the Agency. Abrupt or discourteous actions in dealing with the public or in answering inquiries by telephone will be considered a serious violation of organization policy.

R. Names

Few things disturb people more than to have their names misspelled or their titles inaccurately given. Everyone should check with utmost care the exact spelling, initials, and titles for all correspondence and records. Nicknames are not to be used in official correspondence.

S. Publicity

A continuous, never-ending function of the Agency is to educate and inform the public as to the goals and accomplishments of the Agency. Community acceptance and support are vital to the success of the Agency program. Therefore, it is not only important for the Agency to do a good job, but to tell others when we do.

T. Job Descriptions

Each job classification has a job title, written description and corresponding wage and salary range. The description is intended to reflect and define the significant and essential assignments or to infer that you will not be required and expected to perform other duties not specifically mentioned. You are encouraged to examine and familiarize yourself with the job description for your jobs.

U. Further Information

If you have a question that is not answered by this handbook or if you would like further information, always feel free to speak with the Executive Director who can best answer your questions, provide you with further information or direct you to someone who can. Communication and mutual understanding are an important aspect of any business. The Agency encourages you to communicate your feelings, concerns, and ideas about its operations

Section 9. CHANGES OR MODIFICATIONS

It may become necessary to revise Agency policies, practices and procedures in order to meet the needs of the Agency, its employees. The Agency reserves the right to interpret, change, modify or rescind any portion of this handbook, including all policies, practices or benefit plans described herein without notice. Any additions or changes to the handbook will be made available for employees. It is each employee's responsibility to keep their handbook updated.

Employee Handbook Acknowledgment and Receipt

I have received my copy of the Employee Handbook.

The employee handbook describes important information about The Agency and I understand that I should consult my manager or Operations Manager regarding any questions not answered in the handbook. I have entered into my employment relationship with The Agency voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or The Agency can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.

I understand and agree that, other than the Board of Directors, no manager, supervisor or representative of The Agency has any authority to enter into any agreement for employment other than at will; only the Board of Directors of the organization has the authority to make any such agreement and then only in writing signed by the Chairman of the Board or a designate of the Board (e.g. Executive Director).

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with The Agency. By distributing this handbook, the company expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by The Agency and the company reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Board of Directors has the ability to adopt any revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at The Agency is employment at will, which may be terminated at the will of either The Agency or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by The Agency or myself.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Signature

Employee's Name (Print)

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE

Dispute Resolution Request

TO: Executive Director

The following is a statement of my grievance, which I hereby request to be reviewed:

Name: _____ Department: _____

Immediate Supervisor: _____ Today's Date: _____

The reason for my grievance is as follows (use separate sheet if necessary and be specific):

I discussed this grievance with (supervisor, person grievance is on, etc.). The response was as follows:

I believe this response was incorrect for the following reasons: _____

I believe the appropriate resolution of my grievance would be: _____

Employee Signature _____

For Personnel Use:

Received: _____

Resolution: _____

Personnel _____

Date: _____

Accident/Incident Report Form

Date of incident: _____ Time: _____ AM/PM

Name of injured person: _____

Address: _____

Phone Number(s): _____

Date of birth: _____ Male _____ Female _____

Who was injured person? (circle one) Passenger Employee

Type of injury: _____

Details of incident: _____

Injury requires physician/hospital visit? Yes ____ No _____

Name of physician/hospital: _____

Address: _____

Physician/hospital phone number: _____

Signature of injured party _____

Date

*No medical attention was desired and/or required.

Signature of injured party

Date

Return this form to Operations Manager within 24 hours of incident.

Harassment Complaint Form

Complainant Information

Name: _____ Job Title: _____

Email: _____

Preferred Communication Method: Email Phone In Person

Supervisory Information

Immediate Supervisor's Name: _____

Job Title: _____

Complaint Information

Your complaint about harassment is made about:

Name: _____ Job Title: _____

Relationship to you: Supervisor Subordinate Co-worker Other

Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

Dates harassment occurred: _____

Is the harassment continuing: Yes No

Please list the names and contact information of any witnesses or individuals who may have information related to your complaint: _____

[The last question is optional but may help the investigation]

Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain and provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information. _____

Signature: _____

Date: _____

Appendix “A”

Employee Rights

Under the Family and Medical Leave Act

Appendix “B”

Information for Employees Paid Family Leave